

1 IN THE MATTER OF THE INQUEST OF
2 COLE F. STUMP

3
4 TRANSCRIPT OF PROCEEDINGS

5
6
7 Taken at the Yellowstone County Courthouse
8 217 North 27th Street
9 Courtroom 608
 Billings, Montana
 January 31, 2022

10
11 PRESIDING CORONER: JESSIE BILLQUIST-JETTE

12
13 APPEARANCES:

14 For the County: EDWARD ZINK
 Chief Deputy County, Criminal
15 Division
 P.O. Box 35025
16 Billings, Montana 59107

17
18
19 CORONER'S JURY

20 Connye Hartman
21 Randy Dunaway
 Natalie Miller
22 Jeremiah Lysinger
 Damon Combs
23 Catherine Johnson
 Paul McCarter
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX TO PROCEEDINGS

Page

Reporter's Certificate 238

INDEX TO WITNESSES

MONICA WERK
Examination by Mr. Zink 24

DENISE BAUM
Examination by Mr. Zink 37

TAYLOR VLADIC
Examination by Ms. Zink 59

JACOB GROMMES
Examination by Mr. Zink 95

RYLAND NELSON
Examination by Mr. Zink 120

JUSTIN BICKFORD
Examination by Mr. Zink 151

DAVID RASCHKOW
Examination by Mr. Zink 176

ROBERT KURTZMAN, M.D.
Examination by Mr. Zink 209

JEFFREY WILSON
Examination by Mr. Zink 220

INDEX TO EXHIBITS

<u>EXHIBIT NO.</u>	<u>OFFERED</u>	<u>ADMITTED</u>
2	205	205
3	33	33
4	73	73
5	73	73
6	142	142
7	142	142
8	142	142
9	142	142
10	142	142
11	73	73
12	73	73
13	142	142
15	189	189
16	87	87
17	119	119
18	148	148
19	174	174
20	209	209
22	195	195

P R O C E E D I N G S

1
2 CORONER BILLQUIST-JETTE: We will now convene this
3 coroner's inquest. Let the record show today's date is
4 January 31st, 2022, and the time is 9:10 a.m.

5 Let me introduce the participants here today. My name
6 is Jessie Billquist-Jette. And I am the coroner to
7 Anaconda-Deer Lodge County. And I will be the acting
8 coroner for this inquest.

9 With me today are Ed Zink, deputy chief county
10 attorney; Angie Fox, victim witness supervisor. Also
11 taking part today is Deputy Coroner Rich Hoffman, who
12 will serve as our bailiff, and our court reporter is
13 Claudette Henry.

14 You have been called today for service as a
15 juror on a coroner's inquest into the death of
16 Cole Stump. Mr. Stump died at Billings Clinic. You
17 will be asked to decide if Mr. Stump died by criminal
18 means. I expect this proceeding will last all day and
19 it will likely be a full day. Lunch will be provided.
20 And you will not be kept overnight.

21 Mr. Zink will present an opening statement to
22 give you a short overview of the case. And Mr. Zink
23 will then question all of the witnesses followed by a
24 brief closing statement. I will then read your jury
25 instructions and you will deliberate and fill out a jury

1 verdict form.

2 Ladies and gentlemen of the jury, would you
3 please answer when I call your name, take note of your
4 juror number so you may reference it later in the
5 inquest should you have any questions. Juror number 1,
6 Connye Hartman.

7 CORONER'S JUROR HARTMAN: Present.

8 CORONER BILLQUIST-JETTE: Juror number 2,
9 Randy Dunaway.

10 CORONER'S JUROR DUNAWAY: Here.

11 CORONER BILLQUIST-JETTE: Juror number 3,
12 Natalie Miller.

13 CORONER'S JUROR MILLER: Here.

14 CORONER BILLQUIST-JETTE: Juror number 4,
15 Jeremiah Lysinger.

16 CORONER'S JUROR LYSINGER: Here.

17 CORONER BILLQUIST-JETTE: Close. Juror number 5,
18 Damon Combs.

19 CORONER'S JUROR COMBS: Here.

20 CORONER BILLQUIST-JETTE: Juror number 6,
21 Catherine Johnson.

22 CORONER'S JUROR JOHNSON: Here.

23 CORONER BILLQUIST-JETTE: Juror number 7,
24 Paul McCarter.

25 CORONER'S JUROR McCARTER: Present.

1 CORONER BILLQUIST-JETTE: Thank you. Now would you
2 all please stand and raise your right hand so that I may
3 swear you in.

4 (Coroner's jurors sworn in by the Coroner)

5 CORONER BILLQUIST-JETTE: Thank you. You may be
6 seated. Let me explain the reason for our being here
7 today. I'm quoting from Montana Code Annotated Section
8 46-4-201, "An inquest is a formal inquiry into the cause
9 of and circumstances surrounding the death of a person
10 and is conducted by the coroner before a coroner's jury.

11 The coroner shall conduct the inquest with the
12 aid and assistance of the county attorney. The county
13 attorney may and the coroner shall examine each witness
14 and the witness may be examined by the jurors." If you
15 as a juror have a question of a witness, I would ask
16 that you raise your hand at which time I will
17 acknowledge your request.

18 Please state your juror number before your
19 question is asked. With the exception of the jurors, no
20 one else in the courtroom may ask questions of the
21 witnesses without prior approval of the county
22 attorney's office or myself. If such a case does arise,
23 that individual must present his or her question in
24 writing to me and the county attorney for approval
25 before the question is asked.

1 An inquest is required by Montana law when a
2 death is caused by a peace officer. Your presence here
3 today is to act as jurors, listen to the testimony from
4 witnesses with knowledge of the circumstances of
5 Mr. Stump's death, its subsequent investigation, view
6 pieces of evidence, and then determine whether the death
7 of Mr. Stump was caused by criminal means.

8 After listening to the testimony and viewing
9 the evidence, you will be given a coroner's inquest jury
10 form. When all the testimony is presented, I will read
11 the verdict form with instructions before you
12 deliberate. If at any time during the inquest you
13 cannot hear or need the question or answer repeated more
14 loudly, please let me know.

15 If you need to use the restroom facilities, let
16 me know and we will take a short recess. I'm going to
17 read you a set of preliminary juror instructions at this
18 time.

19 (Preliminary jury instructions read)

20 CORONER BILLQUIST-JETTE: At this time, I would like
21 to instruct the members who are here in the galley that
22 we will not tolerate disruption or outburst in this
23 courtroom today. If any of those occur, you will be
24 asked to leave the courtroom immediately. With that, I
25 will turn the inquest over to Mr. Zink for opening

1 remarks before the first witness is called.

2 MR. ZINK: Thank you. Good morning. As the coroner
3 told you, my name is Ed Zink. It is unfortunate that we
4 all have to be here today, but this is a very important
5 task under the laws of Montana. The purpose of this has
6 been explained from the coroner. It is mandatory under
7 Montana law any time a peace officer causes the death of
8 a human being.

9 This is a case involving an officer-involved
10 shooting. We are talking about matters of life and
11 death today. They are very serious, not sure if you
12 knew that's what you were coming in for today. I want
13 to assure you that we will make every effort today to
14 conduct our proceedings with sensitivity and an
15 understanding that the topic is going to be a difficult
16 one.

17 I can tell you that none of the exhibits or the
18 photos you will see today will be especially graphic.
19 The discussion may be and probably will be. You
20 probably saw as you came into the courthouse today and
21 into this courtroom that there is a mandatory mask
22 requirement in the courtroom.

23 The court reporter has asked that I take off my
24 mask when I am speaking. And I see some of you don't
25 have them on and that is okay. In different times, this

1 podium might be positioned closer to you. But what we
2 are going to do is maintain distance. And I hope that
3 is all right with all of you.

4 This is an important process for the community,
5 for our society. It is important and it matters to many
6 of the people in the courtroom today, both members of
7 Mr. Stump's family and to law enforcement. There is a
8 lot of people in this room today that are hurting.

9 They are wrestling with difficult emotions and
10 the topics today are going to stir some of those up, not
11 only from the people who are related to Mr. Stump but
12 for the officers who are involved. So we would just ask
13 for your grace as we get through this together. It is
14 going to be a long day.

15 We are not going to waste a lot of time. We
16 will be moving relatively quickly, but we won't be
17 rushing things. Your role today is to determine whether
18 the two officers who fired gunshots that killed
19 Mr. Stump acted with legal justification or not. That
20 is really the bottom line today.

21 So I want to take you back to how this all
22 started. It started on October 12, 2020, so this
23 happened a while ago about 10:20 at night. We are going
24 to give you exhibits that you will be able to take into
25 your deliberations room, to your jury room at the end of

1 the day that will have a lot of these facts on them such
2 as the times that I'm about to discuss.

3 You will get a small copy of this diagram here.
4 You will see that virtually every witness today will
5 refer to this. But we also have several of our exhibits
6 put up on the screen so that you can see them and have
7 them explained to you.

8 So October 12th, 2020, was a Monday night.
9 Just after 10:20 p.m. a woman and her husband came home
10 with her family from eating. And when they were going
11 back out to their vehicle, she observed that it appeared
12 someone was attempting to syphon gas out of their car, a
13 little SUV, which is reflected on this one.

14 That is this blue SUV here. The husband
15 grabbed ahold of the gas can and kind of took it back
16 inside so they couldn't finish what they thought was
17 happening. And the woman called 911. This call came in
18 at 10:20 p.m. and 42 seconds. This is what law
19 enforcement calls a suspicious call or a disturbance
20 call, doesn't really fall neatly into a box.

21 It is in the scheme of things, a relatively
22 benign call at least when it comes in. You'll probably
23 hear officers today say there is no such thing as
24 routine call because one ever knows as this case shows.
25 But in the scheme of things, it is not a terribly

1 serious call.

2 In Billings, the policy is for two officers to
3 be dispatched to every call, a primary officer and a
4 cover officer. And that's what happened here. And two
5 other officers, because it was a quiet night and it was
6 early in the shift, decided to self-dispatch, which
7 means they are in the area and they decided to point in
8 that way.

9 And so, ultimately four officers will be at the
10 scene. The caller -- and you will hear the 911 call
11 this morning. The caller didn't know who these people
12 were. Had no idea. But gives the detail to the
13 dispatcher. And a few minutes later after the 911 call
14 ends, and the 911 call is about four and a half minutes
15 long, right after that call ends at 10:26 p.m. and
16 22 seconds the first officer arrives.

17 This first officer is Officer Nelson. What you
18 are going to see today is that three officers arrived
19 basically one after another. This is a carport that is
20 depicted in this diagram. It is private parking.
21 People park under an enclosed roof adjacent to the
22 apartments.

23 The suspicious vehicle in particular is this
24 black car depicted here. This red car also doesn't
25 belong here. The first officer, who is Officer Nelson,

1 arrives as I said at 10:26 and parks his vehicle here.

2 The second officer arrives about seven seconds later
3 basically follows him down the alley.

4 This is Officer Vladic. He parks his patrol
5 car directly behind Officer Nelson. And about 20, 25
6 seconds later the third officer, Officer Grommes arrives
7 and parks his vehicle here. None of these officers have
8 their top lights on, so there is no red and blue lights.
9 There is no sirens.

10 As I said, this is a relatively benign call.
11 And as they get out and begin to assess what they are
12 dealing with, each of the three officers takes a
13 responsibility. The first officer, Officer Nelson, will
14 see a male get out of the back of this red car, walk
15 forward, and kind of positions himself toward the front
16 of this black vehicle here.

17 This diagram doesn't show it because of
18 software limitations. But the hood is up on this car.
19 You will see some photos of this. The male appears to
20 be doing something underneath the hood. Officer Nelson,
21 the first officer here, will walk up and begin talking
22 with that male.

23 Officer Nelson doesn't know who this is. In
24 fact, none of the three officers here have ever
25 interacted with this individual before. His name is

1 Cole Stump. Officer Vladic, because it is tight
2 quarters between the red and black car, will go over to
3 the passenger side of this red car and he will speak to
4 two women that are inside this car.

5 And after a fashion, because they are not real
6 eager to be talking to a police officer, he will learn
7 that these two women are there to meet up with this
8 male, Cole Stump. Third officer, Officer Grommes
9 positions himself kind of to the back of the two cars
10 and he begins checking license plates, which is
11 something that police officers do in a situation like
12 this or any traffic stop.

13 They look at the license plates and so on. As
14 these first three officers are moving in and around this
15 area -- this whole call by the way will end with shots
16 being fired about five minutes later. So this whole
17 situation is relatively quick. But in the first few
18 minutes, they are going to make several observations.

19 Mr. Stump doesn't particularly want to talk to
20 the officers. You are going to hear some profanity
21 today, and I apologize. But he is on a cell phone
22 talking with someone, we don't know who, and he says
23 something to the effect of the F-ing cops are here.

24 As Officer Nelson tries to talk with him and
25 identify him, Mr. Stump says he doesn't have an ID on

1 him but he's happy to go inside. "I will go inside and
2 get it." And Officer Stump says, "No, no, you stay
3 here." Excuse me. Officer Nelson says stay here. He
4 provides a name of John Collins with a date of birth.

5 This happens a minute 55 after Officer Nelson
6 has arrived. He gets the name John Collins and a date
7 of birth. Officer Nelson tries to get on his radio to
8 contact dispatch to run this name for the reasons you
9 might imagine to know who he is dealing with. And he is
10 not getting a return.

11 He's also hearing that dispatch is very backed
12 up with other radio traffic. They are making
13 observations of this black car. And they note it
14 appears to have been recently spray-painted black.
15 There is paint streak marks. There is tape on it. A
16 significant portion of the passenger side is still white
17 with what appears to be black over-spray on it.

18 Meanwhile Officer Grommes is running the
19 license plate and the license plate comes back to a
20 silver Dodge pickup, not a black Chevy Impala, not a
21 white Chevy Impala because the passenger side is still
22 white. They look a little bit more closely to the car
23 and they see that the VIN number plates in the
24 windshield and on the door, which is open are obscured.

25 They have had blue marker drawn over them so

1 that the VIN numbers on the black car are not readily
2 visible. Given the way that Mr. Stump is acting, the
3 fact that they are not getting a return on his name, the
4 fact that this car to them appear to be a stolen
5 vehicle, Officer Nelson and Officer Grommes kind of
6 looked at one another and make the decision that this
7 man needs to be placed in handcuffs until they figure
8 out what is going on.

9 Shortly before this decision is made a fourth
10 officer, Officer Bickford, arrives. He comes from the
11 other direction down the alley. He is now coming from
12 the west off of 24th Street, drives down the alley, and
13 he's facing Officer Nelson's patrol car. He gets out of
14 the vehicle.

15 You will see on the video he stands around for
16 a few moments until Officer Nelson kind of summons him
17 over. Not getting a return on the information from
18 dispatch, Officer Nelson kind of reaches over his back
19 shoulder and hands him his notepad where he's been
20 writing down John Collins and his date of birth, hands
21 it to Officer Bickford and says, "See what you can find
22 on this guy."

23 Officer Bickford returns back to his patrol car
24 and gets inside, leaves the driver's side door open,
25 sits down inside, and if you have ever seen the inside

1 of a modern police vehicle, they have a computer
2 terminal with a keypad.

3 This is called a mobile data terminal, so they
4 are typing on something to communicate with dispatch
5 rather than getting on a radio, which is backed up.
6 So Officer Bickford arrives almost three minutes after
7 Officer Nelson. Within about a minute, he is back
8 inside of his patrol car and he makes an inquiry for
9 John Collins at 10:30 and 12 seconds.

10 It is at this time that Officer Grommes and
11 Officer Nelson are making the decision to place this man
12 in handcuffs to figure out what is going on based upon
13 everything they have seen to this point. And what
14 happens at that moment in time as Officer Grommes and
15 Officer Nelson go hands-on, which means they actually
16 touch him, Mr. Stump tenses up and attempts to get away
17 from them and attempts to get out of their grip.

18 Officer Grommes takes him to the ground.
19 Officer Nelson starts to get on top of him. And this is
20 all going to occur basically in front of this bluer car,
21 kind of beside of this bicycle that is reflected on this
22 diagram. This diagram is just designed to assist
23 witnesses today to kind of have some relative points to
24 talk about where things happened.

25 But that's where this is going to take place.

1 Officer Vladic at this time is still over here on the
2 passenger side of the red car. And Officer Grommes and
3 Nelson are beginning to have a significant struggle with
4 Mr. Stump on the ground.

5 You will hear from Officer Nelson today, this
6 morning, he is trying to get ahold of his hands and he
7 can't, he can't control them. Mr. Stump is on his right
8 side, kind of leaning over, not quite all the way on his
9 stomach. His hands are against his chest and is
10 reaching down in this direction.

11 You will hear that officers know from training
12 and experience that people often carry firearms here, in
13 the front waistband area. You may hear it referred to
14 as appendix carrier. As they are struggling with him on
15 the ground, Officer Vladic hears the commotion. He
16 begins to run over here to assist.

17 He actually has the ID of one of the women in
18 the car and in his notepad in his hands. He drops those
19 on the ground. You will see those in some of the
20 pictures. They are about here on the sidewalk. He runs
21 over to try to help. This entire struggle in the scheme
22 of this five or so minutes takes place in about
23 30 seconds. It is very quick.

24 Officer Bickford, who is back in his patrol car
25 running this information on the terminal hears the

1 struggle, hears the commotion, gets out of his car, and
2 runs in this direction to come up. Mr. Stump is on the
3 ground. Two officers are on him. A third is trying to
4 get on him.

5 Officer Bickford will tell you he goes to the
6 head area. Mr. Stump's head is this direction on the
7 diagram. His feet are towards to the cars.

8 Officer Bickford only is going to interact with this man
9 for a grand total of maybe five to ten seconds. He
10 comes over, hears the commotion, he gets down on his
11 knees.

12 He draws his firearm. And he is so close. It
13 is held up closer to his chest. They are all issuing
14 him commands to give up his hands, to give up his hands.
15 Officer Nelson is calling out, "He's reaching, He's
16 reaching. I feel something hard." Officer Nelson calls
17 out something to the effect, somebody tase him.

18 Officer Grommes will get off him, stand up, and
19 try to step back a couple of feet. And we will explain
20 why this is, to give the Taser probes some distance to
21 work. And he deploys his Taser on Mr. Stump. It
22 doesn't work. What he has to see is basically the left
23 profile of Mr. Stump on the ground because, again, he is
24 on his right side, and he is moving like this with his
25 hand here.

1 The Taser fails. It does nothing to slow
2 Mr. Stump down. Officer Bickford, in the few seconds
3 that he's there, pulls his firearm, and says something
4 to the effect of give me your hands, give me your hands,
5 give me hands. You are going to get shot. Rapidly and
6 loud.

7 In response to this, you will hear
8 Officer Nelson and Mr. Bickford tell you Mr. Stump turns
9 and looks Bickford in the eye at close distance and
10 yells something to the effect of I'm going to fucking
11 shoot you. At that exact moment, he pulls a handgun
12 from his waist. What Officer Nelson was trying
13 desperately to prevent.

14 And he begins to point it in the direction of
15 Bickford. At this moment, Officer Bickford begins
16 firing as does Officer Nelson. Officer Bickford
17 unfortunately fired three rounds into Mr. Stump's head,
18 the fourth round into his neck. Officer Nelson fired
19 seven rounds into his left side and flank.

20 These are mortal wounds that Mr. Stump would
21 not survive. You will hear a few more details from the se wound
22 pathologist toward the end of today. After this
23 happens, the officers back away. One officer goes to
24 get the two females out of the red car and move them to
25 a position of safety and then began calling out.

1 Billings police vehicles have dash-cameras.
2 You may hear them referred to today as Watchguards.
3 Watchguard is a brand. That's what they carry in their
4 vehicles. These cameras are located kind of in the
5 front windshield around the rearview mirror, and they
6 point straightforward.

7 So we will have video today that shows
8 relatively little. You are going to see from each of
9 the four vehicles about ten minutes of footage each.
10 Officer Nelson, you will see an empty alley. Then you
11 will see eventually almost three minutes later
12 Officer Bickford arrive.

13 You will see the opposite from Officer Bickford
14 as he rolls in. Officer Vladic's vehicle, which will be
15 the first video you will see today, actually shows kind
16 of a little bit more because it is back a little. And
17 you will see some of the movements, for example, of an
18 officer back here looking at the license plates and so
19 on.

20 Officer Grommes, you will see the back of a
21 police car, not a whole lot else. When officers for
22 Billings police patrol vehicles turn on their top
23 lights, audio and video automatically turn on. And in
24 this case, none of the four officers had their top
25 lights on. So all that was recording was video.

1 So unfortunately there is no audio of the
2 interaction between the officers and Mr. Stump. And I
3 will ask each of the four officers why that is. They
4 carry a mic pack on the front of their uniforms. And
5 you will hear it perhaps referred to as a load-out vest
6 where all their gear is.

7 Their mic packs are here, and they look a
8 little bit like a garage door opener, for lack of a
9 better description. It is a big button, and the officer
10 can turn it on like that. Officer Nelson, who is the
11 first to arrive, his mic pack is actually sitting on the
12 charger in his patrol vehicle kind of near the center
13 console charging.

14 It is the beginning of the shift. The only
15 audio of significance from that will be the shots fired
16 because that sound is discernable. And that sound
17 happens at exactly 10:31 and zero seconds. So we are
18 able to pin down with precision based upon the arrival
19 of the cars to the moment in time the shots were fired
20 the relative time from start to end.

21 You are not going to hear the interaction
22 between Mr. Stump and any of the officers. But we do
23 have a civilian witness who will tell you about what she
24 observed and heard. You are going to hear toward the
25 end of some of these videos some of the officers begin

1 to turn on their mics and explain to each other I
2 thought you were on.

3 No, I wasn't on either. And the microphones
4 will start to come on. It will be at the very tail-end
5 of these videos. You will see some drive time as
6 officers respond to the call. Nothing of note will
7 happen in that. But we are giving to you from the call
8 comes in to when they arrive, to see the routes they
9 took and so on.

10 They summon medical and fire right away. When
11 paramedics and firemen come in to a scene like this, of
12 course, they are attempting emergency lifesaving
13 measures and they are disruptive of a scene of course.
14 There is -- they have no concern about evidence or
15 anything else.

16 Their job is to try to save a life. They know
17 this. The officers know this. And one of the officers
18 goes back to his patrol car and begins snapping a
19 handful of quick photos of the scene before it is
20 disturbed. So you will see some of those photos today.
21 The other thing that happens is after shots are fired,
22 Mr. Stump still has in his hand his firearm.

23 It is a Taurus semiautomatic firearm. It is
24 loaded with rounds in the chamber. And his finger is
25 still in the trigger well. And so, Mr. Bickford, in the

1 moments after, will kick it out his hand. It is going
2 to slide a few feet away, four or five feet away. It is
3 going to end up in front of this blue car on this
4 diagram.

5 You will see several photos of that. As you
6 might imagine at a time like this, a massive
7 investigation begins with massive law enforcement
8 response. The four officers who are at the scene and
9 are involved are removed from the scene pretty quickly.

10 Very brief statements called public safety
11 statements are taken from each of the four officers.
12 Did you fire, yes or no? In what direction? Are you
13 okay? Are you injured? The officers are removed from
14 the scene and have no further role in the investigation.

15 You will hear from the primary case
16 investigator toward the end of the day today about the
17 full scope of the investigation and what they were able
18 to determine. You will also hear about the results from
19 the autopsy. You will hear that the car that they were
20 dealing with here initially is, in fact, a stolen car.

21 You will hear that the firearm on Mr. Stump's
22 person was loaded and functional and tested by the crime
23 lab and also stolen. You will hear a little bit about
24 the wounds on Mr. Stump and hear that he was under the
25 influence of methamphetamine at the time this all

1 occurred and many, many other details as we present to
2 you what took place.

3 At the end of the day, we will ask you to
4 evaluate this evidence and reach a verdict. We will not
5 advocate for a particular outcome. That is your role.
6 We appreciate your time and attention today. I
7 apologize that we all have to meet under these
8 circumstances, but we will get through the day together.
9 Thank you.

10 At this time, the County calls Monica Werk.

11 CORONER BILLQUIST-JETTE: Ms. Werk, please raise
12 your right hand.

13 MONICA WERK,

14 called as a witness, and having been first duly sworn by
15 the Coroner, was examined and testified as follows:

16 THE WITNESS: Yes.

17 CORONER BILLQUIST-JETTE: You may be seated.

18 MR. ZINK: Any time today you can't me or a witness,
19 please tell me to speak up.

20 DIRECT EXAMINATION

21 BY MR. ZINK:

22 Q Good morning.

23 A Good morning.

24 Q Would you please introduce yourself. And you
25 may remove your mask, if you wish.

1 A My name is Monica.

2 Q Monica, how are you involved in what we are
3 talking about today?

4 A I was the 911 caller.

5 Q And at the time, did you live at the location
6 where all this took place?

7 A Yes.

8 Q Do you still live in Billings?

9 A Yes.

10 Q I want to take you back -- are you married?

11 A Not technically.

12 Q Do you consider the person you are with your
13 husband?

14 A Yes.

15 Q Do you have children?

16 A Yes.

17 Q Take you back to a difficult time to
18 October 12, 2020. That was a Monday. Do you remember
19 that day?

20 A Yes.

21 Q What were you and your family doing at about
22 10:00 p.m.?

23 A Sitting at home.

24 Q At some point, did you leave and go for dinner?

25 A For a -- like, a light snack, kind of snack.

1 Q Do you remember where you went?

2 A No. Tacos, I think.

3 Q Tacos. About what time do you think that
4 happened?

5 A Around 10:00 maybe.

6 CORONER'S JUROR HARTMAN: Sir, could she speak
7 louder.

8 BY MR. ZINK:

9 Q Would you please speak up and lean into that
10 microphone. Thank you, Monica. Is it okay if I call
11 you that? When you came back, what vehicle were you
12 driving?

13 A The Traverse.

14 Q What color is it?

15 A It is like a navy blue.

16 Q Where you lived at the time, were there
17 assigned parking spots to put your vehicle?

18 A Yeah.

19 Q When you and your family came back, who all was
20 in the vehicle when you came back home?

21 A Me and my husband and my two daughters.

22 Q Did you park in your assigned spot?

23 A Yeah.

24 Q At that point in time, did you see something
25 that caught your and your husband's attention?

1 A Not right away.

2 Q Did you and your family go inside?

3 A Yeah.

4 Q At some point, did you or your husband come
5 back outside?

6 A My husband did.

7 Q Did he see something that seemed out of place
8 and caught your attention?

9 A Yeah.

10 Q What was that?

11 A Gas can sitting next to where you pump your
12 gas.

13 Q In your car?

14 A Yeah.

15 Q Why was that out of place?

16 A Stuff like that usually doesn't happen that I
17 have ever noticed around my apartment complex. It is
18 usually pretty quiet. So when that kind of happened, I
19 kind of figured somebody was trying to syphon gas out of
20 the fuel tank.

21 Q Did you also note that your gas cap was open?

22 A I don't think it was open.

23 Q What did your husband do with that gas can?

24 A He brought it inside.

25 Q Did you two talk about what he had just seen?

1 A Mmm-hmm.

2 Q What did you do?

3 A We just kind of talked at first and then he
4 went back outside. And I wasn't really too sure where
5 he went at the time so I started texting him. He wasn't
6 answering so I went outside myself.

7 Q Keep leaning into that microphone for us.
8 Okay.

9 A Okay.

10 Q Thanks. So he went outside and you two were
11 texting back and forth about what he was seeing?

12 A Not at first. At first, I couldn't get ahold
13 of him.

14 Q What did you do?

15 A I went outside.

16 Q Why did you do go outside?

17 A To figure out where he was, and I just -- try
18 to find him.

19 Q So are you able to see this diagram?

20 Angie, could I have Exhibit 1 up on the screen.

21 Are you able to see the diagram kind of behind
22 me, Monica? And is it also on your screen right there?

23 A Yes.

24 Q Is there a laser pointer beside you on the
25 witness stand?

1 A Yes.

2 Q Looking at that diagram, roughly where is the
3 entrance and exit to this building?

4 A Over by where it says 100.

5 Q By the number 100 in the lower-right corner?

6 A Mmm-hmm.

7 Q Okay. So for the record, there is some numbers
8 on bottom, zero, 50, 100. That is a scale in feet for
9 the diagram. But by the 100 is about where your door
10 is. Is that where you came out?

11 A Well, it is like over more.

12 Q Little over. Which direction?

13 A So, like, if you are like -- I can't really see
14 the bottom of your --

15 Q How is that? Further?

16 A Yeah.

17 Q We will figure this out.

18 A So, like, that is the side if you go around
19 here -- sorry -- I'm shaky. And if you go, like --
20 like, right here, like, there is an apartment building
21 right there. But if you go over a little bit more,
22 there is the middle of it. And that leads to four more
23 apartments. And that's where I came out.

24 Q So you came out from the building over here?

25 A Mmm-hmm.

1 Q Where did you go?

2 A I went to my car.

3 Q Did you walk down the sidewalk in this general
4 direction?

5 A Yeah.

6 Q What did you see?

7 A I seen -- at the time I wasn't sure who it was.
8 It was Cole. And I walked over to my car to make it
9 seem like I was trying to get something out of my car.
10 And I was trying to be nosey and look for my husband,
11 trying to figure out who these people were and try to
12 find my car and who was the gas can --

13 Q Can you speak up, please.

14 A It turned out to it was theirs. So I went to
15 my car, which is blue one right here. And I went around
16 the corner to the back hatch and grabbed out a bag. And
17 then while I was walking over there, he was like bent
18 over, leaning into that black car trying to -- I'm not
19 sure what he was trying to do.

20 Q Was the hood up at that time?

21 A Yes.

22 Q So was he bent over the front of the engine
23 area maybe trying to do something there?

24 A Yeah.

25 Q Did you talk to him at all?

1 A No.

2 Q Did you talk to anyone there?

3 A No.

4 Q You mentioned people. So in addition to the
5 male you saw in the front of the black car, where did
6 you see other people?

7 A There were two females inside the red car.

8 Q Did you talk to them?

9 A No.

10 Q You said you did not know the male but you
11 called him Cole. At some point, you learned who we are
12 talking about today, is that fair?

13 A Mmm-hmm.

14 Q Did you know why the two women were in the car?

15 A Nn-hmn.

16 Q After you went to the back of your vehicle, you
17 said it is a Chevy Traverse?

18 A Yeah.

19 Q Got something out of the back. What did you do
20 then?

21 A I went over to the -- first I went to, like,
22 the side of my car right here and that's when I got the
23 text message for my husband to go inside.

24 Q Did you?

25 A Yeah. And then once I got inside that's when

1 me and my husband started texting back and forth. And
2 he was, like, to the side of the building, right here,
3 it kind of dips in a little bit and my husband was kind
4 of, like, hiding.

5 He was there from the start. So when he
6 disappeared, that's where he went. He went over there
7 to try to see who would come back. And it was Cole.

8 Q So you didn't know any of these three people?
9 Did either of these cars belong in the parking spot
10 where you observed them?

11 A The red car and the black car didn't belong
12 there.

13 Q So they are not residents of this apartment
14 complex?

15 A Not that I'm aware of, no.

16 Q When you went back inside, what did you do?

17 A I called 911 to report suspicious activity.

18 Q Why did you make that call?

19 A I work hard for the things that I have. So if
20 somebody is stealing from me even if it is just couple
21 gallons of gas, I paid for that. So that's why.

22 Q Of course that moment in time, you couldn't
23 have had any idea about what would happen over the next
24 few minutes, could you? How long do you think you were
25 on the phone with 911?

1 A I don't know, three, four minutes.

2 Q If we played that phone call now, would you be
3 okay listening to it?

4 Angie, would you please call up and publish
5 with the coroner's permission County Exhibit Number 3,
6 an audio recording of the 911 call.

7 CORONER BILLQUIST-JETTE: It is admitted.

8 (County's Exhibit Number 3 was received
9 in evidence by the Coroner.)

10 (Audio being played)

11 BY MR. ZINK:

12 Q You doing okay? How does it feel today to
13 listen to that call again?

14 A Never really forgot that day. It is always in
15 the back of my mind.

16 Q Sure. After you hung up with the 911 operator,
17 what happened next that you remember?

18 A I texted my husband and I told him that I
19 called the police. They said to come inside.

20 Q Did he come inside?

21 A Yeah.

22 Q What did you do?

23 A I waited a few minutes but then I went outside.

24 Q Why did you go back outside?

25 A Usually when you call the police, they want to

1 talk to you so I went out there to wait because my house
2 was messy. I didn't want them to come inside so I went
3 outside.

4 Q And the person on the other end of the line at
5 911 just asked you if you would be willing to talk with
6 police?

7 A Mmm-hmm.

8 Q When you went outside, about where did you go?

9 A Like -- like, I was around this corner. There
10 is a tree over here. And that's where I went to stand.

11 Q When you went there, did you at some point
12 became aware that some Billings police officers arrived?

13 A Mmm-hmm.

14 Q How did you know they showed up?

15 A I seen their police cars. I seen one.

16 Q Saw one initially?

17 A Mmm-hmm.

18 Q Did more eventually come or come soon
19 thereafter?

20 A Yeah.

21 Q Did you watch what was taking place, or did you
22 just stay around the corner and listen?

23 A I pretty much stayed around the corner and
24 listened.

25 Q Tell us what you heard, please.

1 A At that time, my neighbor was out there so I
2 was kind of talking to her and listening at the same
3 time. I didn't hear all of it, just bits and pieces,
4 you know, kind of stood out to me. I did hear a lot of
5 shouting and like physical contact like somebody, you
6 know, get -- you hear that. I heard a lot of that.

7 And me being around the corner, I had to have
8 been, you know, pretty -- I don't really want to say
9 aggressive. But you could hear it.

10 Q Okay.

11 A I heard Coleman -- Cole shouting at the police.
12 And at one moment, I heard the -- them shout out Taser,
13 Taser, Taser, or something like that. And, like, I
14 heard the clicking. So you kind of figure that it
15 didn't grab on him but maybe his clothing 'cause it
16 didn't do anything. But you hear the clicking of Taser.

17 Q Okay. What do you remember hearing next?

18 A Another thing that stood out was what he
19 shouted to the police at that time.

20 Q What did he say?

21 A Excuse my language. But he said, "Don't
22 fucking touch me or I'm going to fucking kill you."

23 Q Is it fair to say that you are down here? Am I
24 pointing in the right area?

25 A Mmm-hmm.

1 Q You are maybe a little over 50 feet away from
2 where we think this took place, which is in front of
3 this blue car?

4 A Yeah.

5 Q What do you remember hearing next?

6 A It happened really fast. And soon after that
7 is when I heard the gunshots.

8 Q Okay. Do you have any other observations of
9 those moments in time you think the jury should know
10 about this morning?

11 A I heard them yell gun.

12 Q Who -- who yelled gun?

13 A I think it was the police. There was a lot of
14 voices that night.

15 Q You heard someone yell gun?

16 A Mmm-hmm.

17 Q I appreciate that this has been a difficult
18 morning for you and a difficult thing to bring up again.
19 I'm sorry to force you to do this. Is there anything
20 else you recall or anything that you think is important
21 for this jury to know today?

22 A I don't think so.

23 Q Okay. Has this event affected you?

24 A Yes.

25 Q I apologize, Claudette.

1 You are Native American, too, aren't you?

2 A Yeah.

3 MR. ZINK: Ms. Coroner, those are the only questions
4 that I have. If any members of the jury panel have
5 questions for Ms. Werk.

6 CORONER BILLQUIST-JETTE: Do any of our jury members
7 have questions for this witness? Ms. Werk, thank you.
8 You are excused.

9 MR. ZINK: At this time, the County calls
10 Detective Denise Baum.

11 DENISE BAUM,
12 called as a witness, and having been first duly sworn by
13 the Coroner, was examined and testified as follows:

14 THE WITNESS: Yes, ma'am.

15 CORONER BILLQUIST-JETTE: Please be seated.

16 DIRECT EXAMINATION

17 BY MR. ZINK:

18 Q Good morning.

19 A Good morning.

20 Q You may take your mask off.

21 A Thank you.

22 Q Would you please introduce yourself for the
23 jury and spell your name for the court reporter?

24 A Yes. Denise Baum; B as in boy, A-U-M.

25 Q Detective Baum, what do you for a living?

1 A I'm a detective with the City of Billings
2 Police Department.

3 Q I'm going to have you lean into that mic so we
4 can all hear you, please.

5 A Detective Denise Baum with Billings Police
6 Department.

7 Q How long have you been with the Billings Police
8 Department?

9 A 18 and a half years.

10 Q Can you tell us a little bit about your history
11 and your career within the department?

12 A I was hired in 2003. Started out in uniform
13 patrol. Received training as a crash investigator and
14 later tested for position of detective, which I was
15 assigned to investigations division in 2008.

16 Q So you have been detective now for about to 14
17 years, if my math is right?

18 A 13, yes.

19 Q What types of cases do you work?

20 A The whole -- initially I was general detective,
21 kind of work the gamut from property crimes, assaults,
22 sexual assaults, homicide cases, officer-involved
23 shootings. I primarily investigate child physical
24 sexual abuse cases. But I'm also subject to callout any
25 time so whatever comes in also through the result of a

1 callout I also investigate.

2 Q I want to take you to October 12th, 2020.

3 A Yes.

4 Q Late in the evening. Did you happen to work
5 that day?

6 A Monday is my day off.

7 Q At some point, did you get called out?

8 A Yes, I did.

9 Q What day of the week was October 12th, 2020?

10 A It was a Monday.

11 Q Tell us please the nature of the callout and
12 what you were told?

13 A So I received a call at approximately
14 11:15 p.m. on October 12th, 2020, from Lieutenant Hart
15 requesting that I respond to the alley approximately
16 2200 block of Avenue C regarding an officer-involved
17 shooting. Lieutenant Hart advised me that there were
18 two officers involved that had discharged the firearms,
19 Officer Nelson and Officer Bickford.

20 And that he did not know the condition of the
21 individual in which the officers were dealing with.

22 Q What was the condition of the two officers?

23 A That they were uninjured.

24 Q This is the 2200 or 2300 block of Avenue C; is
25 that right?

1 A Yes, sir.

2 Q Is that within the city of Billings?

3 A Yes, it is.

4 Q Is that within the exterior boundaries of
5 Yellowstone County?

6 A Yes.

7 Q Did you respond?

8 A Yes, I did.

9 Q What did you do as you were responding from
10 home to the scene?

11 A I wanted a little bit more information so as I
12 was driving to the scene, I called dispatch to find out
13 the nature in which the call that the officers had
14 responded to, of what placed them in that area.
15 Dispatch advised me that the officers had been sent to a
16 suspicious call at that location in the alley in the
17 2200 block of Avenue C.

18 Further, that the caller had reported that they
19 were concerned that there was individuals that were
20 attempting to syphon gas from their vehicle.

21 Q Going back to your days on patrol, what is a
22 suspicious call?

23 A That can be a whole gamut of things.
24 Suspicious that there is some type of criminal activity
25 occurring or concern for someone's welfare, things of

1 that nature.

2 Q Are calls for police assistance that are more
3 serious or whether someone is injured or some violence
4 is being threatened, are they labeled differently than a
5 suspicious call typically?

6 A Yes.

7 Q So this was a less serious type of call that
8 they were initially sent to, is that fair?

9 A Yes, sir.

10 Q About what time did you arrive on the scene?

11 A I arrived just a few minutes before midnight
12 on October 12th, approximately, I think, 23:58, so
13 11:58 p.m.

14 Q Tell us please what you observed when you
15 arrived on scene.

16 A So I approached the scene coming west down the
17 alley from 22nd Street West, so in the alley between
18 Avenue B as in boy and Avenue C. As I proceed west down
19 the alley, the police department crime scene van was
20 already on scene parked in the alley. And there was
21 yellow police do not cross tape that had been set up.

22 Q So the scene is already basically secured by
23 the time you get there?

24 A Yes, sir.

25 Q Were there a lot of investigators and officers

1 present?

2 A The only -- so Lieutenant Hart was on scene.
3 Detective Raschkow was already there, uniform
4 Sergeant Lennox, there may have been another uniform
5 officer. But I do not -- I don't recall having contact
6 with anybody else.

7 Q So we may be referring to this a lot today.
8 This is County Exhibit Number 1.

9 A Yes, sir.

10 Q You said you came from 22nd and headed west.
11 You came from over here and headed in this direction; is
12 that correct?

13 A Yes. Orientated correctly.

14 Q North is down?

15 A Yes.

16 Q For unknown reasons, that is how it was drawn.

17 A Okay.

18 Q Who did you understand to be the four officers
19 that were involved in this situation?

20 A At the time, I said I was aware of
21 Officer Nelson, Officer Bickford. And then when I spoke
22 with Sergeant Lennok on the scene, the only other
23 officer I was aware of was Officer Grommes.

24 Q Did you also find out that Officer Vladic was
25 involved?

1 A At some later point, yes.

2 Q Were any of those men present when you arrived?

3 A No, they were not.

4 Q Did you speak with any of the four as part of
5 your involvement in this investigation?

6 A I did not.

7 Q Tell us a little bit about the scene and how it
8 was laid out, please. There is a laser pointer there if
9 that would be helpful.

10 A Oh, gracious. All right.

11 Q You can step out, stand up if you would like.

12 A So the crime scene van was parked a little bit,
13 it would be east of this last vehicle here. So there
14 were two patrol cars contained within the yellow tape
15 area here. There was one depicted as shown here, one
16 facing east, and this one facing west. And then you had
17 this red vehicle here, this red Chevy Impala.

18 And the partially spray-painted black Chevy
19 Impala, the passenger door was still white. And there
20 was a bicycle here. That --

21 Q Was the decedent, Mr. Stump, still on scene
22 when you arrived?

23 A No, he was not. He had already been
24 transported.

25 Q To a hospital?

1 A Yes, sir.

2 Q You may sit back down. Were you given a basic
3 briefing of information about what took place?

4 A Yes, from Sergeant Lennok.

5 Q Can you tell the jury kind of what you were
6 told?

7 A I was advised by Sergeant Lennok that the
8 individual they were dealing with was connected to the
9 spray-painted black Chevy Impala. That -- that the
10 decedent, Mr. Stump, had provided officers with a false
11 name. And when they attempted to detain him that
12 Mr. Stump fought with the officers and he was taken to
13 the ground.

14 At that point, Sergeant Lennok told me that
15 Officer Grommes had deployed his Taser and that someone
16 had shouted gun. And that Officer Nelson and
17 Officer Bickford had to start discharge their firearms
18 at Mr. Stump.

19 Q Did you learn Mr. Stump's condition around this
20 time?

21 A Yes. Sergeant Lennok advised me that Mr. Stump
22 was deceased.

23 Q Of course today significant time later than
24 October of 2020, you are referring to him as Mr. Stump.
25 At this moment in time when you are being briefed by

1 Sergeant Lennok, did anyone know who this male was at
2 this time?

3 A At some point in time -- initially, I believe
4 Sergeant Lennok had told me that the male individual was
5 later identified by Cole Stump. But what point that
6 was, I believe when he initially briefed me, that we may
7 have had his name by then.

8 Q What was your role at this scene at this stage
9 of the investigation?

10 A So I obtained a signed consent to search from
11 the property management company. There was an employee
12 on scene with regards to that. So I obtained that
13 signed consent from the property management that allow
14 us to search and collect any evidence on scene. I was
15 then tasked with interviewing the two females that had
16 arrived in the red Chevy Impala.

17 Q Where was that interview to take place?

18 A They had already been transported down to
19 the -- to City Hall.

20 Q Had any patrol officers before detectives
21 arrived been able to talk with either of those two women
22 at the scene?

23 A Yes.

24 Q So do you know the identities of those two
25 women?

1 A Yes. Nicole Half and Deloree Hugs.

2 Q Did you find out where in the red vehicle those
3 two women were seated?

4 A Yes. Nicole Half was the driver and also the
5 registered owner of the red Chevy Impala. And
6 Deloree Hugs was the front passenger.

7 Q Before you went to City Hall to speak with
8 these two women, did you talk with any of the patrol
9 officers there about their information that they had
10 received to that point?

11 A Not on scene. I did speak with two patrol
12 officers once I arrived at City Hall.

13 Q Who did you talk to?

14 A Officer Sampson and Officer Schultz.

15 Q What information, in summary form before we get
16 to the details, did they provide you?

17 A In general, Officer Sampson had advised me she
18 had taken a brief statement from Nicole Half and just
19 what her activities were. And she had also taken a
20 statement from, I believe, the boyfriend of the initial
21 caller reporting the suspicious activity and also took
22 a -- Officer Schultz took a brief statement from
23 Deloree Hugs.

24 Q What did Ms. Half tell Officer Sampson?

25 A Just that herself and her friend, Deloree, were

1 cruising around most of the night, that her cell phone
2 was unlocked and she was willing to allow officers to
3 view conversations in her phone. And that she had
4 gotten a Facebook message from Mr. Stump, and that he
5 needed a jump, a boost for his vehicle and to meet him.

6 And that Cole would give her money for gas if
7 she came and assisted him.

8 Q Officer Schultz took a brief statement from
9 Ms. Hugs; is that correct?

10 A Yes.

11 Q What generally did he tell you?

12 A Just in general that she was aware that
13 Mr. Stump needed a boost, a jump for his vehicle and
14 that Nicole, she thought had gotten a phone call from
15 Mr. Stump in regards to that.

16 Q Before we get into the details, is it accurate
17 to say that Ms. Half and Ms. Hugs both gave statements
18 to you?

19 A Yes.

20 Q Did they relay to you that they observe some of
21 the events before and up to the moment in time when the
22 officers fired shots?

23 A Yes, they did.

24 Q They are not here today, are they?

25 A No, sir, they aren't.

1 Q Have you made attempts to reach Ms. Hugs
2 recently?

3 A Yes.

4 Q Have they been successful?

5 A They were not.

6 Q Ms. Half, what is her current situation?

7 A Ms. Half has a number of warrants for her
8 arrest with a significant bond amount.

9 Q Is this an individual probably doesn't want to
10 have contact with law enforcement?

11 A Most likely, yes.

12 Q Did you take recorded statements from both of
13 them?

14 A I did.

15 Q Did you document accurately the contents of
16 those statements?

17 A Yes.

18 Q Turning first to the statement from
19 Nicole Half, would you please tell the jury what she
20 told you?

21 A So she stated that previous to meeting up with
22 Mr. Stump in the alley that her and Delora had basically
23 been cruising around most of the evening. She was very
24 vague as far as what their specific activities were.
25 And that -- that Cole had contacted her through Facebook

1 messenger.

2 She had asked him for some money for gas. He
3 in turn made a call to her discussing that he needed a
4 boost, a jump for his car.

5 Q Did Ms. Half tell you how she knew Cole?

6 A Yes. She stated that she knew him. She did
7 not know his last name. She stated that she just knew
8 him through associating with other people and that she
9 had seen him around and had only known him for
10 approximately a little over a month.

11 Q Did she describe how she knew Ms. Hugs?

12 A She stated that she had known Delora Hugs for
13 couple of years, was acquainted with her, but just had
14 recently started hanging out with her.

15 Q Did Ms. Half tell you where Delora was from?

16 A Lame Deer.

17 Q After she described kind of what they were
18 doing for the evening, did she tell you the purpose of
19 meeting up with Mr. Stump eventually where everyone
20 ended up there by those apartments?

21 A Correct. When Mr. Stump had called her, he
22 stated that he needed a ride and sent her a message to
23 meet him at the location of Avenue C. She did drive her
24 red Chevy Impala while with Delora to that location
25 where she met with Mr. Stump.

1 Q At some point, did she and Mr. Stump
2 communicate that he had arrived at this location and now
3 he no longer needed a ride but needed a boost?

4 A I believe that was some of the phone call and
5 then he sent her a Facebook message that said Avenue C
6 so she was aware. She didn't go right away to pick him
7 up when he was asking for a ride and that he had
8 already arrived at the Avenue C location so that's where
9 she drove to.

10 Q Was she able to provide a jump start?

11 A No, she did not have battery cables, jumper
12 cables with her.

13 Q At some point after she and Ms. Hugs arrive,
14 did police arrive on the scene?

15 A Yes.

16 Q Did she tell you about how long she and
17 Ms. Hugs had been there before police arrived?

18 A I believe it was her or Deloree that said they
19 thought it was about 20 minutes. I believe it was
20 Nicole.

21 Q What did Ms. Half tell you that she observed
22 after the police arrived?

23 A So after she realize she didn't have jumper
24 cables in her car, she said she was talking a little bit
25 with Mr. Stump and then return -- then was seated in her

1 vehicle along with Deloree. She stated that officers
2 arrived on scene, approached her vehicle and asked both
3 Nicole and Deloree for their names.

4 Again, Nicole was seated in the driver seat of
5 her vehicle. And Deloree was still in the front
6 passenger seat.

7 Q Did either Ms. Half or Ms. Hugs get out of the
8 red Impala at any time while officers were there leading
9 up to the moment when shots were fired?

10 A Once the officers were on scene, no, they
11 didn't get out of the car.

12 Q She said her vantage point, perspective was
13 always from within the car?

14 A Yes, sir.

15 Q What did she say took place?

16 A She stated that officers grabbed Mr. Stump by
17 his arm, threw him on the ground, they all jumped on
18 him, and then they were all shooting at Mr. Stump.

19 Q What did she say that she did at that point?

20 A I asked her further what she saw or heard when
21 the officers were speaking with Mr. Stump. Nicole then
22 stated that she saw the officers begin to put their
23 gloves on and that they grabbed Mr. Stump by the arm and
24 threw him to the ground and then jumped on him and shot
25 at Mr. Stump.

1 At that point, she said that she put her head
2 down and did not look up after that.

3 Q Did she relay to you that at some point an
4 officer removed her and Ms. Hugs from the vehicle, moved
5 them to a different spot?

6 A Removed her from the red Chevy, correct.

7 Q Eventually they were placed in a police
8 vehicle?

9 A Initially, I think she told me behind a police
10 vehicle, yes.

11 Q Did you attempt to get as much information from
12 Ms. Half as possible about everything she observed in
13 the moments that we are talking about here today?

14 A Yes.

15 Q Did you end that interview by asking her if she
16 had anything else to add?

17 A I did.

18 Q Did she?

19 A She did not.

20 Q As part of your investigation, did you receive
21 Ms. Half's permission to go through her cell phone and
22 attempt to look at or corroborate some of the
23 communications between she and Mr. Stump leading up to
24 how they got there?

25 A Yes, I did.

1 Q Did that examination corroborate basically what
2 she told you about some of the events earlier in the
3 night?

4 A Correct, along with putting a timeframe on that
5 communication.

6 Q Did all those facts make sense and do they make
7 sense today in hindsight that everything kind of fit
8 with what she was telling you about how they all came to
9 be at that spot?

10 A Yes.

11 Q Did you see a communication that went out from
12 that phone indicating that the officers had shot Cole?

13 A Yes, I did.

14 Q When did that go out? Page 4.

15 A Yep. At 10:38 p.m.

16 Q So relatively shortly after -- minutes after
17 the officers fired shots that phone sent out a message
18 to someone that Cole had been shot?

19 A That's correct.

20 Q Detective Baum, your report is lengthy. But
21 did you have any other significant role in this
22 investigation other than speaking to the two women and
23 documenting their recounting of the events?

24 A When I returned to the scene, I just produce an
25 evidence collection log.

1 Q I jumped ahead a little bit. Did you also,
2 when you finished speaking with Ms. Half, take a
3 statement from Ms. Hugs?

4 A Yes, sir.

5 Q When did your statement with Ms. Half begin and
6 end?

7 A Started speaking with Nicole Half
8 approximately 1:30 a.m. And I believe it concluded
9 about 2:04 a.m.

10 Q Did you then proceed to speak with Ms. Hugs?

11 A Yes.

12 Q What time did that statement start?

13 A Statement with Ms. Hugs began at 2:16 a.m. on
14 the morning of October 13th.

15 Q What generally did Ms. Hugs tell you?

16 A Just that -- confirmed, corroborate some of the
17 information that Nicole had provided regarding Mr. Stump
18 needing a ride or a jump for his vehicle, that there had
19 been telephone and/or Facebook messages between
20 Mr. Stump and Nicole that brought them to that location.
21 And she just -- she was a passenger in the vehicle.

22 When I asked if she knew exactly where they
23 were, she didn't have reference as to the idea that they
24 were -- location they were actually at.

25 Q Did Ms. Hugs tell you whether she knew Cole?

1 A Yes. She stated -- again, let me just try to
2 find the spot in my report, sir. She also did not know
3 Mr. Stump's last name. And that she didn't really know
4 him. And --

5 Q Did she know of him?

6 A She knew of him.

7 Q Have they met before?

8 A I'm sorry?

9 Q Have they met before?

10 A One prior occasion.

11 Q Did Ms. Hugs ever get out of the car?

12 A She did not.

13 Q What did she tell you took place in the minutes
14 leading up to when officers arrived?

15 A She stated that initially that Nicole was
16 unsuccessful getting Mr. Stump's vehicle jumped, but
17 then stated that Nicole didn't have any jumper cables,
18 that she wasn't really pay attention to much that was
19 going on because she was using Nicole Half's cell phone
20 to be on Facebook.

21 Q Did she recall seeing any people in the area
22 before the officers arrived?

23 A Yes, she thought that maybe some neighbors or
24 people that lived in the area had walked by the location
25 prior to officers arriving.

1 Q Did she note anything of significance?

2 A Just that she thought it was about 20 minutes.
3 They were there for approximately 20 minutes before
4 officers arrived on scene. That a couple officers came
5 up to the windows of Nicole's vehicle, the vehicle that
6 she was seated in. And that the office -- and couple --
7 some officers then also spoke with Mr. Stump.

8 Q What did she tell you happened next?

9 A She stated she was on Nicole's cell phone on
10 Facebook and that she heard four or five gunshots. I
11 asked her if she heard any talking or shouting. She
12 said she didn't. She said she did look up at one point.
13 And stated that it kind of looked like he, Mr. Stump,
14 was going to try to run.

15 I asked her to explain what gave her that
16 impression that Mr. Stump was going to run. And she
17 stated that the officers surrounded Mr. Stump and
18 focused their attention fully on him.

19 Q Did you ask her what she saw took place next?

20 A Yes. She said that what -- the next thing she
21 saw was that Mr. Stump was on the ground, and the
22 officers were shooting at him.

23 Q What did she tell you she recalled next?

24 A She stated that additional officers arrived on
25 the scene, and those additional officers had both her

1 and Nicole exit the red Chevy Impala. And they moved
2 them back behind a police vehicle.

3 Q Did the topic of who sent a message out on
4 Nicole's phone announcing that Mr. Stump had been shot
5 by police? Did the topic of who sent that message come
6 up?

7 A Yes. In my conversation with Deloree, yes.

8 Q What did Ms. Hugs tell you about that?

9 A So the Facebook account that was open was under
10 the name Deloree Deputy, which is Deloree Hugs' maiden
11 name. She confirmed that she was on her Facebook
12 account. And that she is the one that sent out the
13 message.

14 Q Did she confirm that she knew the person to
15 whom she was sending that message?

16 A Yes, Jessie.

17 Q Did Ms. Hugs tell you anything else of
18 significance about the moments in time when the officers
19 were dealing with Mr. Stump on the ground leading up to
20 the shots being fired?

21 A Other than just her impression that she thought
22 Mr. Stump was going to try to run. I asked her if she
23 had seen any type of physical struggle between Mr. Stump
24 and the officers. And then she looked down at the
25 ground and stated, no, I don't think so.

1 Q And you already answered this. But your role
2 after this was to help secure evidence at the scene?

3 A Right.

4 Q Did you have any other significant part of the
5 investigation in this case?

6 A No, sir.

7 MR. ZINK: I don't have any further questions,
8 Detective Baum. If any members of the jury have
9 questions.

10 CORONER BILLQUIST-JETTE: Any of the jurors have any
11 questions of the witness? Detective Baum, thank you.
12 You are dismissed.

13 MR. ZINK: Ms. Coroner, do we need a restroom break
14 for anyone?

15 CORONER BILLQUIST-JETTE: Let's take a 12-minute
16 recess. We will reconvene at 10:50. Everybody please
17 rise.

18 (Morning recess)

19 CORONER BILLQUIST-JETTE: We will reconvene the
20 inquest into the death of Cole Stump. Let the record
21 show that the date is January 31st, 2022, and the time
22 is 10:51 a.m.

23 MR. ZINK: Thank you. At this time, the County
24 calls Officer Vladic.

25 CORONER BILLQUIST-JETTE: Please approach. Please

1 raise your right hand.

2 TAYLOR VLADIC,
3 called as a witness, and having been first duly sworn by
4 the Coroner, was examined and testified as follows:

5 THE WITNESS: I do.

6 CORONER BILLQUIST-JETTE: Thank you. Please be
7 seated.

8 DIRECT EXAMINATION

9 BY MR. ZINK:

10 Q Good morning.

11 A Good morning.

12 Q Would you please introduce yourself to the
13 jury; and for the court reporter, spell your name.

14 A I am Officer Vladic. That is V as in Victor,
15 A-L-A-D-I-C. I work for the Billings Police Department.

16 Q Officer Vladic, how long have you been with the
17 police department?

18 A It's just been over two years.

19 Q How did you come to a career in law
20 enforcement?

21 A I was in the military in the past out of high
22 school and got out of that, kind of missed that sort of
23 field, camaraderie with people working together, and
24 wanted to use my abilities to help serve the public and
25 be of use.

1 Q What branch did you serve in?

2 A I was in Marine Corp.

3 Q How long were you in the Corp.

4 A For four years.

5 Q Do you have any family history in law
6 enforcement?

7 A I do.

8 Q What is that?

9 A My father was a police officer here for
10 25 years, I think.

11 Q It was your way to serve?

12 A What was that again?

13 Q It was your way to serve the public, to be an
14 officer?

15 A Yes.

16 Q When did you go to the law enforcement academy?

17 A It was January of 2020.

18 Q Tell us a little about the training you
19 received at the law enforcement academy and just a bit
20 of background, if you would please, about what it takes
21 to become an officer.

22 A At the academy, it starts with a lot of law.
23 You learn about that, how to enforce it. You go through
24 defensive tactics, dealing with subjects that don't
25 really cooperate, how to handle that, driving skills,

1 defensive driving.

2 There is also -- we go through shooting
3 qualifications with our issued firearms, a lot more log,
4 and then stuff like DUIs, extensive training on that.
5 Yeah. It is something you kind of want to have to go
6 through 'cause you kind of go through a lot to get
7 there.

8 Q After you go through the academic and classroom
9 side of it when you come back to an agency such as the
10 Billings Police Department, tell us about the process of
11 actually integrating into the job?

12 A Well, you get back and you hop in a patrol car
13 with a field training officer. And that is just over
14 three months long. So you have a -- you have another
15 officer that has been a police officer for at least
16 three years, watching your every moment basically
17 shoulder to shoulder for ten hours of the day, guiding
18 you through everything, answer any questions.

19 And you have to pass all of the certain set
20 qualifications to be on your own after that. So it is
21 a -- about three -- three or so month-long process.

22 Q When did that process start for you?

23 A I believe it was April of 2020.

24 Q It would have ended in summer?

25 A Yep. Yes.

1 Q Before the incident that we are speaking about
2 today, how long had you been on your own?

3 A Only about three months, three, four months
4 then, yeah, October.

5 Q What shift do you typically work in the 2020
6 timeframe?

7 A I worked in nightshift.

8 Q That door just closed. You said you worked
9 nightshift?

10 A Yes.

11 Q Is the nightshift different from other shifts
12 that other officers work?

13 A Yes, it is.

14 Q How so?

15 A We deal with a lot of in-progress calls,
16 meaning people are still on scene fighting, if you will,
17 or lot of DUIs. It is a little bit more violent at
18 nighttimes, a lot more violent calls. Yeah.
19 Intoxication is another one, deal with a lot at night.
20 Just don't really see that as much during the daytime as
21 you do on nights.

22 Q I want to take you to October 12th, 2020. That
23 was a Monday. Do you remember that day?

24 A I do.

25 Q Is it fair to say it is very well imprinted on

1 your mind?

2 A It is.

3 Q Even though some time has passed?

4 A Yes.

5 Q When did you come on shift that day?

6 A We have briefing at 9:30 p.m. and usually hit
7 the streets about 10:00 p.m.

8 Q Anything unusual about the shift briefing or
9 the beginning of the shift for you?

10 A No. Kind of all had the same feel, same
11 workday.

12 Q How is it determined where an officer might
13 work during his shift?

14 A You mean how do we pick where we work?

15 Q Sure. How is it decided where you are going to
16 go within Billings versus other officers on shift?

17 A We get to pick by seniority. So there is nine
18 areas, and you kind of get a pick for where you want to
19 work based on how long you have been there basically.
20 Highest guy on the totem pole gets to pick his spot. I
21 think I was still lowest. And I was kind of stuck with
22 my area that night.

23 Q Where was that?

24 A We called it Charlie 1. It is basically from
25 13th Street West all the way west through Billings, all

1 the way out to Ironwood and then north and south is from
2 Broadwater north to the Rims basically.

3 Q Kind of the west end of Billings and northern
4 part of the west end of Billings, is that fair?

5 A Mmm-hmm. Yes.

6 Q On the night like October 12th, 2020, about how
7 many Billings police officers are working on patrol
8 doing this type of shift?

9 A Well, we have been a little short most times.
10 So it's been anywhere from nine at the minimum to 12 at
11 that time. We didn't have a lot of officers.

12 Q So you think about nine that night or 12?

13 A It is hard to recall exactly. On that night, I
14 do believe that another one of my west end was doubled
15 up so they had to have been more than nine.

16 Q Was COVID a problem for the department like it
17 was for the rest of the world and their staffing?

18 A Yes, it was.

19 Q You indicated that you came out on shift at
20 about 10:00 p.m.?

21 A Yes.

22 Q Do you remember any calls of significance in
23 the first 30 minutes or so of your shift?

24 A No, I don't.

25 Q Nothing of note. Moving to about 10:20 p.m.,

1 did that change?

2 A Yes.

3 Q Tell us about the call that came over your
4 radio, how it was communicated and what you heard?

5 A It came through as a suspicious.

6 Q What does that mean?

7 A Activity. That is a very broad spectrum.

8 Any -- it is kind of almost when dispatch does not know
9 what to label something, something strange going on.

10 But this came in as that. And from what I read in the
11 narrative and I heard from dispatch, there was a male
12 subject, some female subjects on scene at the Rose Park
13 apartments.

14 And I remember syphoning gas was in the
15 narrative. And that is kind of what I recall.

16 Q How did you receive information about a call
17 from dispatch?

18 A We receive it via our computer, our MDT we call
19 it. There is a little narrative on there that shows
20 just sentences basically of a brief synopsis of what is
21 going on. They also verbally express it over the radio.

22 Q Is that MDT kind of located on the center
23 console of your patrol car?

24 A Yes.

25 Q So you got a little bit of basic information.

1 In terms of seriousness, how would you characterize this
2 particular call?

3 A It -- the way it came as not too serious,
4 suspicious activity. A lot of times there is nothing
5 even there or it is kind of a run-of-the-mill type of
6 call from my viewpoint at the time. The only thing that
7 kind of struck my mind was that area. I know there is
8 lot a stolen vehicles there sometimes.

9 I have been on some other calls with domestic
10 stuff there and kind of an area we frequent.

11 Q You are talking about the Rose Park apartments
12 area?

13 A Yes.

14 Q Who was the primary assigned officer for this
15 call?

16 A I was.

17 Q Does the Billings Police Department have any
18 normal procedure or policy about how many officers are
19 sent to a call particularly on the nightshift?

20 A At least two.

21 Q How many were assigned on this call?

22 A I can't recall at first. Usually it is two are
23 sent right away. It would be me then another officer
24 working that area. But then you can also self-dispatch
25 to go and backup officers if something seems a little

1 strange.

2 Q Why might an officer self-dispatch?

3 A To this call in particular or --

4 Q To any call.

5 A If you feel as an officer you need more people
6 to help out, could also be if there is not a lot going
7 on. You go see if you could help out whether it's like
8 take pictures or simple stuff like that to kind of help
9 out the primary officer but especially on nightshift to
10 help out if it's potentially an aggressive call or
11 something like that.

12 Q Do you remember who was assigned as your cover
13 officer?

14 A I actually don't know who was initially
15 assigned as my cover officer.

16 Q About how far away from this area were you when
17 you were dispatched?

18 A I do not believe I was that far away. I don't
19 recall the exact street I was on. I know I was parked
20 in a residential area. I do recall I was kind of
21 messing with my GPS system in my car when the call came
22 in. It was a little quiet, trying to fix this stuff
23 inside my car. I would say a mile maybe.

24 Q Does it sound right that you arrived at 10:26
25 and 30 seconds?

1 A What was that again?

2 Q 10:26 p.m. and 30 seconds, does that sound
3 about right when you arrived on scene?

4 A To get there?

5 Q Arriving at the scene at that time, does that
6 sound about correct to you?

7 A It is hard to remember at this time. Yeah.

8 Q Do Billings police patrol vehicles have any
9 sort of system in the cars that records video of calls?

10 A Yes.

11 Q What is that called?

12 A We call it Watchguard.

13 Q Is that the brand name in the system?

14 A Yes.

15 Q So tell us a little bit about how the
16 Watchguard system works, please.

17 A Back then it was we had a little microphone on
18 our person's usually carried on our vest. And it has a
19 little push-down switch that you hit, turns on the mic
20 pack that is on you. And also when you are within
21 range, it turns on the video camera on your car.

22 Q Do the Billings police cars constantly record
23 that video?

24 A Yes.

25 Q But the audio you have to push the button?

1 A Yes.

2 Q Do those both click on when you turn on your
3 emergency lights?

4 A Yes, they do.

5 Q Did you respond with your top light or
6 emergency lights to this call?

7 A No.

8 Q Did you ever turn them on while you were at the
9 scene?

10 A No.

11 Q Were you the first officer on the scene?

12 A No, I was not.

13 Q Who got there before you, if you remember?

14 A I believe Officer Nelson pulled in right in
15 front of me. And then that's mainly what I remember.
16 I -- if I recall, I think another police car might have
17 also been there before me. But all I can really
18 remember is one vehicle pulled into the alleyway right
19 in front of me.

20 Q You followed that vehicle down the alleyway.

21 A Yeah.

22 Q Were you both travelling west?

23 A Yes.

24 Q Did you then come from roughly 22nd, which runs
25 north south a block over or so?

1 A Yes.

2 Q Does this diagram, which we have referenced as
3 Exhibit 1, make some sense to you?

4 A Yes, it does.

5 Q Other than the north arrow pointing down?

6 A Yeah.

7 Q Instead of a traditional map pointing up?

8 A Yeah. That got me for a minute. But it makes
9 sense now.

10 Q Depicted on Exhibit 1 are three police vehicles
11 pointing to the west. Do you see those?

12 A Yes, I do.

13 Q A fourth police vehicle facing east?

14 A Yes.

15 Q Which of these vehicles do you believe to be
16 yours?

17 A It was the one furthest east.

18 Q Would be this one here, the second one behind
19 Officer Nelson?

20 A Yes, that is true.

21 Q You followed him down the alley right?

22 A Yeah, 'cause then somebody pulled in behind me.

23 Q Could that have been Officer Grommes?

24 A I believe so 'cause I remember Officer Bickford
25 was in his vehicle in front of ours.

1 Q He arrived well into the call; is that correct?

2 A Yes.

3 Q When you arrived on scene, and the times are
4 taken from your Watchguards at 10:26:30, tell us what
5 you saw, please?

6 A When I arrived on scene?

7 Q Yes.

8 A When I arrived on scene, I saw those two
9 vehicles on that diagram parked at a strange angle.

10 Q So when you refer to the diagram, why don't you
11 talk colors, which two vehicles are you referring to?

12 A The red car and the black car.

13 Q So they are parked at odd angles?

14 A Yes.

15 Q How did that appear to you? Why do you say
16 they are at odd angles?

17 A All of the other ones were facing north and
18 south like you would normally park in a parking spot and
19 those ones were not. They were canted and was a little
20 suspicious.

21 Q Is this a carport?

22 A Yeah, it is a -- where people park who live in
23 the apartment just north of the -- the vehicles on
24 there.

25 Q What did you do after you arrived?

1 A I arrived on scene and I remember seeing a male
2 subject near the black car, and then I saw females in
3 the red car that were also -- the red one was parked
4 strange next to it. So I went up and spoke with the
5 females in the red car.

6 Q While you were talking with the two women in
7 the red car, where did you position yourself?

8 A I was on the passenger -- front passenger side
9 window.

10 Q About here?

11 A Yeah. Yes.

12 Q At this time, did you make any observations
13 about the whole situation in general?

14 A Yes. It had a weird feel to it. When I was
15 speaking with the females, they were kind of standoffish
16 and didn't want to cooperate with what I was asking them
17 initially. And I remember they were trying to run the
18 plate for the black vehicle's license plate through
19 dispatch.

20 And they were saying it wasn't returning to
21 what vehicle it was. So, again, I'm getting more of a
22 strange feeling from that. And I was at the time just
23 trying to identify the two females in the red car.

24 Q Did you make any observations of the black
25 vehicle beside the red car?

1 A I could see that it was -- the paint on it was
2 really strange.

3 Q How so?

4 A It looked like it was -- it wasn't the base
5 model paint. It was painted over as it appeared to me.

6 Q When you got out, did you have an opportunity
7 to look at the rear of that vehicle? The black vehicle.

8 A I'm sure I glanced at it.

9 MR. ZINK: May I approach?

10 CORONER BILLQUIST-JETTE: You may.

11 BY MR. ZINK:

12 Q I'm going to hand you four pictures that I have
13 marked for identification as Exhibits 4, 5, 11, and 12.
14 Please take a moment to look at those. Did these images
15 accurately depict the scene that you observed when you
16 arrived on this call?

17 A Yes, it does.

18 Q Do you remember seeing at different times while
19 you were there these various vantage points?

20 A Yes.

21 MR. ZINK: Ms. Coroner, I move to admit Exhibits 4,
22 5, 11, and 12, please.

23 CORONER BILLQUIST-JETTE: They are admitted.

24 (County's Exhibits 4, 5, 11, and 12 were
25 received into evidence by the Coroner.)

1 BY MR. ZINK:

2 Q Angie, may I have number four, please.

3 Officer Vladic, the jury can see this up on the
4 screen. And you should be able to see it on the screen
5 beside you as well. What are we seeing in image four?

6 A You are seeing the rear end of the vehicle, the
7 black vehicle on the diagram.

8 Q What do you note directly to the right of the
9 license plate?

10 A The -- looks like it is spray painted a
11 different color.

12 Q Was it apparent to you fairly quickly that
13 black was not this vehicle's original intended color?

14 A Yes.

15 Q May I have number five, please. Exhibit 5 now
16 shows also from near where the patrol cars are parked
17 the back of the black and the red car. Does that look
18 right to you?

19 A Are you asking is that how it appeared to me?

20 Q Yes.

21 A Yes.

22 Q I note that the hood on the black car is up.
23 Was it in that position when you arrived?

24 A As I recall, it was.

25 Q The front of the red car appears to be pretty

1 close to the black car, is that fair?

2 A Yes.

3 Q And may I have number 11, please.

4 Were you in this general area a little bit more
5 towards the window when you were speaking with the two
6 women in the car?

7 A Yeah. I'd say I was in between that pillar and
8 the vehicle right next to the passenger window.

9 Q In number 11, what do you note about the
10 passenger side door and mirror of the black car?

11 A That it is white.

12 Q Was that readily visible from where you were
13 standing while you were talking to the two women in the
14 car?

15 A It was. It was a little bit harder to see just
16 because I was closer to the middle of the vehicle. But
17 I do recall that alarms were going off in my brain about
18 the vehicle, just something not right about it.

19 Q When you say alarms are going in your brain --
20 thanks, Angie -- what are you thinking?

21 A I'm thinking it is possibly a stolen vehicle.

22 Q What about what you have seen to this point
23 makes you come to that conclusion?

24 A A lot of people with stolen vehicles try to
25 change the original color because they know that we run

1 license plates and we have a set list of stolen vehicles
2 that we look for and we are looking for specific color
3 so they try and change color, paint the rims, stuff like
4 that.

5 Q So this is something that is fairly common for
6 you to see?

7 A It is.

8 Q While you were speaking -- tell us did you
9 identify the two women in the car eventually?

10 A I did. It took a while, but I was actually
11 waiting for a return I believe from dispatch. But I was
12 in the process.

13 Q Who was the driver?

14 A At this time, I don't even -- the only name I
15 remember is Hugs. I couldn't even tell you which one is
16 which.

17 Q Does it sound right 'cause we have testimony on
18 this that Nicole Half was the driver?

19 A That does sound familiar.

20 Q And Delora Hugs was the front-seat passenger?

21 A Yeah.

22 Q At some point while you are talking with these
23 women, did you ever get an ID for Ms. Half?

24 A I did have an ID card.

25 Q As a patrol officer while you are talking to

1 someone in this situation, do you commonly have a
2 notepad in your hand?

3 A I do.

4 Q What is the purpose of that?

5 A To jot down first name, last name, date of
6 birth, address, phone number.

7 Q While you were talking with these -- these two
8 woman and you eventually got their names, describe their
9 demeanor, if you will for us?

10 A During the interaction?

11 Q Yes.

12 A Uncooperative. I remember asking several times
13 what their names were. They were a little standoffish,
14 kind of try to change the subject every now and then. I
15 asked multiple times to ID themselves.

16 Q After you get ahold of Ms. Half's ID card, did
17 you ever go to the driver's side of the red car or did
18 you remain at the passenger side?

19 A I remained over the passenger side.

20 Q At some point during your interaction, did you
21 become aware of something else going on over on the
22 front area of the black car?

23 A Yes.

24 Q Tell us about what you saw and what you heard,
25 please.

1 A While I was on the passenger side, I was
2 waiting on channel 2 on our radios, that's where we run
3 people through dispatch to try and ID people. But they
4 were also running the vehicle at the same time so it was
5 kind of backed up, so I was standing waiting for that.

6 And then I heard kind of a little bit of a
7 chatter on channel 2 that the male subject we are out
8 with they weren't getting a return for his name.

9 Q What does that mean to you?

10 A That means that the person is possibly lying,
11 not give us either a correct date of birth or name. And
12 it kind of poses danger 'cause a person is trying to
13 hide something, either they have warrants and they don't
14 want us to find out.

15 So normally when that happens, our procedure is
16 to detain that person in handcuffs 'cause they kind of
17 posing a threat at that point and breaking the law. So
18 as I was standing there, I heard the name wasn't getting
19 returned. I believe I heard Officer Grommes try and
20 grab the male subject's wrist to secure hand restraints
21 on to his wrist.

22 I remember seeing the male subject pull away.
23 I believe it was Officer Grommes took him to the ground.
24 I believe it was like a leg trip or something. And then
25 they are on the ground trying to get his hands. So I

1 from the passenger side of the red car come over, drop
2 my stuff on the ground, and assisted the officers to try
3 and get the guy -- get the male subject detained.

4 He was kind of curled over on to his side, kind
5 of on to his stomach. He went back and forth between
6 that position. I came in and try to grab his arms from
7 behind to try and get his hands out from -- he had them
8 in front of him.

9 Q Could you stand up, please.

10 A Yeah.

11 Q Could you show the jury what you were able to
12 see and if you want to step out on the floor and not hit
13 your head on that TV. Just kind of show the jury what
14 you were able to see with his hands, please.

15 A His hands were in front. I don't know if he
16 had them grasped or not. But it was a firm grip in
17 front of him. And I was from the back, try to pull his
18 arms back.

19 Q Were you able to?

20 A No, I was not.

21 Q What happened next?

22 A In the process of trying to do that, I believe
23 Officer Nelson said somebody tase him. Grommes was
24 standing on this side of me. I observed him step back.
25 I could hear the Taser come out of the holster, saw the

1 red dots on the male subject. And then I heard the
2 Taser shoot. I was still there trying to get his arm.

3 It didn't seem like the Taser had any effect.
4 His arms were still locked in front of him. We could
5 not move the arms. Shortly after that --

6 Q Before we go forward.

7 A Okay.

8 Q You talked about seeing red dots. What are
9 those?

10 A The red dots are from the Taser. So we have
11 two prongs that shoot out. So those dots are basically
12 where the darts are going to go.

13 Q It is a laser on the end of the Taser?

14 A Yes, there are two dots -- two lasers that come
15 out.

16 Q So if you are deploying a Taser, you see where
17 it is intended to go?

18 A Yes.

19 Q Where in relation to your hands are you seeing
20 those dots?

21 A I do recall seeing the dots between my hands as
22 I was trying to get the male subject's hands.

23 Q Does that concern you when you see those dots
24 appear between your hands as you are holding to him?

25 A It does.

1 Q So what did you do?

2 A I kind of backed off for a little bit so as to
3 not be hit by the prongs of the Taser.

4 Q All right. And you just said you heard the
5 Taser come out of the holster, you saw the dots, you
6 heard it deploy, and you saw that it had no effect?

7 A Yes.

8 Q Please pick up there.

9 A Had no effect and kind of went back to try to
10 get his arms. And then shortly after that, I hear
11 Officer Nelson, I believe say gun, gun, gun. Soon as
12 that happened, I'm thinking get away. So I push off and
13 then just I hear gunfire.

14 Q You may sit back down. Mind your head. And
15 then you heard gunfire?

16 A I did.

17 Q Did you see the gun?

18 A No. You are talking about the male subject's
19 gun?

20 Q Yes.

21 A No, I did not.

22 Q Do you know where it came from?

23 A I -- I don't know. All I can assume that it
24 was in front of him if he was operating with his hands.

25 Q Because his hands at this time, are they still

1 in his front area?

2 A Yes. So I was at his back so I still couldn't
3 see what was in front of him.

4 Q So you didn't have the ability to see if it was
5 in his front waist area; is that accurate?

6 A Yes.

7 Q Did you see who fired the shots?

8 A I did not see. At that time, it was kind of a
9 frantic moment to push back and get some distance to
10 kind of assess what was going on.

11 Q What do you remember happening next?

12 A I remember pushing back, standing up, I looked
13 around I saw Officer Nelson, Officer Bickford with their
14 guns drawn. And I believe Grommes might have had his
15 pistol drawn at that time too as I stepped back and my
16 first thought was I need to turn on my Watchguard at
17 that time.

18 So I believe I flipped that on. And then I --
19 next thought was I need to broadcast this over our
20 radio, let everybody know. I got on there and said
21 shots fired. Then I looked back and I saw that there
22 was enough people with weapons drawn so my attention
23 went to the other subjects on scene.

24 And I didn't say it, of course, I saw their
25 weapons drawn. And it appeared that the male subject we

1 were dealing with was the one that was shot. All the
2 other officers were standing up. So then my attention
3 went to the females in the car. I went over to them. I
4 remember asking them to get out of the vehicle.

5 Ultimately, I finally got them to the front of
6 my vehicle. I believe it was my vehicle. And then put
7 them in the backseat of my patrol car.

8 Q Okay. Backup a few moments and go over a
9 couple of things. You indicated that right after the
10 shots were fired it occurred to you to turn on your
11 Watchguard?

12 A Yes.

13 Q Why had you not turned it on to this point?

14 A At that time in our policy for just
15 run-of-the-mill suspicious activity, we didn't turn them
16 on. Back then it was, I believe, partner family member
17 assaults we had to have it on, disturbances, arrests.
18 But for this, I was just standing there IDing two
19 females in a car so I didn't think to turn it on.

20 But then right after that, this needs to be
21 recorded so I hit that switch. But from the time I was
22 in the -- standing beside the red car to where
23 everything happened, it was just too fast. And I didn't
24 think to turn that on. I got to go over there and help.
25 Yeah.

1 Q Fair to say that when -- well, let me ask you.
2 How much time do you think past from when
3 Officer Grommes takes this man to the ground to the
4 moment shots were fired? Are you able to estimate the
5 passage of time?

6 A Probably not very long. I mean, of course,
7 relatively to me, it is going to seem like a long time.
8 But I'm sure it was very quick, probably seconds.

9 Q To that point in this interaction with this
10 man, had it remained a relatively non-serious type of
11 situation until those moments?

12 A Yes.

13 Q Did you have a body-camera on your uniform on
14 your person at this time?

15 A No, we only had a microphone pack.

16 Q Did any regular patrol officer in the Billings
17 Police Department have body-worn cameras at this time?

18 A I believe canines might have body-cameras.

19 Q What is a canine?

20 A Canine handler is a dog handler within the
21 police department. Legalized dog as a police officer.

22 Q You indicated before you were -- when you --
23 before you went to the call, just jumping back in time,
24 that you were adjusting the GPS to the car. What were
25 you talking about there?

1 A That is just my Garman GPS, kind of helps with
2 maneuvering through the city, helps with street names
3 and shows me where I'm at.

4 Q All right. You also talked when this situation
5 kicked off on the ground that you ran from the passenger
6 side of the red car and headed that direction, you said
7 you drop some things. Do you recall what you dropped?

8 A It was my notepad and I believe I was holding
9 her ID. So I'm sure that was thrown out there also.

10 Q May I have Exhibit 12, please.

11 So looking at Exhibit 12, Officer Vladic, what
12 direction are we facing?

13 A We are facing west.

14 Q This is the sidewalk in front of the vehicles;
15 is that accurate?

16 A Yes.

17 Q In the lower-right hand portion of that
18 picture, there is a -- two white rectangles, one bigger
19 than the other. What are those?

20 A That is my notepad that I carried on my person
21 and an ID card or driver's license.

22 Q For Ms. Half?

23 A I believe that is the one that I had.

24 Q There also appears to be a black rectangle to
25 the left on the image. What is that, if you know?

1 A I don't know. Well, I know what it is. I just
2 didn't know where it came from.

3 Q What is it?

4 A That appears to be a cell phone.

5 Q I can ask another officer. But do you believe
6 that to be Mr. Stump's cell phone?

7 A I don't know.

8 Q It is not yours, is it?

9 A No.

10 Q Looking to the west further down that image
11 where it starts to get dark, there is some dark areas in
12 there. Is that where the struggle took place and where
13 Mr. Stump was shot?

14 A Yes.

15 Q Looking back here at Exhibit 1, is it in front
16 of this blue car over here, just to the other side of
17 the bike as we go west?

18 A Yes.

19 Q We will go ahead and publish the Watchguard
20 video now.

21 Ms. Coroner, we have it marked as proposed
22 Exhibit 16.

23 Officer Vladic, are you aware that your
24 Watchguard did record video of your response to the
25 call?

1 A Yes.

2 Q And video for the duration of the call and
3 audio at the very end, does that sound right to you?

4 A Yes.

5 Q Will it show you interacting with the two
6 females behind the cars after shots were fired and
7 walking them back to your patrol car?

8 A Yes.

9 MR. ZINK: Ms. Coroner, I ask to publish it at this
10 time.

11 CORONER BILLQUIST-JETTE: It is admitted.

12 (County's Exhibit 16 was received in
13 evidence by the Coroner.)

14 MR. ZINK: Thank you. Angie, would you please hit
15 pause.

16 BY MR. ZINK:

17 Q Officer Vladic, can you see it on your screen?

18 A Yes.

19 Q There are, for lack of a better word, subtitles
20 on this image; is that right?

21 A Yes, there are.

22 Q What is reflected in the top center of the
23 video?

24 A Are you talking about the date and time?

25 Q Yes, sir.

1 A Yes.

2 Q This is the date and time of what we are seeing
3 in this image?

4 A Yes.

5 Q So it 22:25:27 military time. Is that
6 10:25 p.m. and some seconds?

7 A Yes.

8 Q What are we seeing in the lower center of the
9 video, just above the push-bar on your car?

10 A That is showing what's going on with my
11 vehicle. It is says my mic is on, my brakes, lights,
12 and sirens.

13 Q Actually not on, right, when they are white?

14 A I guess I actually don't know enough about it.

15 Q Okay. We will ask another officer that
16 question. That's all right.

17 A Okay.

18 Q Angie, go ahead and play it, please.

19 Are your top lights on or off right now?

20 A They were off. They weren't on.

21 Q We would see them bouncing and reflecting?

22 A Yes.

23 Q What color are they?

24 A Blue and red.

25 Q Do your headlights also --

1 A There is white also, yeah.

2 Q Would they kind of alternate flashes?

3 A Yeah.

4 Q So it is very distinctive, is that fair? If
5 your top lights are on, we would see it?

6 A Yes. And as you can see, my -- you can see my
7 blinker.

8 Q Are you now driving north on 22nd?

9 A That's what it appears to be and then the
10 alley. I believe that's Nelson pulling in.

11 (Video being played)

12 Q See your brakes illuminate green when you press
13 them?

14 A Oh, yes.

15 Q Who is that in front of you?

16 A Officer Nelson.

17 Q Who is that now walking in the screen?

18 A That is me.

19 Q Who is that now walking on the screen?

20 A Officer Grommes.

21 (Video being played)

22 Q Have any of the three of you not turned on any
23 top lights?

24 A No.

25 (Video being played)

1 Q There appear to be some headlights now visible
2 through Officer Nelson's patrol vehicle. Is that
3 Officer Bickford arriving?

4 A Yes.

5 (Video being played)

6 Q Is that Officer Bickford that we now see barely
7 visible in front of Nelson's patrol car?

8 A That is.

9 (Video being played)

10 Q Who is that standing in the middle of the view.

11 A That would be me.

12 Q You?

13 A Yes.

14 (Video being played)

15 Q Would you pause, please.

16 I just heard an officer say something about
17 breathing. What did you hear there?

18 A He said agonal breathing.

19 Q What is that?

20 A That it is kind of a gasp usually from a dying
21 person of air.

22 Q Is that one of your fellow officers calling in
23 to dispatch information?

24 A I believe he was trying to tell me to do it
25 'cause they were watching everything and that's when I

1 said I couldn't hear. And I believe Officer Bickford
2 did get on the radio and say it.

3 Q Okay. Thank you.

4 (Video being played)

5 Q Is Ms. Half on a cell phone at that time?

6 A She is.

7 (Video being played)

8 Q Who is that walking by?

9 A Officer Grommes.

10 Q Officer Grommes?

11 A Yes.

12 (Video being played)

13 Q In the last minute or so, I heard you speaking
14 with another officer and you asked if he knew who he
15 was?

16 A Yes.

17 Q And he replied something about John Collins.
18 Did that name mean anything to you?

19 A I remember -- I think I remember the male
20 subject giving a name of John, but that's what I was
21 asking him is, do we know who he is? And he said he
22 told me his name was John Collins. I don't know who he
23 is. And it was coming back as a not a real person that
24 we have listed.

25 Q Did that officer also say he was lying to me?

1 A Yes.

2 Q Officer Vldic, did do you note anything else
3 on that Watchguard that we didn't touch on for the jury
4 while it was playing?

5 A I think I remember saying get back to -- there
6 was two people standing to the west of us. I can't
7 recall what they were saying. I was just trying to make
8 sure they weren't coming any closer. And I was talking
9 to them about -- I can't remember if it was Bickford or
10 Nelson told me he was on the phone with somebody.

11 Q Meaning the male?

12 A Yes. So they were kind of concerned that,
13 like, somebody else was coming to get us or to back him
14 up or -- so I kind of went on the lookout. I think I
15 asked, like, do you know what apartment number they
16 might be coming from?

17 So I remember I went around the west side of
18 the building to make sure nobody else was going to come
19 up on us or anything like that 'cause he sounded like he
20 was on the phone with somebody to come help him or -- so
21 I was just on the lookout for that for a minute.

22 Q Did you ultimately see anyone over to the west
23 that caused a concern?

24 A No.

25 Q After this event happened, what happened to you

1 and the other three officers who were there?

2 A After we left the scene?

3 Q Yes.

4 A We went down to the City Hall, the police
5 station. We had to wait, and I believe they took
6 pictures of us. I think there is kind of a brief
7 synopsis of what happened. We didn't give a recorded
8 statement at the time. And then I went home. I didn't
9 finish out the remainder of my shift.

10 Q Is that common in a situation like this that
11 you are essentially relieved moments after?

12 A Yes.

13 Q You were sent home?

14 A Yeah, I didn't go to any more calls. I went
15 straight to the station.

16 Q Did you participate in any way in the
17 investigation of this case?

18 A No.

19 Q Officer Vladic, is there anything you think
20 that is important for the jury to know that we haven't
21 spoken about this morning?

22 A No.

23 MR. ZINK: I have no further questions.

24 CORONER BILLQUIST-JETTE: Do any of the members of
25 the jury have any questions for this witness.

1 Officer Vladic, you are dismissed. Thank you.

2 MR. ZINK: Ms. Coroner, our next witness is from out
3 of state by video. I'm aware we are pushing up on the
4 noon hour, but it might make sense to do this now if it
5 is okay with members of the jury and take our lunch
6 break a little bit later. I anticipate the witness will
7 be similar length to this witness.

8 CORONER BILLQUIST-JETTE: Please proceed.

9 MR. ZINK: At this time, the County calls
10 Mr. Jake Grommes. Good morning.

11 MR. GROMMES: Good morning.

12 MR. ZINK: Can you hear us okay, sir? Can you say
13 that again? We are having a hard time hearing you.

14 MR. GROMMES: You can't hear me?

15 MR. ZINK: Now we can. Thank you. The miracles of
16 technology. Sir, would you please take the oath from
17 the coroner.

18 CORONER BILLQUIST-JETTE: Mr. Grommes, would you
19 please raise your right hand.

20 JACOB GROMMES,
21 called as a witness, and having been first duly sworn by
22 the Coroner, was examined and testified as follows:

23 THE WITNESS: I do.

24 CORONER BILLQUIST-JETTE: Thank you.

25 ///

DIRECT EXAMINATION

BY MR. ZINK:

Q Mr. Grommes, would you please introduce yourself to the jury; and for our court reporter, spell your name?

A My name is Jacob Grommes. First name is J-A-C-O-B; last name Grommes, G-R-O-M-M-E-S.

Q Mr. Grommes, do you still live in Billings, Montana?

A I no longer live in Billings, no.

Q Where do you live now?

A In Fort Orchard, Washington.

Q In calendar year 2020, were you employed as a police officer?

A Yes, I was.

Q When did you start with the Billings Police Department?

A September of 2000.

Q I'm sorry? Which year?

A 2018.

Q Tell us a little bit about the training and experience that you had to be an officer for the Billings Police Department, please.

A The first week in December they start with the firearms training. We do that right before we go to the

1 academy. We did a full week of firearm. And then we
2 go to the Montana Law Enforcement Academy for 14 weeks,
3 I believe.

4 Q What sort of topics were covered? Go ahead.

5 A I immediately go through the training of being
6 a law enforcement officer, laws, vehicle, traffic stops,
7 firearms, defensive tactics, stuff like that.

8 Q After that training was completed and you came
9 back to the Billings Police Department, what happened
10 for you next in terms of your training?

11 A Then we did an administrative training as --
12 all that I believe is another three weeks, sort of like
13 a mini academy that we do back in Billings to kind of
14 hone the skills that we were given at the academy to
15 kind of cater towards the policing that Billings Police
16 Department does.

17 Q Was this your first law enforcement job?

18 A Yes, it was.

19 Q Why did you want to get into law enforcement?

20 A So my father was a police officer in Phoenix,
21 Arizona, my whole childhood so that's what had sparked
22 my interest into being a police officer. And then I
23 started taking some courses when I got into college,
24 criminal justice courses. And as I took more and more
25 courses, I became more interested in being a police

1 officer.

2 And I eventually got a four-year degree in law
3 enforcement management before I became a police officer.

4 Q Are you a police officer today?

5 A Right now, I'm not.

6 Q Are you trying to join on with an agency near
7 where you are now living?

8 A Yeah, if an opportunity provided itself where I
9 could get on again, I absolutely will.

10 Q When did you leave Billings and relocate?

11 A It was the end of December start of January of
12 two -- so either the end December of 2020 of beginning
13 of January of 2021.

14 Q Was that for family reasons?

15 A Yes, my wife's entire family is here in
16 Washington.

17 Q Did you go through the field training program
18 with the Billings Police Department after your
19 administrative training?

20 A I did.

21 Q Would you describe that process just a little
22 bit for us, please?

23 A We do four phases, the first three phases are
24 four weeks and the final is two weeks. The start of the
25 first phase the officer is doing -- at least the first

1 couple weeks, the field training officer is doing a lot
2 of the work and you are kind of learning from them.

3 And then little by little as you get deeper
4 into your field training responsibilities to do all of
5 the work get greater. And then the two weeks of your
6 training, you are back with your first -- typically you
7 are back with your first field training officer. And
8 essentially they are plain-clothes.

9 They are not doing -- they really don't do
10 anything to help you. You are expected to do all of the
11 work. And that is kind of your pass or fail type phase,
12 fourth phase.

13 Q When did you exit from the field training, when
14 did you finish that up?

15 A I did it -- I did the 14 weeks so that would
16 have been April of 2019, I believe.

17 Q All right. So I want to fast forward you now
18 to October 12th, 2020. Do you remember that day?

19 A I do.

20 Q Were you working that day?

21 A I was.

22 Q What time do you come on shift?

23 A 9:30.

24 Q Were you working nightshift at that time?

25 A I was.

1 Q So it starts at 9:30. When does it end?

2 A 7:30 in the morning the next day.

3 Q So ten-hour shift?

4 A Correct.

5 Q This was a Monday night; is that right?

6 A That is correct.

7 Q Tell us, please, about how your shift on
8 October 12th started?

9 A We come in around 9:30, debriefing. The
10 commander will go through just some information for us
11 prior to our shift, stolen vehicles, warrants that are
12 new, stuff like that we did for shifts. Once that is
13 all done, then we go out to our perspective beats,
14 patrol the area, take calls.

15 I think prior to this incident, I made -- may
16 have gone to one or two calls and made a traffic stop.

17 Q About what time, if you remember, did you
18 actually go out on the street from briefing?

19 A Usually I would have been out by 9:45.

20 Q So before this incident, you had been on shift
21 for about half an hour, or 35 minutes, something along
22 those lines?

23 A Yes.

24 Q Anything out of the ordinary for the shift for
25 the first part of it?

1 A No, nothing out of the ordinary. Ordinary
2 traffic stop and probably a simple call.

3 Q All right. Now, I want to turn your attention
4 to what we are talking about today, of course. Around
5 10:20 or a little after, do you recall dispatch
6 providing information about a suspicious call in the
7 neighborhood of the Rose Park apartments?

8 A I do recall that.

9 Q Please tell us what you remember about that
10 call, where you were and what you did in response to
11 that dispatch?

12 A I believe I was at 24 Street and Broadwater,
13 which is relatively close to the Rose Park apartments.
14 I wasn't initially dispatched, but I pulled the call up.
15 And I believe the complainant told dispatch that there
16 was two vehicles that they didn't believe belonged there
17 that they thought were syphoning fuel from vehicles in
18 the parking lot.

19 I believe Officer Vladic was sent as the
20 primary officer with Officer Bickford as his cover. But
21 I was so close that I self-dispatched on my MDT to go to
22 it as well. So just close to the call, I figured I
23 could get there to cover one of the officers until the
24 other one arrived.

25 Q What was that last part?

1 A I self-dispatched to the call so that if there
2 was only one officer getting their prior to the other, I
3 would be there shortly after to provide cover for him
4 until the officer arrive to cover him.

5 Q Okay. And if you are not needed, you just go
6 back to work on shift?

7 A Correct.

8 Q In the order of officers arriving, do you know
9 who arrived first and then when you arrived in relation
10 to them?

11 A Officer Nelson was on first. And I get there
12 less than five minutes after him.

13 Q Would it surprise you that you actually
14 arrived -- do you remember following Officer Vladic
15 basically down the alley?

16 A Yes.

17 Q Arriving, you would have parked your patrol car
18 behind his; is that accurate?

19 A Yes.

20 Q So did you come from 22nd turning into the
21 alley driving westbound?

22 A Yeah. I came up 24th, went around the block,
23 down again to the alley going westbound.

24 Q Are you able to see the diagram to my right on
25 the video?

1 A Faintly. I can kind of make out.

2 Q So this is a diagram that the jury has been
3 familiarized with over the course of the day so far. So
4 you pulled into the alley behind Officer Vladic; is that
5 right?

6 A That is right.

7 Q Did you park directly behind his patrol car?

8 A I did.

9 Q After you parked and got out your patrol
10 vehicle, what did you do?

11 A I went up with -- to the red vehicle I believe.
12 There were two females in that vehicle.

13 Q Did you notice anything that caught your
14 attention at the scene?

15 A When I arrived both of the vehicles were parked
16 at an angle, not within the provided painted lines that
17 we should park in. And the black vehicle appeared to me
18 that it was spray painted black.

19 Q What does that mean to you when you see a
20 vehicle that appears to be spray painted?

21 A Well, a lot of times when vehicles are stolen,
22 from my training and experience, people will -- suspects
23 will spray paint a vehicle so that when the plate is ran
24 on the vehicle or we are looking color -- like if we are
25 looking for a white Impala, if that Impala was white

1 prior, we wouldn't be looking at that specific vehicle
2 'cause it was painted black.

3 Q That is something you have seen before?

4 A Yes, I have seen.

5 Q Did you run the license plate of that car?

6 A I did run the license plate.

7 Q What information did you get back from
8 dispatch?

9 A Dispatch returned that the plate on the vehicle
10 was inactive. And they provided a tab that they ran
11 that came back to a Dodge. I don't believe they gave me
12 a model just that --

13 Q What kind of car was this?

14 A A Chevy Impala.

15 Q Based upon your observations to this point the
16 car being spray painted and the license plate coming
17 back to something other than a Chevy, what was your
18 thinking?

19 A I think this was a potential stolen vehicle.
20 Each of those things that I noticed, observed separately
21 would have raised my suspicion to the vehicle and now
22 they are together. So there is now two observations
23 that are pointing towards this vehicle potentially being
24 stolen.

25 Q So what does that conclusion compel you to do

1 next?

2 A I directed my attention more towards the male
3 that Officer Nelson had made contact with initially
4 because he -- on the vehicle when we arrived.

5 Q Say that last part again. You cut out. I'm
6 sorry.

7 A He was working on the vehicle, the
8 spray-painted vehicle when we had arrived on scene.

9 Q Working on it?

10 A Yes, he was working on it.

11 Q Thank you. We get some blips. I just want to
12 make sure we are getting it covered. So Officer Nelson
13 was talking with this male, what did you do at this
14 point in time?

15 A So I -- on the diagram, I was kind of in
16 between the black and the red car when dispatch returned
17 with this information. And I moved over closer to the
18 driver side of -- so that I could be closer to
19 Officer Nelson but still be able to hear what was
20 happening with Officer Vladic and the two females in the
21 red vehicle.

22 Q I apologize. You said the driver side and then
23 you cut out. Which vehicle did you go driver side?

24 A Black vehicle.

25 Q Thank you. If you can see, but I am pointing

1 to the driver side of the black vehicle. That's where
2 you went?

3 A Yes.

4 Q What did you observe of the conversation
5 between this male and Officer Nelson from that point?

6 A The male seem to be uneasy or nervous. He kept
7 talking on the phone while Officer Nelson was trying to
8 get information from him. He kept moving around. He
9 appeared nervous.

10 Q What happened next that you remember?

11 A Nelson was having trouble getting -- either
12 getting a return from dispatch or the radio was tied up.
13 And I believe shortly before this Officer Bickford had
14 arrived. So -- given Officer Bickford his notebook to
15 try to work on the computer to see if he can get a
16 return on the name and date of birth that was provided.

17 And, again, I think shortly after that,
18 dispatch had returned they couldn't find anything local.
19 So he had no local -- the name provided had no local
20 contact. There was nothing in the national database
21 either.

22 Q Is that unusual to get nothing back on someone
23 when they have given a name and date of birth?

24 A Very unusual.

25 Q You expect to get something back?

1 A Typically even if we had no contact with them
2 locally, you will be able to get a return out of the
3 national database, both driver's license or ID card.

4 Q So now on top of the observations you made of
5 the car, the return on the license plate coming back to
6 a Dodge, and the demeanor of this man, did you start to
7 form a course of action and a plan?

8 A Yes. I would like to backtrack. I think I
9 forgot to mention before -- it was either before or
10 after Nelson had given his notebook to Bickford, I tried
11 to check the VIN on the vehicle quickly on the inside
12 of the door on the dash, and it both appeared to be
13 deliberately obscured.

14 Q How did they appear to be obscured?

15 A I believe that the one on the inside of the
16 door was either partially or completely moved. And then
17 on the dash, there was marker either on the inside or
18 the outside of the windshield. It just made it too
19 difficult -- with it being nighttime as well, too
20 difficult to read the VIN for me while this other stuff
21 was happening.

22 Q Was the driver's side door on the black Impala
23 opened while you were there?

24 A Yes, it was opened.

25 Q So you had a clear vantage of the side of that

1 door?

2 A Correct.

3 Q Mr. Grommes, are you aware that other officers
4 and investigators took photographs at this scene?

5 A Yes.

6 Q Documented the condition of things immediately
7 after this ended? Yes?

8 A Yes.

9 MR. ZINK: Ms. Coroner, if I might introduce number
10 six?

11 CORONER BILLQUIST-JETTE: You may. Admitted.

12 (County's Exhibit 6 was received in
13 evidence by the Coroner.)

14 BY MR. ZINK:

15 Q Mr. Grommes, I don't think you are going to be
16 able to see this.

17 Are you able to publish it on the screen?

18 I will have this done with another witness who
19 is not on video. We have kind of reached the limits of
20 our technology. I apologize.

21 So you indicated the VIN on the driver's side
22 door was obscured or gone, and the VIN on the windshield
23 was obscured; is that correct?

24 A That's correct.

25 Q Thank you. So did that tend to confirm your

1 suspicion that this was a stolen vehicle?

2 A Yes, kind of the third strike there. All of
3 those things -- like I said before, each one of those
4 things by themselves raised suspicion when they are all
5 stacking together. I -- there was little doubt in my
6 mind that that was a stolen vehicle.

7 Q So what did you decide to do with all this
8 information?

9 A At that point, that's when I walked up to the
10 male that Nelson was with. And we both kind of knew
11 what was going on together, just listening to the radio,
12 trying to run plate, and him running the male and not
13 getting a return. And we kind of just -- knew he needed
14 to go in handcuffs.

15 Q When you say we, do you mean you and
16 Officer Nelson?

17 A Correct, me and Officer Nelson.

18 Q All right. Tell us what happened.

19 A So I approached the male, grab his left wrist,
20 and left forearm elbow area to place his hands behind
21 his back.

22 Q What happened?

23 A Immediately he tensed up, and he pulled his arm
24 towards the center of his body.

25 Q Does that cause you any concern in that moment?

1 A Yes. Any time any one, any suspect would pull
2 towards the center of their body is where a lot of
3 weapons are kept, pockets, waistbands, things of that
4 matter. So at that point, I concluded that the best
5 course of action was to try to take him to the ground
6 and arrest that way.

7 So I turned my head and did arm-style takedown,
8 trying to get him to land on his stomach with both of
9 his arms still being held by both myself and
10 Officer Nelson so that we could easier place him in
11 handcuffs.

12 Q What happened?

13 A He did not land as I intended. He kind of
14 landed more towards his right side, almost in like a
15 fetal position. And I was unable to get his left arm
16 behind his back.

17 Q So walk us through what happens next, please.

18 A Shortly after this, Officer Vladic -- I'm kind
19 of positioned -- Officer Nelson is directly -- of the
20 male, I was a little bit to the right of Officer Nelson
21 and then Officer Vladic came to his shoulder area to
22 assist us in trying to place this male in handcuffs. I
23 gave verbal commands for him to provide us with his
24 hands, to stop resisting.

25 None of the verbal commands were successful.

1 And it appears to me Officer Nelson was also having
2 trouble controlling the suspect's hand. So at this
3 moment, I delivered a few -- maybe three or four, what I
4 would I call in my reports a distractionary blow to his
5 lower back, to try to give Officer Nelson an opportunity
6 to get his hands out from the center of his body,
7 waistband area.

8 Q What is a distractionary blow?

9 A So in the moment of me striking him, I was
10 hoping that he would divert his attention from getting
11 his hands away from officer -- and that Officer Nelson
12 would be able to -- he wouldn't focus all of his
13 strength fighting with Officer Nelson, divert it towards
14 the strike.

15 Q So you kind of strike him, and its designed to
16 hurt and perhaps the person reaches toward it. Is that
17 another way of phrasing what you just said?

18 A Yes. That is great way of phrasing it.

19 Q Did it work?

20 A It did not.

21 Q What do you remember happening next?

22 A I remember Officer Bickford at some point in
23 the struggle came over to assist. The four of us try to
24 get this male's hands from what all I could really see
25 it was towards his -- like his hands were near his

1 stomach. Officer Nelson starts saying he is reaching
2 for something.

3 And then he starts -- multiple times he said
4 somebody tase him. Initially, I was just -- kind of
5 ignored that. There wasn't really a great opportunity
6 to deploy the Taser in that exact moment. And then
7 Officer Nelson continued to say he's reaching for
8 something. Somebody tase him.

9 And his tone of voice changed at that point.
10 And me and Nelson worked together very often. And I
11 can't even remember if I've ever heard him have -- the
12 tone of his voice. I knew something was wrong.

13 Q Let's stop right there for just a minute,
14 Mr. Grommes. You have worked with Officer Nelson for a
15 long time, is that fair?

16 A Yes.

17 Q Had you been in physical struggles with
18 individuals before together?

19 A Yes, we have.

20 Q Had you ever to this point in time been
21 unsuccessful with this other officer in securing someone
22 in handcuffs?

23 A No.

24 Q So this was a new thing, is that fair?

25 A Correct. That's what made me know that

1 something was wrong. His -- any time me and
2 Officer Nelson had a suspect get physical with us, we
3 were able to get the suspect in handcuffs with little to
4 no incident. It felt like this was going on for a long
5 time and that we were losing this fight.

6 Q You have now heard Officer Nelson call out
7 something else in addition to the Taser. And you
8 indicated that he said he was reaching, and that's when
9 I interrupted you. I'm sorry. Please pick up from
10 there.

11 A So it had been multiple times now that --
12 called for someone to tase the suspect. Nobody had done
13 it yet, so I figured that the way he was speaking, the
14 tone of voice that it needed to happen. So I stood up,
15 took a step back, maybe a step and a half back.

16 At that point, the only target area I had was
17 like upper back shoulder blade area on the left side.
18 And I deployed my Taser.

19 Q What happened?

20 A It was unsuccessful. There was no effect.

21 Q Is that unusual?

22 A No. It close -- close struggle like that it is
23 very hard to get a proper spread of the probes to obtain
24 a neuromuscular incapacitation.

25 Q What is neuromuscular incapacitation? What are

1 you hoping to achieve with the Taser?

2 A Well, if we get a proper spread between
3 multiple muscle groups, it can cause them to involuntary
4 not be able to control his muscles. It will assist in
5 affecting in the arrest of the suspect.

6 Q How quickly did you know that it didn't work?

7 A Immediately.

8 Q What happened then?

9 A With -- within seconds of me deploying my
10 Taser, Officer Nelson starts screaming that he's got a
11 gun or gun, gun. Probably not even a second after that,
12 there was a volley of gunfire. And I holster my Taser
13 and draw my firearm.

14 Q What did you do next?

15 A I retreated a few steps backwards towards a
16 metal pillar that held up the covered park area for
17 cover.

18 Q What do you remember happening after that?

19 A All the other officers took the same, they kind
20 of stepped backwards to where -- let me -- let me step
21 back a bit. As I get back to the cover, I got on my
22 portable radio to put out that shots had been fired. My
23 attempt -- which in the struggle -- so I was on a
24 different channel than on channel 1 to reach dispatch.

25 My initial transmission did not get out. So

1 then I believe I switched to channel 1 and got out the
2 transmission.

3 Q Is this difficult for you to go through and
4 recall and talk about?

5 A Towards this part, yes.

6 Q What do you remember happening next?

7 A I kind of looked up to see everyone. All the
8 other officers had gotten off of the ground because the
9 only firearm I saw shooting was Officer Nelson's. And I
10 heard multiple shots. So at that point, I was concerned
11 that since Nelson had said that the suspect had a gun,
12 then one of the other officers had been shot was my
13 concern at that point.

14 So we all kind of did a verbal check of each
15 other, making sure everybody was okay.

16 Q Was everyone else okay?

17 A Yes.

18 Q When did you first see a gun around the male on
19 the ground?

20 A While we were doing the check when I looked
21 over at Officer Bickford to make sure he was okay, he
22 was walking back towards the male that was on the ground
23 still and he kicked the firearm out of his hand.

24 Q Do you remember which hand it was in?

25 A I believe it was his right hand. I'm not

1 100 percent sure.

2 Q So you saw Officer Bickford kick the firearm
3 out of his hand?

4 A Yes, he kicked it towards, like, off of the
5 sidewalk to where, like, in between the parking cement
6 and the sidewalk started. He kicked it, like, off the
7 sidewalk essentially.

8 Q Describe for us your emotions in these moments.

9 A Well, you know, a lot of it starts coming back
10 after we were all checking. My senses started coming
11 back to me, like an adrenaline dump almost. And I was
12 very concerned for everybody. I had been in situations
13 like this before and wasn't aware of an injury I had had
14 at that time.

15 So I was still concerned 'cause I wasn't able
16 to physically check the other officers that they were
17 all okay.

18 Q Were you struck or injured in any way?

19 A I was not.

20 Q What do you remember taking place next?

21 A After -- I believe Bickford -- Officer Bickford
22 kind of took lead and getting the proper transmissions
23 over the radio for commanders and medical to head -- and
24 I believe Officer Bickford advised me that we should
25 take photographs. I get prior to this one. We kind of

1 knew we were -- we did more of a check of each other,
2 more of a physical check.

3 Q You broke up. Once you knew --

4 A Once -- after everything kind of came back to
5 all of us, for me stuff -- my adrenaline dump and my
6 senses started coming back. That's when we were able to
7 kind of physically check each other briefly before
8 Officer Bickford advised we should probably take some
9 photographs before medical arrive because the scene
10 could be contaminated at that point.

11 Q Did you?

12 A Yes, I took -- I don't know how many, but I
13 took some photographs as quickly as I could.

14 Q Did some of those photographs document the
15 position of the firearm that Officer Bickford had kicked
16 from his hand?

17 A Yes.

18 Q Did some of the photographs document the
19 lighting conditions and the relative positions of the
20 black vehicle and the red vehicle?

21 A Yes.

22 Q And these were taken before anything else got
23 processed or removed; is that correct?

24 A That's correct.

25 Q All right. Mr. Grommes, at any time from your

1 arrival to this point in time, did you ever turn on the
2 top lights of your patrol car?

3 A While I was -- I recall even like if you had
4 asked me that day to get to that location, I activated
5 my top lights to go through a red light at 24th and
6 Grand. And that would have activated my Watchguard
7 camera and microphone.

8 Q Did you turn them back off?

9 A Yes.

10 Q So at the scene, were your top lights on or
11 off?

12 A They were off.

13 Q At some point, did you believe -- well, did you
14 believe your Watchguard was recording while you were on
15 scene?

16 A Very often I would hit my top lights briefly
17 arriving to a call to ensure that Watchguard was on.

18 Q Did it record audio in this case?

19 A It did not.

20 Q Is that because you turned your top lights back
21 off before you arrived at the scene?

22 A I'm unsure. Typically if you turn the top
23 lights on and off, the audio and video will continue.

24 Q Did you believe you were audio recording at the
25 scene?

1 A I do.

2 Q You found out later that you did not; is that
3 correct?

4 A My camera from my patrol vehicle I noticed that
5 the red light on it wasn't recording, was not
6 illuminated.

7 Q Just to make sure we heard that. You looked
8 and you saw that the red light you expected to be on
9 indicating that you were recording, the red light was
10 not on?

11 A Correct.

12 Q Thank you. You just blipped a little bit. I
13 apologize. I just want to make sure we are clear.
14 Officer -- Mr. Grommes, is there anything about this
15 event that we have not yet discussed this morning that
16 you think is important for the jury to know?

17 A Not that I'm aware of.

18 Q I'm sorry?

19 A Not that I'm aware of.

20 MR. ZINK: All right. I have no further questions
21 of Mr. Grommes before I play the video. I think we are
22 going to have to end the call before I do that.

23 CORONER BILLQUIST-JETTE: Do any of the jurors have
24 any questions for this witness?

25 MR. ZINK: Thank you, Mr. Grommes. We are going to

1 go ahead and end the call.

2 THE WITNESS: All right. Thank you.

3 MR. ZINK: Thank you, sir. Ms. Coroner, I would
4 move to admit and publish Exhibit 17, the video
5 Watchguard recording from then Officer Grommes' vehicle.

6 CORONER BILLQUIST-JETTE: It is admitted.

7 (County's Exhibit 17 was received in
8 evidence by the Coroner.)

9 (Video being played)

10 MR. ZINK: I think now would be a good time to break
11 for lunch.

12 CORONER BILLQUIST-JETTE: We will now take a recess
13 for lunch. Jurors, I would like to remind you of the
14 instructions that you were given at the beginning of
15 these proceedings. You are not to discuss anything you
16 have seen or heard thus far among yourselves or with
17 anyone else while you are on lunch break.

18 You are also not to make any inquiry into this
19 incident on your own. So at this time, we will be at
20 recess until 1:30 p.m. Everyone please stand.

21 (Lunch recess)

22 CORONER BILLQUIST-JETTE: At this time, we will
23 reconvene the inquest into the death of Cole Stump. Let
24 the record reflect the date is January 31st, 2021. The
25 time is 1:34 p.m.

1 MR. ZINK: Thank you. At this time, the County
2 calls Officer Ryland Nelson.

3 RYLAND NELSON,
4 called as a witness, and having been first duly sworn by
5 the Coroner, was examined and testified as follows:

6 THE WITNESS: I do.

7 CORONER BILLQUIST-JETTE: Thank you. Please be
8 seated.

9 DIRECT EXAMINATION

10 BY MR. ZINK:

11 Q Good afternoon. Would you please introduce
12 yourself to the jury; and for the court reporter, spell
13 your name.

14 A My name is Ryland Nelson; R-Y-L-A-N-D, last
15 name Nelson, N-E-L-S-O-N.

16 Q Officer Nelson, what do you do for a living?

17 A I'm a patrol officer with the Billings Police
18 Department.

19 Q Tell us a little bit about what led you to a
20 career in law enforcement and when you started with the
21 BPD?

22 A I was actually going to school for business and
23 just never really interest me. And I started looking
24 into law enforcement. And I've always been drawn to the
25 idea of giving back to this community. You know, this

1 is where I grew up. This is my home.

2 I like to idea being able to help people and
3 make my community a better and safer place.

4 Q When did you start with the Billings Police
5 Department?

6 A I believe August of 2018.

7 Q Tell us a little bit about the training that
8 you have had and received, both educational and through
9 the state to become a Billings police officer?

10 A I went to the academy. That is three months'
11 long. It consisted of a lot of classroom work, criminal
12 investigation, driving, range work, CIT, which is
13 basically where you learn how to deescalate situation,
14 and talk to people in crisis. And then in Big Horn, I
15 did a three-month where I worked previously as a deputy.

16 That three-month FTO period where you ride
17 around with another officer, and you are graded daily
18 upon your performance and basically every category on
19 the job. And they either move you on or fail you based
20 off of how you perform. And then because I did three
21 years at Big Horn, I was able to do shorten version when
22 I came to Billings.

23 I think it was ten weeks of FTO here, where,
24 again, you are riding with another officer. And they
25 are grading you and critiquing you every day.

1 Q What shifts have you worked whether it is
2 Big Horn or with the Billings Police Department?

3 A I have worked dayshift in Big Horn, which was
4 7:00 a.m. to 7:00 p.m. I also worked nightshift in
5 Big Horn, which was 7:00 p.m. to 7:00 a.m. In Billings,
6 I did FTO on dayshift, which was 6:00 a.m to 4:00 p.m.
7 I have worked nightshift, which was 9:30 p.m. to
8 7:30 a.m., that's where I spent the majority of my
9 career.

10 I have also done a year on noon shift, which is
11 2:00 p.m. to midnight.

12 Q What is your preferred shift to work?

13 A Nightshift.

14 Q Is it different from the others?

15 A I believe it is. I like the -- I just like
16 nightshift, you know. It is higher intensity. It is a
17 lot more of your in-progress calls. I enjoy it.

18 Q Were you working on nightshift in October 2020?

19 A I was.

20 Q I want to take you back to October 12th, which
21 is, of course, why we are here today. Were you working
22 on October 12th, 2020?

23 A I was.

24 Q On the nightshift?

25 A Yes.

1 Q Tell us when you came on shift and how it
2 started, please.

3 A So when you come on shift the beginning of the
4 day, we have briefing so you are in a room with your
5 sergeant. They basically go over a Word document of
6 burglaries in town, all of the warrants that are out
7 there, area checks that people have requested, officer
8 cautions on people, things of the nature, trainings that
9 are coming up; and then based off of your seniority, you
10 pick an area of town.

11 Q What area of town were you assigned to work
12 that night?

13 A I was assigned Charlie 2, which is the middle
14 of the west end. West end is broken up into Charlie 1,
15 Charlie 2, and Charlie 3. So I was assigned to
16 basically the middle portion of the west end.

17 Q So what boundaries would that be?

18 A It is -- I believe it's about 17th -- 15th
19 Street West all the way out past Shiloh. And I believe
20 the border is -- rotates between Central and Monad over
21 to about Broadwater.

22 Q Okay. What kind of shift was it that night?
23 Anything out of the ordinary to start?

24 A No, just your normal calls.

25 Q About what time do you think you left briefing

1 and got out on to the street?

2 A Usually about 9:45.

3 Q I see you are in a suit today. How were you
4 dressed that day?

5 A I was in a patrol uniform.

6 Q Standard patrol uniform that we are used to
7 seeing?

8 A Yes.

9 Q In a marked patrol vehicle?

10 A Yes.

11 Q Did you have any calls of note at the beginning
12 of your shift?

13 A No.

14 Q Fast forward to about 10:20, call we are
15 obviously talking about today. Tell us, please, how
16 that started for you and how you became involved in the
17 call?

18 A So, again, just because we are assigned to
19 Charlie 2, technically it is -- you are still considered
20 a Charlie car, which means you are responsible for all
21 of the west end. So a call came in, in Charlie 1 that
22 someone was possibly syphoning gas in the alley.

23 I hit self-dispatch, which basically means I am
24 not tying up the radio so other people can use it if
25 need be if something crazy breaks out. And I started

1 driving to the call to assist the Charlie 1 car.

2 Q Is that a common practice for you and your
3 fellow officers on that shift to go to a call even
4 though you are not sent there?

5 A It is extremely common.

6 Q Why is it done?

7 A A number of reasons. You know, you never know
8 what it is going to turn into. You never know if you
9 are actually the closest car. You know, it is always
10 good to be helpful. And the more officers on scene the
11 safer it is.

12 Q In this case in the sequence of officers that
13 arrived, who arrived first?

14 A I did. I actually ended up being the closest
15 to the call.

16 Q Can you tell us the route that you took to get
17 there?

18 A I remember I came down Avenue C, drove past the
19 address in the front, and then I came up the address --
20 up the alley heading to the west.

21 Q So probably up 22nd or south on 22nd?

22 A Yes.

23 Q Drove westbound down the alley?

24 A Yes.

25 Q Tell us what you saw when you arrived, please.

1 A So I'm driving down and I'm looking for the
2 parking space B-4, and I see a red vehicle that I have
3 dealt with numerous times almost bumpered up to a
4 spray-painted black white Impala. It is spray painted
5 black with a nice chunk of white. They hadn't finish
6 spray painting it yet, angled up together.

7 Q You indicated that you had dealt with the red
8 Impala before?

9 A Yes.

10 Q Tell us what history you had with that car and
11 when it was in relation to this call.

12 A So roughly a month or two ago, I saw it driving
13 around probably 3:00 or 4:00 a.m. driving slowly through
14 neighborhoods and stopping every 50 feet or so. So I
15 started to follow it. And I got a call from a federal
16 officer basically telling me that they were surveilling
17 the car in unmarked cars and asked me to back off of the
18 car so I didn't blow their cover.

19 And then probably a little while before this
20 call probably two weeks maybe, I saw it again moping
21 around. And I ended up making a traffic stop on it.
22 The vehicle stops. I get out of the car. I started
23 yelling at them to turn the vehicle off. And it takes
24 off from me.

25 And I ended up chasing it in my patrol car for

1 a little bit, realize it wasn't going to yield. I
2 terminated the pursuit. And we found it abandoned in
3 the middle of the road.

4 Q Do you associate any particular person with
5 that car?

6 A Nicole Half is the registered owner.

7 Q Did you know that before you arrived on scene?
8 You had that information that she was the RO before this
9 call we are talking about today?

10 A That that was the car that was parked there?

11 Q No. That Ms. Half was associated with that
12 car.

13 A Yes.

14 Q As you are being dispatched and sent to this
15 call we are talking about today, did you have the
16 identities or names of anyone involved?

17 A No.

18 Q So you roll up now and you see the car that you
19 have dealt with before, tell us what you do, please,
20 when you roll up and begin your investigation?

21 A So, obviously, I have had some more stressful
22 encounters with this vehicle so it kind of gets you the
23 heightened sense of, you know, I need to be cautious. I
24 need to be careful. I don't actually know what's going
25 on here. And, you know, these might be dangerous

1 people.

2 So I get out of my car. Instead of just
3 walking right up in between the two vehicles, I wanted
4 to give myself a better vantage point. So I approach --
5 I went around the driver's side of the spray-painted
6 vehicle. And I saw Mr. Stump under the hood of the
7 vehicle that was popped up.

8 Q You have talked a little bit about this
9 already. But what observations are you making of the
10 black slash white Impala as you walk up or do those come
11 later?

12 A That was right as I was pulling up. I noticed
13 that there was -- again, on the passenger side, there
14 was a chunk that was white and then it was a pretty bad
15 paint job the rest of the way around the car.

16 Q As you walk around to encounter the male at the
17 front of the car, had you seen him before?

18 A No.

19 Q Had you ever dealt with him before to your
20 knowledge?

21 A I had not.

22 Q Tell us what happened next, please.

23 A So I basically explained why I'm there, you
24 know, we got a suspicious call that someone was
25 syphoning gas. He basically explained to me that he was

1 just there helping his friends fix a vehicle.

2 Q Tell us how that conversation went on, please.

3 A I then asked him for his ID. He says that he
4 doesn't have it, but it is in the apartment behind us,
5 and he is just going to grab it real quick. I,
6 obviously, was not going to let him do that. So I said,
7 no, that's fine. I will just take your name and date of
8 birth. And he kept insisting that he will go grab it
9 and come back real quick.

10 Q What did you do?

11 A I told him no. I pulled out my notepad and
12 asked him for his name. And he gave me the name
13 John Collins.

14 Q Did you ask for a date of birth?

15 A I did.

16 Q Did he provide you one?

17 A He did.

18 Q What did you do with that information?

19 A I ran him on channel 2. So channel 1 is
20 getting dispatch to calls. Channel 2 is where you run
21 your plates. It is the more lengthy stuff to where you
22 run people's name and dispatch will basically give you
23 return, you know, whether they are suspended driver, if
24 they have warrants, things of that nature.

25 So I ran him on channel 2. The channel to

1 dispatcher was extremely busy and said it is going to be
2 a minute, I'm going to have to get back to you. Just
3 based off his demeanor, you know, I wasn't -- I didn't
4 feel comfortable walking back to my car, giving him the
5 opportunity to leave.

6 So I had asked one of my partners to run the
7 name for me. So I handed him my notebook so I could
8 keep an eye on Mr. Stump. And I asked him to make sure
9 that there was a photo with his identity.

10 Q Are you being suspicious of what you are being
11 told as the correct information at this point?

12 A Yes.

13 Q What about it is making you that way?

14 A Just the way he told me his name. It was very
15 delayed. And, you know, when you are dealing with
16 someone and they are not lying about their name,
17 everybody knows their first and last name and their date
18 of birth. When someone is slow to tell you, it means
19 they are having to think about it, which means they are
20 probably making it up.

21 Q Do you know what other officers are doing while
22 you are encountering this male?

23 A I believe Officer Grommes was kind of checking
24 on the spray-painted vehicle. But other than that,
25 other than asking Officer Bickford to run the name, I

1 wasn't sure exactly.

2 Q Did you know that Officer Vladic was there?

3 A Yes.

4 Q But not paying attention to what he's doing?

5 A No, I was very focused on Mr. Stump.

6 Q You mentioned before some observations about
7 the car that was both black and white. What did those
8 observations lead you to suspect?

9 A Based on my career and experience, when someone
10 is trying to modify the look of a vehicle, you know,
11 especially with just a can of spray paint, it is
12 probably stolen vehicle or something of that nature.

13 Q So that might explain his apparent unease with
14 you during the first few minutes of this encounter?

15 A Yes.

16 Q What happened next that you remember?

17 A I remember he made a phone call asking for his
18 friend to come out.

19 Q Did he have a cell phone in his hand?

20 A He did have a cell phone in his hand.

21 Q Do you recall what else he may have said during
22 that call?

23 A No.

24 Q Did he say anything about police being there?

25 A Yes. He did say the cops are here, and he

1 needed his friend to come out.

2 Q It's been a while since October 2020, hasn't
3 it?

4 A Yes.

5 Q While you are dealing with him and seeing him
6 make this phone call, does another officer come back to
7 near where you are?

8 A Officer Grommes.

9 Q What happens then?

10 A I don't know if I said it of Officer Grommes
11 said it, but basically based off the vehicle, his
12 demeanor, and then we weren't getting a return on the
13 name, we decided it was time for him to go into
14 handcuffs until we can figure out what's going on.

15 Q Why do you do that as an officer on the
16 nightshift to place someone in handcuffs?

17 A Usually if you put handcuffs on early enough
18 before people think that they are -- you fully
19 understand what is going on, they are a lot more likely
20 to be compliant or before they get any ideas to run or
21 try to fight or do something that is going to put people
22 in danger.

23 Q This is an attempt to deescalate the situation
24 before it escalates? Is that another way of saying
25 that?

1 A Yes.

2 Q So you and Officer Grommes, have you worked
3 together before?

4 A Yes.

5 Q In a situation like that where you have
6 experience with another officer, are you able to
7 communicate kind of by signal or just looking at one
8 another and both of you kind of understand what the
9 other person is thinking?

10 A Yes.

11 Q That's kind of what took place here?

12 A Yes.

13 Q What did you say or what did Mr. Grommes say to
14 this man?

15 A One of us said place your hands behind your
16 back to the extent of we are going to detain you until
17 we figure out what is going on. That is pretty common
18 practice you say to pretty much everybody when you are
19 placing them in handcuffs.

20 Q What happened?

21 A Officer Grommes grabbed his arm and immediately
22 Mr. Stump started to pull away.

23 Q What happened then?

24 A Basically at that point, the fights -- I go to
25 help. We end up on the ground, and we are struggling.

1 And Mr. Stump is laying on his side. And I'm starting
2 to try to gain control of his hands so we can get him in
3 handcuffs. And his hands come in and start to work
4 their way down.

5 Q In relation to Mr. Stump, how are you
6 positioned as you are trying to grab his arms and his
7 hands?

8 A I basically have a knee on his leg and his hip.

9 Q Do you know which side, left or right?

10 A He must have been laying on his right side, so
11 I guess his left side.

12 Q So are you kind of coming from behind and
13 reaching over him? Do I have that right?

14 A Kind of reaching over him from his bottom.

15 Q Compared to you, Officer Nelson, how big was
16 this male that you were dealing with?

17 A I believe he was roughly a little bit taller
18 than me.

19 Q How about size?

20 A Slender build.

21 Q How much success were you having getting
22 control of his hands?

23 A I was losing. I mean, I was doing everything I
24 could to crank his arms behind his back. And they were
25 in and slowly working their way down.

1 Q Does a person who has their arms in front of
2 them like -- locked like I'm doing now, do they have
3 leverage that makes it difficult for you reaching from
4 the outside to pull those arms loose?

5 A Yes.

6 Q Have you dealt with this type of situation
7 before?

8 A Multiple times.

9 Q To this point in your career, had you ever been
10 unsuccessful in winning this struggle, if you will?

11 A Yes.

12 Q Why were you concerned or did it concern you
13 that his hands are going down?

14 A It was concerning because normally if you are
15 just fighting with someone who is trying to get away,
16 they are trying to grab you, they are trying to punch
17 you. They are not pulling in and reaching down to the
18 waistband. 'Cause based on my training and experience,
19 the waistband is where weapons are concealed.

20 Q So he is not fighting you, he's not complying?

21 A Yes.

22 Q And he's moving his hands in that direction?

23 A Yes.

24 Q What happened then?

25 A So as we are fighting at one point, he starts

1 screaming I'm going to shoot you. And, again, I'm still
2 losing control of his hands and his hands start to slip
3 down to his waistband and, yeah, I feel it hit something
4 hard. And I started yelling for someone to tase. I'm
5 not letting go off those hands.

6 I'm just trying all of my might to wrench those
7 hands back so I'm yelling for someone to tase him.
8 Yelling he's reaching. And I hear the Taser go off, and
9 it isn't stopping him. And then I finally lose control
10 of his hands. And he starts to pull the gun out. So I
11 draw my firearm.

12 And because of all of the other officers that
13 were around, I placed it into his body and pulled the
14 trigger. And I started to create distance and continued
15 until I was -- no longer believe the threat was still
16 there.

17 Q Was this the first time in your career you had
18 to pull your firearm and use it?

19 A Yes.

20 Q In the sequence, you heard this man say
21 something to the effect of I'm going to shoot you?

22 A Yes.

23 Q If you can estimate -- well, first of all, how
24 long do you think you were hands-on and wrestling and
25 trying to control his hands before the moment in time

1 when you fired shots?

2 A Seconds.

3 Q Can you estimate for us today when in time you
4 heard him -- how loud was his statement that I'm going
5 to shoot you?

6 A He screamed it.

7 Q That statement I'm going to shoot you, when in
8 relation to him pulling the firearm from his waistband
9 did that statement come, if you can tell us?

10 A Right before that.

11 Q So he makes announcement and then pulls the
12 gun?

13 A Yes.

14 Q Did you see if that gun was moving or pointing
15 in any direction?

16 A I just -- I started to see the gun come out,
17 and I just -- I was so scared that, you know, he was
18 going to shoot one of my coworkers or shoot me or there
19 was people around. You know, I just started focusing on
20 what I needed to do.

21 Q At the moment you made the decision to pull
22 your firearm and shoot, did you believe you had any
23 other available options to you?

24 A I did not.

25 Q In the moment, what did you think might happen

1 if you didn't shoot?

2 A I thought that either Officer Bickford,
3 Officer Grommes, Officer Vladic, or myself were going to
4 get shot and killed.

5 Q What do you remember happening next?

6 A I remember I backed off. Bickford and I kept
7 until as we slowly moved back. And I held down. I saw
8 that Mr. Stump wasn't moving. I then remembered that
9 he'd been on the phone asking for someone else to come
10 out, so I asked Officer Vladic to set up a perimeter
11 basically to keep eyes out in case someone else was
12 coming.

13 And we got on the radio. We asked for help.
14 And I then probably asked Officer Bickford six, seven,
15 eight times, hey, are you okay, 'cause I didn't know if
16 he had been shot or not. We were so close, and it all
17 happened so fast. I wasn't sure if one of us had been
18 shot or not.

19 Q In those moments, do you believe that this man
20 had fired his gun?

21 A I was unsure.

22 Q Did you see the gun again after all the shots
23 had been fired?

24 A Yes.

25 Q Where did you see it?

1 A It was in his right hand with his finger in the
2 trigger well.

3 Q What was done with that firearm at that point
4 in time?

5 A So at certain point, I -- we had wanted to get
6 the gun out of his hand, so Officer Bickford went up
7 with his foot and kicked it out of his hand.

8 Q About how far did it go, if you remember?

9 A Couple feet.

10 Q Regarding your decision to fire your weapon,
11 what kind of weapon did you carry at the time?

12 A Glock 17.

13 Q Would you tell the jury what type of firearm is
14 that, please?

15 A It is a semiautomatic nine millimeter handgun.
16 It has 17-round mag.

17 Q Is that a commonly used firearm in law
18 enforcement in the United States?

19 A It is extreme commonly, one of the most common.

20 Q Up and until this moment in time, were you
21 considering pulling your gun sooner?

22 A No.

23 Q What was it specifically that led to that
24 decision?

25 A It was the -- him screaming I'm going to shoot

1 you and then feeling it and starting to see it come out.
2 I just, you know -- you become afraid and you realize
3 that you have no options left.

4 Q Did you suspect as he was reaching when you
5 were feeling something hard and giving the direction his
6 hands were going that might be what he was reaching for?

7 A Yes.

8 Q Your worst fears are realized in that moment?

9 A Yes.

10 Q How close are you to that firearm the moment
11 it's pulled out?

12 A I can reach out and touch it.

13 Q So closer than arm's length?

14 A Yes.

15 Q Did it surprise you that you were not able to
16 control his hands?

17 A No.

18 Q Sometimes those things happen, is that fair? I
19 will let you answer that question.

20 A You know, I mean there is a lot of times, you
21 know, when you are struggling with someone, it takes,
22 you know, almost two times -- two to three times the
23 amount of force to control someone's movements. So
24 anyone your size or bigger, you are going to have a hard
25 time controlling all of their movements.

1 Q All right. Before I move on, is there anything
2 about those moments in time leading up to your decision
3 to fire that we haven't covered yet before the jury?

4 A No.

5 Q I'm going to hand you a series of photographs
6 that I have marked for identification as Exhibits 6, 7,
7 8, 9, 13 and 14. Please take a moment, look at those
8 photographs, and let me know when you are ready to
9 discuss them. Do these pictures accurately depict the
10 scene in and around these cars and the area when you and
11 your fellow officers were there on the evening of
12 October 12th?

13 A Yes.

14 Q Lighting conditions the same?

15 A Yes.

16 Q In fact, is it your understanding that most of
17 these images were taken by Officer Grommes before anyone
18 else came into the scene?

19 A Yes.

20 Q All right. May I please have -- I move for
21 admission of six, seven, eight, ten, and 13.

22 A Six, seven, eight, nine, ten, 13.

23 Q Thank you.

24 CORONER BILLQUIST-JETTE: They are admitted.

25 ///

1 (County's Exhibits 6, 7, 8, 9, 10, and 13
2 were received in evidence by the Coroner.)

3 BY MR. ZINK:

4 Q Thank you. May I have number 6, please.

5 So when you walked up and began to deal with
6 the male now known as Mr. Stump up underneath the hood,
7 was the driver's door opened or closed? Do you recall?

8 A I do not recall.

9 Q It is opened in this picture. Officer Grommes
10 previously testified that before it ended, he observed
11 driver's side open and the VIN tag obscured. Do you see
12 a laser pointer beside you? Or I'll tell you what,
13 let's do this. Why don't you go ahead and stand up.

14 Could you indicate to the jury where the VIN
15 identification tag is on the driver's side door.
16 Officer Grommes previously testified that he observed
17 before everything came to a-head that that was somehow
18 covered up. Does that look right to you?

19 A Yes.

20 Q May I please have number 7. What are we seeing
21 in number 7? At the front driver's side quarter panel
22 of that car.

23 A It is missing.

24 Q Is that the front driver's side quarter panel
25 of that car?

1 A Yes.

2 Q And you noted it appeared to be spray painted?

3 A Yes.

4 Q That is not factory finish at all, is it?

5 A No.

6 Q May I have number 8, please.

7 Officer Grommes testified about the VIN tag in
8 the front windshield. Is this a place where officers
9 commonly look to get the vehicle identification number?

10 A Yes.

11 Q Did you also note that it was apparently
12 obscured?

13 A Yes.

14 Q Is that depicted in this photo?

15 A Yes.

16 Q Number 9, please. Number 9 is another
17 perspective looking from the rear of the car forward.
18 Officer Nelson, do you know what is on the ground beside
19 the tire?

20 Angie, can you zoom on it, please.

21 A I don't know what that is.

22 Q I will have the detective answer that question.
23 Number 10, please. What is depicted here in Exhibit 10?

24 A The unfinished paint job on the Impala where
25 the factory paint is clear and visible. And

1 Nicole Half's vehicle.

2 Q Number 13, please. You testified a few moments
3 ago that you saw Officer Bickford kick a firearm from
4 his right hand?

5 A Yes.

6 Q And it went a few feet away. Do you see it in
7 this picture?

8 A I do.

9 Q Would you please stand up and show the jury
10 where you see it. Is that the firearm that was in
11 Cole Stump's hand, pulled from his waistband toward you
12 and Officer Bickford?

13 A It is.

14 Q May I have number 14, please. Do you recognize
15 that firearm shown in 14?

16 A I do.

17 Q We just covered you saw initially in
18 Cole Stump's hand straight from his waistband?

19 A Yes.

20 Q Before it was kicked to this position by
21 Officer Bickford?

22 A Yes.

23 Q Officer Nelson, we have talked a little bit
24 about this with previous witnesses, but do Billings
25 police patrol vehicles have any means of documenting

1 video and/or audio around the area of the patrol car?

2 A Yes.

3 Q How is that done?

4 A There is a camera in the -- right above the
5 driver windshield. There is a little mic pack.

6 Q Where does the mic pack typically go?

7 A The mic pack typically goes on your vest.

8 Q Do you know whether -- what's that system
9 called?

10 A Watchguard.

11 Q Do you know whether your Watchguard system
12 documented this whole situation on the evening of
13 October 12th?

14 A The video did. The audio did not.

15 Q Do you know why no audio?

16 A So the Watchguard mics that we used to have --
17 we now have body-cameras. The Watchguard mics, if they
18 were sitting in your car, they would die. So you
19 constantly had to be charging them. So there is a
20 little charger that sits right next to you. And my
21 Watchguard mic was in the charger. And you flip it on.

22 On your Watchguard mic, there is a little
23 button you can hit. Or as I was rolling up to the
24 scene, you can also start it on the actual Watchguard
25 display. And that's where I'd started it. And I didn't

1 realize that I didn't have my mic pack on until the
2 situation had already concluded.

3 Q So you thought and intended to document this
4 whole interaction, but it didn't happen because of where
5 your mic pack was located?

6 A I thought it was on me.

7 Q Have you had an opportunity to review the
8 video, anyway, of what your Watchguard did document?

9 A Yes.

10 Q Is there any point at which anything of note is
11 observed from an audio standpoint on your Watchguard
12 recording?

13 A You could hear the gunshots.

14 Q And at the moment in time that you hear the
15 gunshots, is there also a screen number, date and time
16 indicated?

17 A Yes.

18 Q From reviewing the Watchguard before your
19 testimony today, do you know that time to be 10:31 p.m.
20 and zero seconds?

21 A Yes.

22 Q And you can hear the volley of shots fired?

23 A Yes.

24 Q Is there anything else meaningful of audio that
25 is recorded on your system?

1 A Not that I'm aware of.

2 Q At any time, did any of the four officers that
3 are at the scene have the top lights turned on, on top
4 of their patrol cars?

5 A No.

6 Q We would see that if they were on in any of the
7 videos; is that correct?

8 A Yes.

9 Q How is it you would know that they are visible
10 on the videos?

11 A You would see the flashing lights in some of
12 the videos. You know, there was obviously officers'
13 cars were parked behind mine. So if I had mine on, you
14 would have seen it and so on down the line. Also, if
15 you switch over all the way, it completely starts the
16 recorder.

17 Q With mic pack in the car?

18 A Yes.

19 Q But no one's top lights are visible in any of
20 the videos until responding officers show up to the
21 situation to your understanding; is that right?

22 A That is understanding.

23 MR. ZINK: Ms. Coroner, at this time, I would like
24 to admit County Exhibit 18, which is the Watchguard
25 video from Officer Nelson's patrol vehicle.

1 CORONER BILLQUIST-JETTE: It is admitted.

2 (County's Exhibit 18 was received in
3 evidence by the Coroner.)

4 BY MR. ZINK:

5 Q On which street were you driving down?

6 A I believe Avenue C.

7 (Video being played)

8 Q And your top lights are not on; is that right?

9 A They are not.

10 Q So you are now turning westbound into the
11 alley?

12 A Yes.

13 (Video being played)

14 Q Would you pause, please. Officer Nelson,
15 looking at this diagram to my right, can you tell which
16 of these patrol vehicle is yours?

17 A The close -- front patrol car closest to the
18 red vehicle, yes.

19 Q This one here?

20 A Yes.

21 Q Behind you is Officer Vladic?

22 A Yes.

23 Q Behind him is Officer Grommes?

24 A Yes.

25 Q And eventually Officer Bickford arrives coming

1 from the other direction?

2 A Yes.

3 (Video being played)

4 Q We just saw a male move from the rear area of
5 the red car. Is that Mr. Stump?

6 A Yes.

7 (Video being played)

8 Q Is that you on the screen?

9 A That is.

10 (Video being played)

11 Q Who just walked on the screen?

12 A Officer Grommes.

13 (Video being played)

14 Q What is it that he appears to be doing?

15 A Running the license plate.

16 (Video being played)

17 Q We now see headlights in the far end of the
18 alley looking to the west. Who is that?

19 A Officer Bickford.

20 (Video being played)

21 Q What is happening right now?

22 A Officer Bickford approaching, and I hand him my
23 notebook. That's when I asked to go run John Collins
24 for me.

25 (Video being played)

1 Q Is that Officer Vladic?

2 A That is.

3 (Video being played)

4 Q Officer Nelson, is there anything that you
5 think is important for this jury to know about your
6 decision to fire shots at Cole Stump on
7 October 12th, 2020, that we haven't covered today?

8 A I do not.

9 MR. ZINK: Those are all of the questions I have.
10 Any members of the jury have any questions?

11 CORONER BILLQUIST-JETTE: Any members of the jury
12 have any questions of this witness? Officer Nelson, you
13 are excused. Thank you.

14 THE WITNESS: Thank you.

15 MR. ZINK: At this time, the County calls
16 Justin Bickford?

17 CORONER BILLQUIST-JETTE: Please approach and raise
18 your right hand.

19 JUSTIN BICKFORD,
20 called as a witness, and having been first duly sworn by
21 the Coroner, was examined and testified as follows:

22 THE WITNESS: I do.

23 CORONER BILLQUIST-JETTE: Thank you. Please take a
24 seat.

25 ///

DIRECT EXAMINATION

BY MR. ZINK:

Q Good afternoon, sir.

A Good afternoon.

Q Would please introduce yourself to the jury;
and for the court reporter, spell your name?

A Justin Bickford; J-U-S-T-I-N, B-I-C-K-F-O-R-D.

Q Mr. Bickford, did you used to be a Billings
police officer?

A I did.

Q What years did you work for the Billings Police
Department?

A I was a police officer from 2017 till 2021.

Q Before the Billings Police Department, where
did you work?

A I was a Laurel police officer.

Q How long were you there?

A Three years.

Q What type of work did you do before that?

A Private security.

Q What led you to a career in law enforcement?

A Just a lifelong desire.

Q When did you know you wanted to be an officer?

A Young, teens, it was a goal as a teenager, I
suppose.

1 Q Today you are no longer with the Billings
2 Police Department?

3 A I'm not.

4 Q Why not?

5 A PTSD diagnosis from this incident.

6 Q You still live here in Billings?

7 A I do.

8 Q Could you tell us a little bit about your
9 experience and training you had before you became an
10 officer first with the Laurel Police Department and
11 later with Billings?

12 A So with the Laurel Police Department before I
13 got hired full time, I reserved with the Laurel agency.
14 They do an in-house reserve training. I actually did
15 that program twice. I did that the first time in 2009.
16 Was 180 hours of in-house training to be a reserve
17 officer in Laurel. Then I left.

18 I graduated the first time May 2009. I left
19 June 2010 for a professional opportunity. I wasn't
20 going to be able to fulfill my obligation with the
21 reserves in Laurel any longer. And then January of
22 2014, I wanted to go back to the reserves. But they had
23 a rule if you were gone for three years, you had to go
24 to the academy again.

25 So I did the reserve academy again a second

1 time, 188 hours of training. Graduated that May of
2 2014. And then November of 2014, there was a full-time
3 opportunity with the Laurel Police Department, which I
4 applied for and I was hired for. Took that job. Did a
5 14-week FTO phase with the Laurel Police department.

6 And then would have been September of 2015,
7 Laurel sent me to Helena for the Montana Law Enforcement
8 Academy, state academy, for all full-time officer, 480
9 hours of training. Graduated the academy in December of
10 2015. Stayed with Laurel until August of 2017, which I
11 accepted a position with the City of Billings as a
12 police officer.

13 Came to Billings, did a graduated FTO process
14 of 12 weeks opposed to the normal 14 and then a
15 three-week admin in-house training that Billings Police
16 Department hosts for new hires.

17 Q After that happened, what shifts of duties did
18 you have with the police department?

19 A After the admin training?

20 Q Yes.

21 A So my three years on the streets, I rotated
22 between -- I did two years of noon shift. And then my
23 last year, I was nightshift. And then through the
24 three years of patrol, there was extra trainings that
25 put in for agencies across the state or the academy

1 itself or Billings would host trainings, bring in for
2 deescalation tactics to driving to interaction and all
3 sorts of stuff.

4 And you would see a training you are interested
5 in, you could go to your commander and ask if you would
6 be able to do that. Most of the time you could. And so
7 go to the training. So I believe in my three years with
8 the Billings Police Department on the street, I had 150
9 extra hours of training, ballpark.

10 Q Sounds like you worked across basically all
11 shifts within the department?

12 A I never did a dayshift. But I did two years of
13 noons and a year on nights.

14 Q Is there a difference between what you see as
15 an officer on the noon shift versus the nightshift?

16 A Absolutely.

17 Q How so?

18 A Noon shift is way busier as far as number of
19 calls. Your start shift at 2:00 p.m. briefings done at
20 2:30 p.m. You hit the streets and then the radio -- you
21 are just chasing the radio most of the time nonstop.
22 Standard type of calls, one of thefts, traffic stops,
23 disturbances, neighbors quarrelling, heavy call load but
24 not too involved as nights.

25 Nights are the lighter call load but much more

1 high-risk calls.

2 Q Things that are in progress?

3 A Lot of in progress, lot of PFMA's, physical
4 disturbances, weekend, nights, obviously downtown and
5 west end bars, bar fights, stuff like that. Much more
6 involved.

7 Q Were you working as a Billings police officer
8 on Monday, October 12th, 2020?

9 A I was.

10 Q What shift?

11 A Nights.

12 Q When did you come on?

13 A Night briefing started 21:30, 9:30 p.m. so I
14 would have been on shift, been at the barn.

15 Q What is the barn?

16 A Barn is where we gear up, locker room, cars are
17 parked there, gym is there, so everyone goes there,
18 gears up, gets ready for work, and then we have briefing
19 at the barn.

20 Q Anything out of the ordinary from this
21 particular briefing on October 12th?

22 A Only thing out of the ordinary for me, I was
23 actually early. I usually get there 21:25. And I
24 remember that night I was there about 21:15. I was
25 there about ten minutes, stopped and got dinner on the

1 way, arrived on time so I could eat before we had
2 briefing. So nothing out of the ordinary as far as what
3 was presented to us in briefing.

4 Q Do you know about what time you left the barn
5 and went out to begin your patrol?

6 A It was about 21:45, 21:50 so 9:45, 9:50. We
7 have to be on -- you go through briefing, anything --
8 any information that need to be passed on, it is handed
9 out. And you go to your car, make sure your car is in
10 working order. Night, obviously, you check your lights
11 and everything is good to go.

12 And then you fuel up, and then you have to be
13 on the streets by 22:00, by 10:00. And then I remember
14 that night I was on the streets 21 -- it was 21:45 or
15 21:50. I had broken a boot lace as I was on my way to
16 work. And so, I remember I had to go to the locker room
17 and change my boot laces.

18 So I was couple minutes behind of what I
19 usually would have been. But I was still out by 22:00.

20 Q What area of Billings were you patrolling on
21 October 12th?

22 A So I -- in briefing, we pick the section of
23 town you are going to work. The town is broken into
24 different zones and sections and beats. That night I
25 picked Charlie 2.

1 Q What area of Billings is covered by Charlie 2?

2 A Charlie 2 is kind of vaguely described as the
3 middle of the west end. And the actual coverage is I
4 believe it's like 13th Street West to the end of town.
5 And then from Broadwater to Monad.

6 Q In the minutes after 10:00 p.m., were you
7 arrived at your assigned patrol area for the night?

8 A Yes.

9 Q Where did you go?

10 A I went to -- there is -- I believe, it is
11 Life Way Church that is on the southwest corner of
12 32nd Street West and Broadwater. That Monday was my
13 Friday, and I had a couple of reports to get caught up
14 from the weekend. And so, there is parking lot behind
15 the church.

16 And if there was no calls holding on the board,
17 which there weren't at the time, it was a well-lit spot,
18 you could go and be okay to type. So I went to that
19 church.

20 Q Get some paperwork done that needs get done
21 before your shift kicks off?

22 A Mmm-hmm.

23 Q At some point while you are there in that
24 parking lot, did a call come out that caught your
25 attention?

1 A I was dispatched. Dispatch sent me to a call
2 right after, right after 10:00, 10:15-ish. I don't
3 remember the exact time. It was after ten o'clock. I'd
4 just opened a report, I typed a couple of lines. And
5 the computer in the car, the MDT -- if you have your
6 volume turned up, it will notify you.

7 That little computer voice will tell you, you
8 know, dispatch received or kind of keep you updated so
9 while you are driving or if you are not looking at the
10 screen, it catches your attention to let you know, hey,
11 look at me. So I got a dispatch received notification.

12 Q What was the nature of the call?

13 A Suspicious activity. Call log -- there was
14 only a couple lines in the call log. Dispatch will take
15 the call and type the information in and update it, so
16 keep us updated with information. I remember on that
17 call that came through as suspicious activity.

18 And caller was looking out of her apartment
19 window and into the parking area of her apartment
20 complex and saw people that she thought might be
21 syphoning gas from her car.

22 Q Did you respond?

23 A I did.

24 Q What -- how do you characterize the seriousness
25 of a call like this in comparison to other calls one

1 might see on the nightshift?

2 A So dispatch actually has a system and it will
3 show up on the call type. There is four levels of
4 calls. Level one is lights and sirens, go, this is bad.
5 And all the way down to a level four, which is this
6 requires attention, but we don't need lights. We don't
7 need sirens.

8 We are not breaking the sound barrier to get
9 there. This call was a level four, suspicious activity.
10 I would probably guess that a huge percentage of the
11 annual calls that the police department receives is
12 suspicious activity. It is kind of a catchall for
13 anything suspicious. So the nature of the call was not
14 emergent.

15 Q Did you respond?

16 A I did.

17 Q Did you run lights and sirens?

18 A No.

19 Q Does your car have the system we have heard
20 about some today called Watchguard?

21 A Yes.

22 Q How does that turn on?

23 A So Watchguard will turn on if you respond to a
24 call lights and sirens. So there is a switch in the car
25 down by the radio by the computer, three stages of your

1 lights if you -- stage one is just your rear lights. So
2 if you are working a traffic incident or anything, you
3 just need people behind you to know that there is
4 something they need to pay attention.

5 Stage one does not activate Watchguard. Stage
6 two is full lights also does not activate Watchguard.
7 Stage three is full lights but activates your Watchguard
8 or you can activate it by pushing the monitor for
9 Watchguard is right up here. You can push record. So
10 you don't have to have your lights and sirens on.

11 Or we have mic pack for the Watchguard system.
12 It's got a little button then you push that and then
13 turns it on.

14 Q Does your system document your response from
15 the church to the scene?

16 A I believe they -- it has a -- the system is
17 constantly recording. It is what -- called record after
18 the fact. But it doesn't monitor audio. And the
19 facilitator of the system has to go in and can pull the
20 video footage.

21 But if you activate the system, then it creates
22 a file on your -- your monitor and then you upload it
23 when you get close to the station and then we manage
24 those. But anything can be recorded. But, again, the
25 facilitator, the program has to access that.

1 Q What route did you take to respond to this
2 scene?

3 A So I left the church parking lot, got on to
4 Broadwater just west of 32nd, went through 32nd all the
5 way to 24th Street West. Got a red light at 24th Street
6 West, waited for the light to turn green, turn north on
7 24th West, went through Grand, and got to the alley
8 between Avenue B and Avenue C off 24th Street West, east
9 down that alley to the other three patrol units that
10 were already on scene.

11 Q Looking at this diagram we have seen a lot of
12 today, this is Exhibit 1. From what you just said, is
13 this your patrol car here?

14 A That is my car.

15 Q The only one facing to the east?

16 A The only one facing east.

17 Q At any time that you are driving to the scene
18 or down the alley, did you manually turn on your
19 Watchguard system?

20 A I did not.

21 Q So it did not audio record this event?

22 A No.

23 Q Before we get to the moments in time where this
24 situation went badly, what was the call like to you as
25 you arrived? Let's back up. Describe what you saw and

1 observed as you arrived.

2 A So when the address came through on the call
3 when you get the call on the computer, the address is
4 right up top, big bold letters. 2250 Avenue C is a
5 well-known apartment complex if you work the west end of
6 town. I recognize the address immediately. Knew right
7 where I was going.

8 And, again, just kind of casually got there.
9 There was no exigent circumstances that have been
10 broadcasted that required hasty response. So I'm going.
11 I pull into the alley. I see the other patrol cars
12 right where I expected them to be, pulled up, got out my
13 car.

14 In the call log as the log got updated on my
15 way, there's been mention of two vehicles not parked in
16 the standard 90-degree angle that this parking lot
17 require. And I saw those two cars. I saw
18 Officer Grommes and Officer Nelson at the front of those
19 cars. Got out of my car. Walked up.

20 Just, you know, I'm the fourth officer on
21 scene. They were -- in my mind, they have already
22 started doing what they need to do, get names, get
23 information. So at this point in time, I'm just there
24 to help. So as I walk up, everything seems casual, I
25 could -- could tell there was a male under the hood of

1 one of the cars, never saw him.

2 He appeared to just be under the hood of the
3 car. Officer Grommes and Officer Nelson were just
4 standing there talking to him and trusting that they
5 don't have any reason to be suspicious of him at this
6 time, so everything is okay. And then Officer Nelson
7 hands me his notebook -- notepad.

8 Q Did he ask you to do anything with it?

9 A Yeah, so he had a name written down on it. He
10 handed me his notepad and said go run this for me,
11 dispatch is taking a while to get back to me. So
12 indicated to me that this is a name that he'd been given
13 by somebody and had run it through dispatch and dispatch
14 gets busy. You -- don't always get back to you
15 immediately.

16 And he wanted me to see if I could get a return
17 on my computer. We have the same system in our car that
18 they have or I can work on or call whether they were
19 working on however many calls that are going on in the
20 city.

21 Q Leading up to this, do you recall hearing
22 license plates being run with dispatch?

23 A I believe Officer Grommes had run the license
24 plates on the two cars.

25 Q Did you hear that one of the plates did not

1 return?

2 A One came back no return, and I believe they ran
3 the VIN tab on it. It came back to -- or the -- not the
4 VIN tab. There was a little tab on the sticker, the
5 registration sticker on the license plate. I believe
6 they ran that tab and that plate came back to a green
7 Dodge Ram, if I remember correctly.

8 Q Was the car at the scene a green Dodge Ram?

9 A No.

10 Q When you hear something like that, what is the
11 consideration that comes into your mind?

12 A First thing that comes to my mind after years
13 of being a police officer is we have a stolen car,
14 fairly typical for a stolen car to have a fictitious
15 plate on it.

16 Q All right. When you went back to your car to
17 run the name provided on the notepad from
18 Officer Nelson, what happened?

19 A Came back no return. So, again, computer kind
20 of talk to you and lets you know no return. And that
21 means that that name and date of birth has never had any
22 form of identification, government issued ever. And for
23 any adult, that is not impossible but very improbable.

24 Q What do you remember happening next after you
25 learned it didn't return?

1 A Right at the same time that I got no return
2 screen on my computer, I heard dispatch getting back to
3 Officer Nelson and advising him that they had also
4 gotten no return on the given information.

5 Q You kind of just gestured to your ear. How are
6 you communicating with dispatch, or how are you hearing?

7 A So in your car, you just have radio and the
8 speaker is where it is mounted in the car. And then
9 when you are out of the car, we have portable radios.
10 Most officers use an earpiece that is connected off the
11 mic pack. I myself always have an earpiece. So I was
12 pointing for my earpiece.

13 Q So you might -- you are hearing the
14 conversation, but it won't be audible outside?

15 A Yeah.

16 Q After you heard that there is no return on the
17 name and the plate, did you hear anything from outside
18 your car?

19 A I did.

20 Q That caught your attention?

21 A Yes.

22 Q What was that?

23 A Officer Nelson speaking to that male that had
24 been under the hood of the car, articulating to him that
25 he was going to be detained and placed into handcuffs

1 until we could figure out who he was.

2 Q What happened then?

3 A That male yelled -- and pardon my language --
4 the male yelled, "No, fuck you."

5 Q And then what happened?

6 A Then he went to run west.

7 Q What happened then?

8 A Officer Grommes and Officer Nelson tackled him.

9 Q How are you perceiving this? Are you still in
10 your car?

11 A I'm getting out of my car as -- right about the
12 time I'm out and on my two feet, everything kind of
13 kicks out.

14 Q Walk us through the next 15 or so seconds,
15 please.

16 A So I see Officer Nelson and Officer Grommes
17 take the male to the ground. The best way to kind of
18 point it as we will use the diagram --

19 Q There is a laser pointer beside you if that
20 would help.

21 A The black vehicle that is kind of catty-wumpus,
22 they had tackled the male right there. And he was
23 almost at a direct angle with that car, his feet near
24 the front of the car, his head towards the building. As
25 this is happening, I go from standing outside my car to

1 moving to their location with haste.

2 I cut between that black car and the blue car.
3 And I remember there was a post 'cause it is covered
4 parking. There was a post. And I had to cut sideways
5 and fit through small spaces, so I had to cut through
6 that. By the time I got to the location of the suspect
7 and Officer Grommes and Officer Nelson, Officer Nelson
8 is in a mounted position and has his arms going around
9 the suspect.

10 And Officer Grommes is at his back. And at
11 this point, Officer Vladic was also on scene, excuse me,
12 was coming to the scuffle. So the way that he had him
13 covered and the way we had been trained, I moved to the
14 suspect's head to be point of contact. As all of this
15 is going on and Officer Nelson is in the position he is
16 in, he's got his arms around him.

17 He keeps yelling out, he's reaching, he's
18 reaching, he's reaching. And we train for that to know
19 that this is bad. I take a position near suspect's
20 head. He's not laying flat on his stomach. He's kind
21 of rolled kind of more on his shoulder peck area.

22 And I see he's got his hands tucked. And so, I
23 take a position where his left shoulder and his face are
24 in between my knees. So I kneel down and, again, due to
25 the training that we go through with the admin

1 specifically with the Billings Police Department, I'd
2 unholstered my weapon at this point in time.

3 And I made contact with the suspect. And I
4 tell him to give us his hands, several orders to give us
5 his hands. And then I told him to give us his hands or
6 he could be shot. And he responds, looks at me eye
7 contact and says -- I said -- I told him he could be
8 fucking shot. Excuse me again.

9 He responds looking at me, "I'm going to
10 fucking shoot you." At that moment -- and this is all
11 sub 15 seconds so everything is fast. Officer Nelson
12 calls out for a Taser. Officer Grommes steps off of his
13 position right near the suspect's back, unholsters his
14 Taser, deploy his Taser, and it is ineffective hit.

15 We go through Taser training. You are trained
16 to know when a Taser has been effective, when it's not
17 been. And if you can hear it loudly, it is -- it didn't
18 take. And it is basically circuitry of the electricity
19 is not flowing through the body.

20 If a Taser is a good contact, you don't hear it
21 'cause the circuitry is flowing through the body doing
22 what it is supposed to be doing. We could hear it. I
23 knew. Just we are trained for it. Taser cycles for
24 five seconds. As the Taser cycle is still going, you
25 still hear the click.

1 Officer Nelson yells gun, gun. He has a gun.
2 And, again, Officer Nelson was in the mounted position.
3 So he had one leg on each side of the suspect and arms
4 around him. Officer Nelson rises up, sits up, and drew
5 his weapon. Suspect is rolling from the position on his
6 shoulder peck to his side, presents a firearm right next
7 to my right knee, sees the firearm. Officer Nelson and
8 I both shoot the suspect.

9 Q Why at that moment in time did you make the
10 decision to fire your weapon?

11 A So I didn't get shot. Protect myself, protect
12 the other officers on scene, anyone else on the scene?

13 Q Do you how many times you fired?

14 A No.

15 Q Do you believe at that moment in time when you
16 made that decision that you had any other viable options
17 at all?

18 A No.

19 Q What do you think would have happened to you or
20 to one of the officers with you if you hadn't?

21 A The position that I was in and the position
22 that he was in and the direction that the gun was coming
23 out, I was going to be shot. It would have been at
24 least a devastating wound, it -- at my leg, at my knee,
25 if not fatal. I would have absolutely been shot if I

1 did not shoot.

2 From there, I don't know if he would have the
3 opportunity to shoot anybody else.

4 Q Tell us what you remember happening next.

5 A As we -- the shooting stops. Another thing we
6 are trained for is called get off the X. So we need
7 time -- we at the range, you're just trained so you just
8 do it. Officer Nelson and I both get off the X, and
9 that means move. So we both get up and fall back from
10 the position that we were at and mirror each other as we
11 come off the suspect.

12 At this point in time, he has continued to roll
13 and now stopped. And he's completely on his right side,
14 got a little black automatic pistol in his hand, finger
15 in the trigger well. And as soon as I can see that the
16 scene is as safe as it is going to be in that moment, I
17 stepped forward with my left foot, kicked that gun out
18 of his hand, went past him, off the sidewalk in front of
19 the blue car.

20 Q Angie, may I please have number 13.

21 Is that where the firearm out of Cole Stump's
22 hand landed after you kicked it?

23 A Yes.

24 Q Thank you. What do you remember happening
25 next?

1 A The first thing I remember is sound coming
2 back. In the physiological response of the body in a
3 situation like this is losing blood from your
4 extremities and your core and you lose sense of smell,
5 sense of hearing. So as you are standing there, I hear
6 a ringing coming through my ears.

7 And I can hear Officer Nelson, are you good?
8 Are you good? Are you good? And it takes me a second
9 to realize that he's talking to me. And I'm, yeah, I'm
10 good. I'm fine. I'm good. Are you good? And then we
11 check in on Grommes and Vladic as well, everyone, making
12 sure everyone is okay.

13 Officer Grommes had made radio traffic for
14 shots fired at some point very quickly. Two females
15 that had been on scene, Officer Vladic was tasked with
16 securing them, making sure they were okay. And that
17 they were no longer going to be a threat to us.
18 Officer Nelson and I are continuing to communicate.

19 And at some point, dispatch -- Officer Nelson
20 had made radio traffic requesting a commander and
21 medical on scene. And then dispatch came across the
22 radio and asked if we needed medical code. That means
23 do we need medical like to run lights and sirens. Do we
24 need them there now.

25 And I go on the radio and responded, yes. I

1 advised them that we had a male who had been shot and we
2 needed medical now.

3 Q In these moments in time, did you realize that
4 your mic pack had not been turned on?

5 A It was a matter -- I couldn't tell you a
6 minute, 30 seconds, I don't know the length of time, but
7 it was fairly quick that I -- occurred to me that my mic
8 pack had not been turned on. So I activated it with the
9 button that was on the mic pack on the vest.

10 Q So some of what you've just talked about such
11 as half of the conversation with dispatch because, of
12 course, you have an earpiece we could hear what you are
13 saying that's going to be recorded on your Watchguard?

14 A Yes.

15 Q According to the screen capture from your
16 Watchguard, you rolled up on the scene at 10:29:18.
17 Does that sound right to you?

18 A Yes.

19 Q The shots were fired exactly 10:31 and zero
20 seconds. So you are barely there from arrival to
21 getting out of your car for 90 seconds and change. Does
22 that sound right to you?

23 A Yeah.

24 Q So your entire interaction with Mr. Stump was
25 probably under ten or 15 seconds. Does that sound right

1 to you?

2 A Yeah.

3 Q Have you ever seen this man before or dealt
4 with him before?

5 A No.

6 Q Did you know who he was?

7 A No.

8 Q After all of this has taken place, medical
9 arrives. Do lots of other Billings police officers
10 arrive at the scene?

11 A Yes.

12 Q It becomes quite full of officers at that
13 point?

14 A Yes.

15 Q At any time while the four of you were there,
16 did any of you turn on the top lights on your patrol
17 vehicles?

18 A No.

19 Q Did you have any role in the investigation post
20 shots being fired in this case?

21 A Gave a statement.

22 Q But you didn't investigate the scene itself?

23 A No.

24 Q You talked to investigators and detectives
25 about what took place?

1 A Yes.

2 Q But the investigation of it was left to others,
3 is that fair?

4 A Yeah.

5 MR. ZINK: Ms. Coroner, at this time, I would like
6 to offer and publish Exhibit 19 before I ask some other
7 questions. That is Officer Bickford's Watchguard from
8 October 12th.

9 CORONER BILLQUIST-JETTE: It is admitted.

10 (Coroner's Exhibit 19 was received in
11 evidence by the Coroner.)

12 MR. ZINK: Thank you.

13 (Video being played)

14 BY MR. ZINK:

15 Q Is this the church that you were referring to
16 earlier?

17 A Yep.

18 (Video being played)

19 Q What intersection is this?

20 A 32nd Street West and Broadwater, heading east
21 on Broadwater.

22 (Video being played)

23 Q Is that Officer Vladic?

24 A It is.

25 (Video being played)

1 Q What are you saying when you say why does that
2 have to be articulated?

3 A I am voicing my frustration to Officer Nelson
4 that I have to tell dispatch to have medical run code.

5 MR. ZINK: Resume please.

6 (Video being played)

7 Q After this was done, we already talked a little
8 bit about you didn't have any role at the scene once you
9 were relieved by other officers; is that correct?

10 A Correct.

11 Q You went and provided statements to detectives
12 after the fact and some that night indicating you had
13 fired?

14 A Yeah.

15 Q Mr. Bickford, is there anything you have not
16 testified about before this jury today that you think is
17 important for them to know?

18 A No.

19 MR. ZINK: I don't have any further questions.

20 CORONER BILLQUIST-JETTE: So do any of our jurors
21 have questions of this witness? Thank you,
22 Mr. Bickford, you are excused. At this time, we will
23 take a ten-minute recess. We will reconvene at 3:10.
24 Again, jurors, please be mindful of the instructions you
25 were given at the beginning of these proceedings.

1 Everyone please rise.

2 (Afternoon recess)

3 CORONER BILLQUIST-JETTE: At this time, we will
4 reconvene the coroner's inquest into the death of
5 Cole Stump. Let the record show the date is
6 January 31st, 2022, and the time is 3:12 p.m.

7 MR. ZINK: Thank you. At this time, the County
8 calls Detective David Raschkow.

9 DAVID RASCHKOW,
10 called as a witness, and having been first duly sworn by
11 the Coroner, was examined and sworn and testified as
12 follows:

13 THE WITNESS: I swear.

14 CORONER BILLQUIST-JETTE: Thank you. Please have a
15 seat.

16 DIRECT EXAMINATION

17 BY MR. ZINK:

18 Q Good afternoon.

19 A Good afternoon.

20 Q I'm going to have Angie get a copy of your
21 supplement.

22 Would you please introduce yourself to the
23 jury; and for the court reporter, spell your name.

24 A David Raschkow, R-A-S-C-H-K-O-W.

25 Q Detective Raschkow, what do you do for a

1 living?

2 A I'm an investigator with the Billings Police
3 Department.

4 Q How long have you been in law enforcement?

5 A I just started my 13th year.

6 Q And could you tell us a little bit about your
7 life and why you decided to become a police officer.

8 A Prior to working in law enforcement, I had
9 worked actually in journalism. And then I went into the
10 United States Marine Corp. Did a combat deployment and
11 then came back and decided to join the Billings Police
12 Department. I have been doing this since 2009.

13 Q When you started with the department in 2009,
14 what were your duties?

15 A Initially, I was hired on as a patrol officer,
16 completed the academy, went through the field training
17 process, went to be a patrol officer. I was in the
18 patrol division for seven years, just responding to
19 calls for service and conducting patrol investigations.

20 And then in 27 -- beginning of 2017, I moved in
21 to the investigations division. And I have been doing
22 major cases, violent crimes for a brief period. I
23 worked in the city county special task force doing drug
24 crimes. And I have been a deputized FBI agent.

25 Q Among the major crimes that you investigate,

1 are there particular crimes that are more important and
2 more difficult to investigate that you work on?

3 A Yes. Any crime of violence typically comes
4 with a little more difficulty. And they hold higher
5 urgency because we have most of the times a victim that
6 suffered some sort of loss as a result.

7 Q Have you investigated homicides before?

8 A Yes.

9 Q Can you count how many?

10 A As primary, I would say I have investigated
11 four to five, primary or secondary. And then I have
12 been involved in over, I would say 30 homicide
13 investigations.

14 Q Have you also participated in the investigation
15 of what we are talking about today, which are
16 officer-involved shootings?

17 A Yes, I was the case agent for several -- two
18 officer-involved shootings. And I participated in other
19 investigations as well.

20 Q What is different between a regular homicide
21 investigation and an officer-involved homicide
22 investigation?

23 A Honestly, not much. They -- the only
24 difference really being is that with an officer-involved
25 shooting investigation, we often have more evidence than

1 we do in a standard homicide investigation.

2 Q Why is that?

3 A Most of the time we have audio recordings,
4 video recordings. There are typically witnesses. And
5 we have people willing to give statements that are for
6 the most part credible.

7 Q Are officers generally obligated to speak with
8 other investigators in a circumstance like this?

9 A Yes. Depending on the timeframe of the
10 investigation, but, yes.

11 Q Is that different from other individuals
12 involved in homicides where they don't have to speak
13 with investigators?

14 A Yes, that's true. The Fifth Amendment applies
15 across the board to everybody. However, there is an
16 expectation with law enforcement that at some point
17 they are going to provide a statement and provide an
18 account of the events whereas this is not always the
19 case with your standard civilian.

20 Q How did you become involved in the
21 investigation into the death of Cole Stump?

22 A I was contacted by the on-call commander for
23 the investigations divisions on the night of
24 October 12th, 2020. And I was informed that there had
25 been an officer-involved shooting at the apartment

1 complex we discussed on Avenue C.

2 I was one of the first investigators to arrive
3 and then kind of just got a feel for the scene and got
4 basic information from the patrol commander as to what
5 had occurred.

6 Q We have heard testimony today as to what did
7 occur. But generally what were you advised?

8 A I was advised that Bickford, Nelson, Grommes,
9 and Vladic had all responded to a call of suspicious
10 activity. Male had provided false identification
11 information and have been taken to the ground. After, a
12 struggle ensued over trying to get him into handcuffs.
13 During the struggle, a Taser was deployed.

14 The suspect produced a handgun at which point
15 officers Bickford and Nelson both fired their weapons.
16 And then the suspect was transported by AMR for medical
17 care and was pronounced deceased at the hospital. The
18 two officers who had fired, Bickford and Nelson, had
19 been taken to City Hall for follow-up investigation as
20 well as Officer Vladic and Officer Grommes.

21 Q What is the purpose of removing officers who
22 are involved from the scene to a different location?

23 A There are several purposes. One is so that we
24 can collect the best evidence possible away from the
25 chaos of the scene there because a scene like that in

1 itself is very chaotic. The other purpose is to remove
2 them from a scene where they have just been involved in
3 something that is mostly traumatic and has a propensity
4 for danger.

5 So the longer they are in that scene, the more
6 they can have an adverse reaction or start to suffer
7 some stress disorders.

8 Q Once they were taken to City Hall, what was
9 done with them?

10 A They were taken to the investigations division.
11 And they were kind of removed from all of the other
12 working parts of the investigation. So they are a
13 little bit isolated. And then I spoke with each of them
14 individually. We do something that is called a public
15 safety statement. This is not a recorded statement.

16 This is me sitting down with them, and I get
17 very basic information that helps me out with the
18 investigation in the initial phase. Why it is called a
19 public safety statement is, one of our first things we
20 need to establish is, has anybody else been hurt that we
21 need to be aware of.

22 Because above all, we need to account for
23 anybody that could possibly be injured. Then the next
24 part of the statement, I don't care so much about the
25 elements leading up to the shooting or why are there

1 justification at that particular point. What I care
2 about is their relative positions with the scene and how
3 I can start to place them in various places as the
4 investigation is going on.

5 So I ask basic questions of, where they were
6 standing at the time the incident took place? I will
7 ask them, who was involved or their relationship to
8 other people involved in the space that they were in?
9 And the big question I have for most of them is, what
10 does their weapon load out?

11 So I will be asking them questions of, how many
12 rounds do you keep in your magazines? How many
13 magazines do you keep on you? What type of firearm are
14 you carrying? Do you recall how many rounds you fired?
15 And these questions, while not identifying the purposes
16 behind the shooting, they help us to investigate and
17 really work back the picture later on.

18 Q Did all four officers cooperate with you and
19 answer the questions that you asked that night?

20 A Yes.

21 Q What happens with them after that?

22 A After the statements are taken, the two
23 officers that have been involved in the shooting have to
24 have some other investigative actions taken. So I do a
25 firearms collection from each officer, where we take the

1 firearm, we record the serial number, we take all their
2 magazines that have all of their ammo, and we are going
3 to do a count to make sure how many rounds we have left
4 and compare that to what we should have and what see on
5 scene.

6 So once they have been photographed and their
7 firearms are turned over, then they are taken by the
8 administrative division for the administrative portion
9 of it because there are some policy, things they have to
10 do that don't have to do with the criminal
11 investigation.

12 Q Are blood draws done of the involved officer,
13 for example?

14 A As part of the administrative investigation,
15 yes.

16 Q What is the purpose of that?

17 A To determine if any of the officers involved
18 had any sort of intoxicants of narcotics on board at the
19 time?

20 Q Was that done for both Officer Nelson and
21 Mr. Bickford?

22 A Yes, that was done.

23 Q At some point later in the investigation, did
24 those results come back from the state crime lab?

25 A Yes, they did.

1 Q What were those results for those two officers?

2 A They were negative for any narcotics or
3 intoxicants.

4 Q So nothing that was in their systems that could
5 have affected their judgment was observed?

6 A That's correct.

7 Q After you did some of this initial and
8 preliminary work with those four officers, what was your
9 next step in your role in the investigation?

10 A Because I have been assigned the primary, I'm
11 kind of overseeing all the pieces that are taking place.
12 There were some interviews that are being done of other
13 people at City Hall. But the majority of the work was
14 being done at the scene. So the scene was handled by
15 three other detectives and then the commander.

16 I wasn't able to stay on scene to see the
17 completion of that. But we basically come up with a
18 plan as to how that was going to take place. And I
19 returned when I was able to later in the morning at the
20 completion of the scene.

21 Q How is a scene such as this processed and
22 investigated and documented by detectives?

23 A So the first thing after they do an initial
24 walkthrough and get an idea of what the scene is, we use
25 several tools to document the scene. One of them is

1 just good old-fashioned photographs, lots of photographs
2 are taken of the scene. We have an instrument that uses
3 a laser and a prism.

4 And it will take scans of the scene. And we
5 actually then render that scan in a computer and use
6 that to take measurements later. At the same time we do
7 this we do take hand measurements. This is just a
8 graphical tool that we have so that we can more readily
9 display it as opposed to doing CAD diagrams and stuff
10 like that.

11 MR. ZINK: May I approach?

12 CORONER BILLQUIST-JETTE: Yes.

13 BY MR. ZINK:

14 Q Detective, I'm going to hand you what we have
15 been referring to during the course of the day for
16 demonstrative purposes as Exhibit 1. Do you recognize
17 that?

18 A Yes, I do.

19 Q Is that diagram prepared by and in conjunction
20 with the software that you talked about that maps the
21 scene?

22 A Yes, this diagram, it is created using those
23 mapping and measuring tools.

24 Q So even though some of the vehicles that are
25 drawn in might not be precise and to scale, this is an

1 accurate depiction of what the scene looked like when
2 the four officers were there; is that correct?

3 A Yes, that is correct. This would be an
4 overhead looking directly down. And that is created by
5 that tool.

6 Q What were some of the important observations
7 that were made at the scene?

8 A The important observations one of them is the
9 spray-painted vehicle. There was a gun that was found
10 in front of one of the other vehicles that was off of
11 the sidewalk, one of the officer's notepad was sitting
12 next to the ID of one of the women who had been taken
13 from the red car. There was blood on the scene.

14 There were several shell casings. And there
15 were two -- I don't recall the exact number, but there
16 were some fired slugs that were also on the sidewalk.
17 They kind of gave us a picture of where critical events
18 had happened, where things were relatively positioned.

19 Q Is there also a cell phone discovered on the
20 scene on the sidewalk?

21 A Yes.

22 Q May I have number 12, please.

23 Detective, this is an exhibit that we admitted
24 earlier today. Can you point out for the jury where the
25 cell phone was located.

1 A So the cell phone is going to be right there.
2 And where that is at on the diagram is going to be in
3 this area.

4 Q Were investigators ever able to determine who
5 that phone belongs to?

6 A No.

7 Q Is it a belief it might have been Mr. Stump's?

8 A It would be logical that it was given that
9 there were accounts he was on a phone at one time and --
10 although we could never get into the phone to verify an
11 account holder on it. There would be nobody else that it
12 could have come back to.

13 Q Do you believe it is Mr. Stump's phone?

14 A Yes.

15 Q Looking toward the top now, and it might be
16 easier on your little screen to look at what I'm going
17 to ask you about next, there is a light in the darkness
18 directly off the sidewalk.

19 And, Angie, could you zoom in on that, please.
20 It is difficult to see in this light.

21 What is that light?

22 A I cannot tell who the officer is. But the
23 light is illuminating the gun that's off of the
24 sidewalk.

25 Q So an officer is standing over and shining his

1 flashlight?

2 A Yes.

3 Q That is where the gun was located?

4 A Yes.

5 Q Thank you, Angie.

6 Did your investigation associate that firearm
7 with any of the individuals at this scene?

8 A The only person that could be placed with is
9 Cole Stump.

10 Q And did you learn that through interviews of
11 the four involved officers who were there?

12 A Yes.

13 Q I'm going to hand you what I have marked for
14 identification as Exhibit 15 for identification. Do you
15 recognize that photograph?

16 A Yes, I do.

17 Q There is also something we haven't seen in any
18 of the other photographs that is yellow color. What are
19 we seeing in 15?

20 A That is an evidence marker. You can see the
21 small number 27.

22 Q We will bring it up in a moment. So when do
23 evidence markers get placed at a scene such as this?

24 A Typically they will be placed after we take
25 photos and after scans are done.

1 Q So some of these photos are done by detectives?

2 A Yes.

3 Q They generally tend to be more in focus and
4 clear images than what patrol often does at the scene?

5 A Generally, yes.

6 Q Because that is the hope?

7 A Yes.

8 Q All right. Does Exhibit 15 accurately depict
9 the position where the firearm was recovered?

10 A Yes.

11 MR. ZINK: Move to admit 15.

12 CORONER BILLQUIST-JETTE: It is admitted.

13 (County's Exhibit 15 was received in
14 evidence by the Coroner.)

15 BY MR. ZINK:

16 Q Detective Raschkow, looking at this firearm,
17 would you please identify it for us?

18 A This is a Taurus nine millimeter firearm. The
19 model is a G-2-C.

20 Q Is there anything visible on this photo that we
21 haven't seen today in other photos that is of
22 significance to you?

23 A So with this particular firearm, it has
24 something that is called a loaded chamber indicator.
25 And that is exactly what it is. Indicates that the

1 firearm is loaded. And it is this protrusion --

2 Q Why don't you step down because that is just
3 reflected off the screen.

4 A So this protrusion right here, that's got the
5 red marked on it, indicates that there is a round in the
6 chamber. And that it is loaded.

7 Q Did your investigation focus on learning any of
8 the history or other information about this firearm?

9 A Yes.

10 Q How is that?

11 A Using the serial number associated with the
12 firearm, I contacted ATF and found a record for a
13 purchaser who had purchased it through Cabela's in
14 Billings. I was able to locate that purchaser, who
15 informed me that the firearm had been stolen out of his
16 motorcycle saddle bag.

17 Q Sometime before this night presumably?

18 A Yes.

19 Q What was done with the firearm after it was
20 recovered from the scene?

21 A Once it's recovered from the scene, it is
22 placed into our evidence. And it's sent to the Montana
23 State Crime Lab for forensic testing.

24 Q What type of testing was done on the firearm.

25 A Initially impression testing was done on the

1 shell casings and the tool marks that would come from
2 the firearm to determine if the handgun had been fired
3 during the exchange. That was one of the questions we
4 were not able to concretely answer in the beginning
5 phases.

6 That testing revealed that this gun had never
7 fired any of the shell casings at the -- on the set.
8 And was not associated with any of the shell casings
9 from the vehicle that was later searched.

10 Q So as far as you know, this firearm was not
11 discharged during this incident?

12 A That's correct.

13 Q What other determinations was the crime lab
14 able to make on this Taurus?

15 A They determined that it was a functioning
16 firearm. So they were able to test fire it, and it
17 would fire and function as a firearm should. The
18 firearm was tested for blood. And there was no presence
19 of blood on the firearm. I also sent Officer Bickford
20 and Officer Nelson's guns to be tested by the state
21 crime lab.

22 They were also tested for blood. And there was
23 no blood found on those guns either. What this would
24 tell me is that if there had been blood on one gun and
25 not another one, I might be concerned about the

1 positioning of it, where it had been said to be.

2 But given that they were all in such close
3 proximity and none of them had blood on it, that was not
4 an indication that any one of them was in a position
5 that I wasn't aware of.

6 Q Is it common or uncommon to find blood on
7 firearms in a circumstance such as this?

8 A It entirely depends. It wouldn't neither be
9 common nor uncommon. It is not a, for lack of a better
10 term, smoking gun to have blood on or not on it. It
11 would just depend on where it was positioned with any
12 other biologicals.

13 Q You can take that down.

14 Was there, in fact, blood at the scene?

15 A Yes.

16 Q Where was it located generally?

17 A Generally, it was located in front of the white
18 car that had been painted black. There was some blood
19 that could be seen from when Mr. Stump had been moved
20 by medical. And the blood actually left a trail out
21 towards where the AMR unit was at.

22 Q Basically bleeding some as they roll him on the
23 gurney?

24 A Yes.

25 Q May I have Exhibit 12, again, please.

1 On Exhibit 12, do we see some dark stains on
2 the sidewalk there?

3 A Yes.

4 Q Are those, in fact, to the west of the bicycle?

5 A Yes, they are.

6 Q So is that going to be in front of this blue
7 car here?

8 A Yes, that's correct.

9 Q Okay. Not the black and white car, but a
10 little bit to the west?

11 A That's true.

12 Q Just to make sure we are on the same page.
13 Thank you, Angie.

14 Through the investigation, were you able to
15 make a determination as to how many rounds the two
16 officers fired?

17 A Yes.

18 Q What did that tell you? What did you find out?

19 A Through the investigation, there were a total
20 of 11 rounds fired. Four were fired by
21 Officer Bickford. And seven were fired by
22 Officer Nelson.

23 Q Is the number of rounds in a situation like
24 this significant to you in any way?

25 A Significant --

1 Q Does it mean much to you, I guess? Does it
2 tell you anything about the situation?

3 A Knowing what I know about encounters such as
4 this, what it would tell me is that they fired until
5 they felt there was no longer a threat.

6 Q Is that consistent with how police officers in
7 the United States and Montana are trained?

8 A Yes.

9 Q Did you recover the firearm from the scene,
10 obviously, to send it to the crime lab?

11 A I didn't personally recover it. But it was
12 recovered during the course of the scene processing.

13 Q Was it returned from the crime lab back to the
14 Billings Police Department?

15 A Correct.

16 Q Secured in evidence?

17 A Yes.

18 Q Did you remove it today for presentation?

19 A Yes, I did.

20 Q Detective Raschkow, I'm going to now hand you a
21 firearm secured in a box that I have marked on the
22 outside of the box for identification as Exhibit 22.
23 Did you prepare this firearm for presentation today in
24 court?

25 A Yes.

1 Q Have you rendered it safe for handling today in
2 court?

3 A Yes.

4 Q So there is no danger posed at all to anyone in
5 here by handling and manipulating this firearm?

6 A That's correct.

7 MR. ZINK: I'm going to move for admission of
8 Exhibit 22, please.

9 CORONER BILLQUIST-JETTE: It is admitted.

10 (County's Exhibit 22 was received in
11 evidence by the Coroner.)

12 BY MR. ZINK:

13 Q Detective Raschkow, would you please open that
14 firearm and show it to the jury. How is it packaged
15 today?

16 A This is just packaged in a sealed bag. I
17 removed it from the box that it was shipped in. And it
18 is banded through the -- through the barrel and around
19 the slide to show that it is clear and safe.

20 Q Is there a magazine or any ammunition in the
21 weapon?

22 A No.

23 Q Would please go ahead and show it to the jury.
24 Thank you. Would you please go ahead and secure that
25 back in its box. After the scene was processed, did you

1 move on to attending the autopsy conducted in this case?

2 A Yes.

3 Q When was that done?

4 A That was done in the afternoon of the July --
5 or sorry -- October 13th, 2020.

6 Q Next day?

7 A Yes.

8 Q We will have the pathologist testify. But
9 generally what is an autopsy, and why is it done in a
10 situation such as this?

11 A An autopsy is going to be a medical examination
12 of a body to determine cause of death and to collect any
13 evidence.

14 Q At the autopsy, did you learn how many times
15 Mr. Stump was struck?

16 A Yes.

17 Q How many?

18 A He was struck 11 times. He had approximately
19 three rounds in his head area, one in his neck, and then
20 seven were from his hip up his torso on his left side.

21 Q Were there any other observations of note that
22 you noted in your report made at the autopsy?

23 A Just for a clear count, five were in the torso,
24 one round to the left arm, one in the left eye. The
25 orientation of how the rounds had struck Mr. Stump was

1 consistent with the relative position of how Bickford
2 and Nelson had described their relationship to his body
3 at the time of the firing.

4 And there was presumptive test conducted for
5 drugs on Mr. Stump's urine. And it showed presumptive
6 positive for amphetamine and methamphetamine.

7 Q Was that subsequently sent to the crime lab for
8 confirmation and analysis?

9 A The urine was not. However, there was a
10 toxicology test that was done of Mr. Stump's blood to
11 confirm those findings.

12 Q There's been testimony today and I believe you
13 touched on it a little bit earlier about the car that
14 was at the scene.

15 A Yes.

16 Q What did your investigation disclose about the
17 state of that car and specifically I'm talking about the
18 black and partially white Chevy Impala?

19 A The investigation showed that the car not only
20 had been stolen and damaged but that significant
21 attempts have been made to alter the appearance of the
22 vehicle. There was window tint that was found in the
23 car. There was paint that was used to paint the car.

24 Some tape used to tape off so they wouldn't
25 spray over chrome or other items that would be readily

1 obvious. Although I don't know if we found a paint
2 sprayer, we found the box for a paint sprayer in that
3 car and then some miscellaneous tools.

4 Q May I please have Exhibit 9.

5 Relative to that -- and, Angie, could you zoom
6 in the area around the door.

7 Detective Raschkow, relative to what you just
8 talked about finding tape and paint and things of that
9 nature, what do we see beside the driver's side front
10 tire on the ground in Exhibit 9?

11 A I don't have a great view of it here. But it
12 appears to be blue tape that would be used when you
13 paint.

14 Q Painter's tape?

15 A Yes.

16 Q Does it also have black paint visible on it?

17 A Yes, it does.

18 Q Thank you, Angie.

19 Moving ahead in your investigation to
20 October 16th, did you begin a series of formal taped
21 statement with the four involved officers?

22 A Yes.

23 Q Who did you interview first?

24 A The first officer I interviewed was Grommes.

25 Q Who did you interview second?

1 A That was Nelson.

2 Q And third?

3 A Third, third was Bickford. And then the fourth
4 would have been Vladic.

5 Q Have you attended today's court proceedings?

6 A Yes.

7 Q Were these interviews that you took with the
8 four involved officers lengthy?

9 A Yes.

10 Q Did you have an opportunity to observe the
11 sworn testimony of the four officers involved in this
12 incident?

13 A I did.

14 Q Was their testimony today under oath consistent
15 or inconsistent with the lengthy, recorded formal
16 statement they provided to you?

17 A It was consistent with their statements.

18 Q Was there anything inconsistent or surprising
19 to you that you heard from the witness stand today?

20 A No.

21 Q So what they informed this jury was the same as
22 what they told you?

23 A Yes.

24 Q Fair to say you worked on this case for several
25 months?

1 A Yes.

2 Q When that investigation was concluded, do you
3 believe you obtained a complete picture of the event
4 that we are talking about with this jury today?

5 A Yes, I do.

6 Q Do you have a working knowledge of all of the
7 files as the primary lead investigator?

8 A I do, yes.

9 Q Considering each of the statements provided to
10 you by each of the four officers involved and also
11 considering the testimony of each of the four officers
12 involved today, was there anything inconsistent in the
13 evidence or the scene or other witness' statements that
14 caused you pause or give you any concern about the
15 veracity of their versions of what took place on
16 October 12th?

17 A No.

18 Q I realize that was a long question.

19 A No, there was not.

20 Q Were their versions consistent with all of the
21 physical evidence?

22 A Yes.

23 Q Were their information consistent with what you
24 observed at the autopsy?

25 A Yes.

1 Q And touching on this, you were at the autopsy
2 before you took formal statements?

3 A That's correct.

4 Q So you were not only able to compare the public
5 safety statements but see with your own eyes and
6 document at the autopsy and then question the four
7 involved officers?

8 A Yes, that's correct.

9 Q Do you have any reason at all to doubt the
10 veracity of what you were told or what you observed
11 today in court about what took place on October 12th?

12 A No.

13 Q Are you friends with any of these four
14 officers?

15 A Not outside of being colleagues at work.

16 Q Have you worked with any of them in particular?

17 A Not extensively, no.

18 Q Did the observations of the 911 caller also
19 tend to corroborate what you were told by Officer Nelson
20 and Officer Bickford in particular?

21 A Yes.

22 Q Pertaining to the statements by Mr. Stump and
23 the moments leading up to the shooting, were those
24 consistent?

25 A Yes, they were.

1 Q And have you recently spoken with Ms. Werk to
2 corroborate and establish what I just asked you about?

3 A Yes, I have.

4 Q As recently as last week?

5 A Yes, that's correct.

6 Q As a homicide investigator, are you conversant
7 with Montana law as it applies to what constitutes a
8 deliberate homicide?

9 A Yes.

10 Q Are you also conversant with Montana law as it
11 pertains to the legal justifiable use of force?

12 A Yes, I am.

13 Q Under Montana law, when may a person use deadly
14 force or lethal force or force likely to cause death,
15 however it is termed, when is a person authorized to use
16 that type of force under Montana law?

17 A Encompassing a few different codes when -- when
18 they believe that they themselves are in danger of
19 serious bodily injury or death or they believe that
20 another person may be in danger of serious bodily injury
21 or death to prevent the commitment of a forcible felony
22 or in defense of an occupied structure.

23 Q What is a forcible felony?

24 A Forcible felony is a felony crime that involves
25 an element of violence either to coerce a result or in

1 the assault of the crime.

2 Q Against a human?

3 A Yes.

4 Q So we are not talking generally about offenses
5 against property, we are talking violence against
6 people?

7 A That's correct.

8 Q Would pointing a firearm at another person be
9 considered potentially a forcible felony under Montana
10 law?

11 A Yes.

12 Q What would that be called?

13 A It would either be assault with a weapon or
14 aggravated assault.

15 Q Would pointing a firearm at another individual
16 while announcing their intent to shoot another
17 individual be considered a forcible felony under Montana
18 law?

19 A Yes.

20 Q Same type of offenses?

21 A Yes.

22 Q Did it become more serious if that weapon is
23 actually fired? Potentially a deliberate homicide?

24 A Yes. Potentially, yes.

25 Q At the conclusion of your investigation --

1 actually, I have a couple more questions. Were you able
2 to establish and pin down a relative timeline of the
3 events that we have been talking about today?

4 A Yes.

5 Q How were you able to do that?

6 A Through a culmination of dispatch logs and then
7 using the Watchguard video timeframes.

8 Q Do the Watchguard timeframes from one patrol
9 car to another and particularly the four that were at
10 the scene sync up?

11 A Yes.

12 MR. ZINK: May I approach?

13 CORONER BILLQUIST-JETTE: You may.

14 BY MR. ZINK:

15 Q I'm handing you what I have marked for
16 identification as Exhibit 2. Is this a timeline of the
17 call that indicates some of the more significant events
18 of the call?

19 A Yes, that's correct.

20 Q Does it also depict the precise arrival time of
21 the four officers?

22 A Yes.

23 Q Have you had an opportunity to compare this
24 against the Watchguard videos that were published today
25 to this jury?

1 A Yes, I have.

2 Q So these times are accurate?

3 A Yes.

4 Q Does it also include the times -- two times
5 that officers at the scene either called in on the radio
6 the name John Collins or in Officer Bickford's case
7 typed it in the MDT?

8 A Yes.

9 Q So through this document, are we able to
10 establish the precise times when this started and ended?

11 A Yes.

12 MR. ZINK: Okay. I move for the admission of
13 Exhibit 2, please.

14 CORONER BILLQUIST-JETTE: It is admitted.

15 (County's Exhibit 2 was received in
16 evidence by the Coroner.)

17 BY MR. ZINK:

18 Q So from start to finish of the beginning of the
19 911 call to the moment in time shots are fired, we are
20 right about ten minutes and change; is that correct?

21 A Yes.

22 Q From the time the first officer arrived on
23 scene to the time shots are fired, it appears to be
24 about four and a half minutes approximately? Does that
25 look accurate to you?

1 A Yes.

2 Q Detective Raschkow, before I wrap up, is there
3 anything about your investigation into this case that
4 you and I have not spoken about this afternoon that you
5 think is important for the jury to know?

6 A No.

7 Q With your knowledge of the facts and
8 circumstances and testimony today, do you believe either
9 Officer Nelson or Officer Bickford committed a crime
10 under Montana law when they took the life of Cole Stump
11 on October 12th, 2020?

12 A No.

13 MR. ZINK: Those are all the questions I have. Do
14 members of the jury have any questions?

15 CORONER BILLQUIST-JETTE: Do you have any questions
16 of this witness? Thank you, Detective, you are
17 dismissed.

18 MR. ZINK: I need to recall Detective Raschkow. I
19 apologize. Detective Raschkow, I'm sorry. There is one
20 other matter. Please take the stand again. I
21 apologize.

22 THE WITNESS: Not a problem.

23 CORONER BILLQUIST-JETTE: Detective Raschkow, you
24 are under the same oath that you were previously given.

25 ///

1 BY MR. ZINK:

2 Q Is there a process in place for a further
3 independent review of the facts and circumstances of an
4 officer-involved shooting here in Yellowstone County
5 that you are aware of?

6 A Any case can be put under review by either DOJ
7 or by the state.

8 Q Are you aware of the Office of the Yellowstone
9 County Attorney sent the entire investigative file to
10 the Montana DCI?

11 A Yes.

12 Q What is Montana DCI?

13 A Montana DCI is the investigative arm of the
14 Department of Justice. And they are a branch of state
15 investigators that investigate any number of crimes
16 especially when another jurisdiction either requires
17 assistance or has conflicts of interest.

18 Q Was such a request done in this case?

19 A Yes.

20 Q Is it your understanding that DCI through their
21 major case unit conducted a review of your
22 investigation?

23 A Yes.

24 Q What were their conclusions in writing?

25 A I'm going to read this. "I found this

1 investigation by the Billings Police Department to be
2 complete in all aspects where DCI would normally conduct
3 such inquiry to include witness statements, official
4 reports, physical evidence collection, review testing,
5 postmortem examination, and historical review of
6 suspect's actions or behavior.

7 I did note that there was no body-worn camera
8 footage included in the investigative file. I did
9 contact the Billings police administration and was
10 informed that body-worn cameras were not available
11 during the incident and have just been issued to patrol
12 and specialized units in the last few months."

13 This report was dated October 20th, 2021. So
14 this was almost a year after the event. And the final
15 comments are, "Based on my review of the investigative
16 materials you provided, there is excellent documentation
17 and witness testimony is sufficient for a presentation
18 at a coroner's inquest.

19 It is my understanding your office will conduct
20 that inquest as required. If have any questions
21 concerning our independent case review, please feel free
22 to contact me." This is done by John Sullivan the DCI
23 major case supervisor.

24 MR. ZINK: Thank you. I apologize for having to
25 recall you. I have no further questions. I move for

1 admission of Exhibit 20.

2 CORONER BILLQUIST-JETTE: It is admitted.

3 (County's Exhibit 20 was received in
4 evidence by the Coroner.)

5 MR. ZINK: At this time, the County calls
6 Dr. Robert Kurtzman.

7 DR. ROBERT KURTZMAN,
8 called as a witness, and having been first duly sworn by
9 the Coroner, was examined and testified as follows:

10 THE WITNESS: Yes, I do.

11 CORONER BILLQUIST-JETTE: Please have a seat,
12 Doctor.

13 THE WITNESS: Thank you.

14 DIRECT EXAMINATION

15 BY MR. ZINK:

16 Q Good afternoon.

17 A Good afternoon.

18 Q Would you introduce yourself to the jury, and
19 spell your name for the court reporter?

20 A Sure. My name is Dr. Robert Kurtzman. And my
21 last name is spelled K-U-R-T-Z-M-A-N.

22 Q Dr. Kurtzman, what do you do for a living?

23 A I'm a forensic pathologist. And I'm currently
24 the chief medical examiner for the State of Montana.

25 Q What does the chief medical examiner do?

1 A The chief medical examiner is a forensic
2 pathologist like all of the other medical examiners that
3 serve the state. And our job is to perform postmortem
4 examination of individuals who died suddenly,
5 unexpectedly, or experienced a violent death. And in
6 addition to my work as chief forensic pathologist or
7 chief medical examiner is to provide oversight to the
8 office.

9 Q Did your office perform an autopsy on
10 Cole Stump on October 13th, 2020?

11 A Yes, our office did perform a postmortem
12 examination on that date on a Mr. Cole Stump. The
13 examination was performed by Dr. Nicky Martinez, who is
14 another board certified forensic pathologist who was
15 working to assist the state at that time.

16 Q And unfortunately did we have a number of
17 autopsies in that timeframe toward the end of 2020?

18 A Yes, we did.

19 Q Is that doctor still practicing in Montana, or
20 she moved to a different location now?

21 A She is currently practicing in Massachusetts.

22 Q Is it common for you as a chief medical
23 examiner to step in and testify and rely on the findings
24 of another expert in a situation like this?

25 A Yes, it is very common practice.

1 Q I'm going to hand you what I have marked for
2 identification as State's Exhibit 21. Can you please
3 tell us what that document is, collection of document?

4 A Sure. On page 1 is a face-sheet that was
5 prepared by the Yellowstone County Sheriff's Office. In
6 this case, it was produced by -- there is
7 Deputy Valerie Juhl. And then pronouncement was by
8 Dr. Bretz. And face-sheet essentially contains the
9 basic information about the case, so it has name, birth
10 date, time pronounced, location pronounced, sort of
11 basic information about the circumstances.

12 Q What is the name of the decedent?

13 A It is Cole F. Stump.

14 Q How old was he?

15 A He was 29 years old at the time of his death.

16 Q What was his height and weight? Reflected on
17 page 2.

18 A The height and weight that is listed on the
19 coroner's report is five foot, ten inches and 160
20 pounds.

21 Q Can you tell the jury, please, what is the
22 purpose of an autopsy and generally how is it conducted?

23 A Sure. When an autopsy is performed, it is done
24 to determine the cause of death. Cause is what brings
25 about an individual's passing. So like, let's say,

1 somebody has a heart attack, then that would be a cause
2 of death.

3 And the manner of death in terms of medical
4 terminology, and so the manner would be either
5 classified as either natural, accident, homicide,
6 suicide or in some cases undetermined. A natural death
7 is a natural process like heart attack. If somebody
8 sustains an injury in the course of doing something that
9 is sort of usual and customary, let's say, if you are
10 driving a car, hit a motor vehicle collision, if a
11 person dies from injury sustained in that motor vehicle
12 collision, generally that would be considered an
13 accident.

14 If somebody does something to themselves
15 deliberately, that would be classified as a suicide.
16 And if somebody's death ensues as a consequence of
17 another person's action, it would be classified as a
18 homicide. And so, those would be medical terminology
19 that we would use.

20 With regard to homicide whether or not a crime
21 was or was not committed, that would be the process of
22 adjudication, so a trial or inquest, some other type of
23 legal proceeding.

24 Q Skipped passed this. Where was Mr. Stump
25 pronounced deceased?

1 A He pronounced dead at the emergency department
2 in room A-6 and that would have been at the Billings
3 Clinic Hospital.

4 Q Thank you. Was that pronouncement on the
5 evening of October 12th?

6 A It was. It was at 23:09, so 11:09.

7 Q Did the autopsy in this case determine the
8 manner and cause of Mr. Stump's passing?

9 A Yes, it did.

10 Q Generally speaking, what is the cause and
11 manner of his death?

12 A The cause of death with Mr. Cole Stump is
13 multiple gunshot wounds. In total there were 11. And
14 then the manner would be classified as homicide.

15 Q Because it was caused by another person?

16 A Excuse me?

17 Q Because it was caused by another person?

18 A That is correct.

19 Q Where in the body did he sustain wounds?

20 A Mr. Stump sustained three gunshot wounds that
21 entered on the left side of the head. He sustained one
22 gunshot wound that had entered on the left side of the
23 neck. He sustained five gunshot wounds that were
24 sustained to the left side of the torso, one gunshot
25 wound to left arm, and one gunshot wound to the left

1 leg.

2 Q Given the nature of where these wounds were
3 located, was it readily apparent that it was gunshot
4 wounds that caused his death?

5 A Yes. And when we do a postmortem examination
6 in addition to looking for injuries that is pertinent,
7 we also look for any significant preexisting disease.
8 Is there anything else that might have caused the death?
9 And in this case, there was nothing physical about
10 Mr. Stump's appearance that would have caused his death.

11 And the gunshot wound resulted in significant
12 injury to the internal organs. So it is clear that's
13 what he passed away from.

14 Q Were you able to tell from your review of this
15 autopsy report about the relative severity of any of the
16 gunshot wounds?

17 A The gunshot wounds collectively are listed as
18 the cause of death because they all caused injury and
19 they caused bleeding. Some of the gunshot wounds would
20 have been more apparent clinically. In other words, you
21 would recognize the manifestations of those gunshot
22 wounds more immediately than some of the others.

23 But in particular, there were two gunshot
24 wounds that involved the head that damaged the brain.
25 Those gunshot wounds would have been for all intents and

1 purposes instantly incapacitating albeit that they might
2 have been instantly fatal.

3 One of the gunshot wounds that entered the left
4 side of the body damaged the aorta. The aorta is the
5 largest artery in the body. And it would cause very
6 rapid bleeding. And so, that injury also would have
7 been rapidly fatal but not instantly incapacitating.

8 Q Were the gunshot wounds he sustained
9 survivable?

10 A No. In my opinion having sustained the 11
11 gunshot wounds that he had sustained, he would not have
12 been able to survive. It is highly unlikely.

13 Q During the autopsy process, are certain types
14 of evidence collected from a body?

15 A Yes. During an autopsy, we start off in
16 layers. We document the body as received, things like
17 clothing or any evidence like blood, things of that sort
18 are retained. Those are turned over to law enforcement.

19 Q Are any portions of the body collected and
20 later analyzed during the course of an autopsy such as
21 the one performed on Mr. Stump?

22 A Yes. So whenever we perform a postmortem
23 examination, we collect fluids for the purpose of
24 toxicology and then sometimes we also collect -- I
25 shouldn't say sometimes. We always collect a blood

1 sample that can be used for DNA comparison if we need
2 to.

3 Q Was toxicology testing done on any of the blood
4 fluids from Mr. Stump after this autopsy?

5 A Yes, they were.

6 Q Do you have those results?

7 A I do.

8 Q What can you tell us?

9 A This whole packet of information, that is
10 Exhibit 21 is included?

11 Q Yes.

12 A I don't have the exact page. Actually, yes, I
13 do. It looks like it is page 15 of 21 is the first page
14 of the toxicology report. And looking at the toxicology
15 report going down from top to bottom, the samples that
16 we collected were femoral blood, heart blood, and urine.
17 The femoral blood was tested for ethanol. Ethanol is
18 alcohol.

19 It is a type of alcohol we find in alcoholic
20 beverages. And no alcohol was detected. The next
21 grouping is the drug confirmations. And the drugs that
22 were detected were amphetamine and methamphetamine in
23 the blood. Amphetamine in the urine and cannabinoid or
24 marijuana were also detected in the urine.

25 So the two that have the most significance are

1 the drugs that were detected in the blood. That's what
2 is actually circulating around. That's what is
3 physiologically active. And the methamphetamine level
4 was 0.79 milligrams per liter. And the amphetamine was
5 0.14 milligrams per liter.

6 Q What is the significance of that ratio between
7 methamphetamine to amphetamine?

8 A The significance is that the methamphetamine
9 level is significantly higher than the amphetamine
10 level. And what happens when a person takes amphetamine
11 is that the body breaks down the amphetamine. And one
12 of the breakdown products or metabolites would be
13 amphetamine.

14 And so, we would know that the amphetamine
15 level being 0.79 compared to the amphetamine level of
16 0.14 that it represents more likely than not, so more
17 probable that the methamphetamine was used recently. I
18 would say typically within hours.

19 Q In your opinion, would Mr. Stump have been
20 under the influence of that methamphetamine during the
21 actions immediately proceeding his death?

22 A Yes, he would.

23 Q What might that mean in terms of effects on
24 emotions or otherwise in your medical opinion?

25 A That part is always difficult to judge.

1 Because whenever a person utilizes a drug if they
2 utilize that drug for an extended period of time, they
3 will establish tolerance. And so, it is not really
4 possible for me to say what Mr. Stump's tolerance was or
5 was not to methamphetamine.

6 I don't know if he was a naive user or this is
7 the first time he used methamphetamine or if he had been
8 a chronic user. But methamphetamine in general is a
9 very potent stimulant. And so, at low levels of
10 methamphetamine if a person is -- used to be prescribed
11 years ago. If it is within a therapeutic range, it is a
12 stimulant. It makes people feel better.

13 It sometimes can enhance your performance.
14 However, as something that can be abused,
15 methamphetamine has a number of bad side effects as
16 well. And so, it can cause confusion. It can cause
17 altered judgment. It can cause psychoses or paranoia.
18 It can cause people to be agitated. It could be
19 something that causes people to be more aggressive.

20 They may hallucinate. So there is a variety of
21 different effects that methamphetamine may have. And it
22 is, again, not something that I can state with certainty
23 how methamphetamine affected Mr. Stump at that time.

24 Q If observations were made of his behaviors, the
25 jury could defer to those observations?

1 A Certainly. So if the person was exhibiting
2 erratic behavior, aggressive behavior, it may be
3 something that could easily be attributed to be
4 consistent with methamphetamine use.

5 Q What is the therapeutic range for -- when
6 methamphetamine was still being prescribed, what was
7 that therapeutic range?

8 A That therapeutic range -- if I may refer to my
9 notes?

10 Q Yes.

11 A It is published as 0.01 milligrams per liter to
12 up to 0.3 milligrams per liter.

13 Q So his measured methamphetamine at 0.79
14 milligrams per liter is two and a half times the highest
15 therapeutic dose; is that accurate?

16 A That is correct.

17 Q Do you believe he was under the influence of
18 this methamphetamine in the moments that officers
19 encountered him before he passed based upon these
20 numbers?

21 A Yes, I do. So in the blood, which was obtained
22 from the decedent at the time of postmortem examination,
23 that's what was tested and that was what the level that
24 was derived. So he would have been under the influence
25 of methamphetamine saying exactly how that played out in

1 terms of his behavior is not something that I can state
2 with certainty.

3 Q Based upon the ratios observed by the
4 toxicology in his blood, is it possible that he used
5 within an hour of his death?

6 A Yes, it is.

7 MR. ZINK: I don't have any further questions of
8 Dr. Kurtzman.

9 CORONER BILLQUIST-JETTE: Any of the jurors have any
10 questions of this witness? Thank you, Dr. Kurtzman.
11 You are excused.

12 THE WITNESS: Thank you.

13 MR. ZINK: Ms. Coroner, we have one more witness.
14 Do you wish to take a break or finish up? At this time,
15 the County calls Jeffrey Wilson.

16 JEFFREY WILSON,
17 called as a witness, and having been first duly sworn by
18 the Coroner, was examined and testified as follows:

19 THE WITNESS: Yes, ma'am.

20 CORONER BILLQUIST-JETTE: Take a seat.

21 DIRECT EXAMINATION

22 BY MR. ZINK:

23 Q Good afternoon.

24 A Good afternoon.

25 Q Would please introduce yourself to the jury;

1 and for the court reporter, spell your name.

2 A My name is Jeffrey Wilson; J-E-F-F-R-E-Y,
3 W-I-L-S-O-N.

4 Q Mr. Wilson, what do you do?

5 A Now I'm a program manager with the Montana Law
6 Enforcement Academy. I run the law enforcement basic
7 class. I'm a defensive tactics and use-of-force
8 instructor.

9 Q How long have you been involved in law
10 enforcement as a career?

11 A I started my law enforcement career in 1992.
12 And I retired in 2017.

13 Q Have you been with the law enforcement academy
14 since that time?

15 A Yes, sir. I was hired by the law enforcement
16 academy August 2nd, 2017.

17 Q Could you give us a summary of what your law
18 enforcement career looked like before you went to
19 academy.

20 A I was a reserve deputy for little over a year
21 for Missoula County. I put myself through the academy.
22 I was hired by Mineral County late '93, '94. I worked
23 there until 2000 -- I'm sorry -- 1997. And I took a job
24 with the Helena Police Department in 1997.

25 I retired from there as a sergeant. I spent my

1 entire -- my entire career working on the street all but
2 about couple months.

3 Q What led you to go to the academy after your
4 career as an officer?

5 A I wanted to be able to give back some of the
6 stuff that I have learned in my career. Teaching young
7 officers is a really good way to do that.

8 Q Does the Montana Law Enforcement Academy
9 curriculum maintain current standards that are in line
10 with the standards throughout the United States for
11 training and teaching law enforcement?

12 A It does. Yes, sir.

13 Q Is the law enforcement academy in Montana
14 accredited to do that work?

15 A It is.

16 Q Do you teach anything that is different or out
17 of the norm compared to other jurisdictions across the
18 country?

19 A No.

20 Q Can you tell the jury why you are here today?

21 A My role here is to provide an objective,
22 uninvolved review of this case.

23 Q Who asked you to do that?

24 A You, sir.

25 Q What were you asked to provide today before

1 this jury?

2 A My objective review of what happened and if
3 what was done followed the guidelines of the use of
4 force.

5 Q Were any restrictions whatsoever put upon your
6 opinion to come and testify today?

7 A No. If they were, I wouldn't have been here.

8 Q Have you been provided a copy of the complete
9 investigative file?

10 A Yes.

11 Q Assembled by Detective Raschkow?

12 A Yes, I was.

13 Q Were you provided with additional materials as
14 you asked for them where you saw things that were
15 needed?

16 A Yes.

17 Q Do you believe you have had enough time and
18 opportunity to review the investigative file in this
19 case to have an understanding of what took place?

20 A Yes, I believe I have a very clear
21 understanding of what happened.

22 Q Have you also been present for all of today's
23 proceedings?

24 A I have.

25 Q Have you observed anything inconsistent during

1 any of testimony today with what had been previously
2 documented by investigators?

3 A No, I found no inconsistencies from any of the
4 officers.

5 Q Are you conversant with Montana law and federal
6 law on the use of force by police officers?

7 A Yes.

8 Q Are you also conversant with Montana law about
9 civilians use of force?

10 A Yes.

11 Q And by that I mean, when may a person defend
12 themselves?

13 A So I'm going to just read from what you are
14 given so that we both are on the same page. "Person is
15 justify in use of force or threat to use force when and
16 to the extent that he reasonably believes that such
17 force is necessary to defend himself or another against
18 the imminent use of unlawful force.

19 However, a person is justified in use of force,
20 which is intended or likely to cause death or serious
21 bodily harm only if he reasonably believes that such
22 force is necessary to prevent imminent death or serious
23 bodily injury or harm to himself or another or the
24 commission of a forcible felony."

25 Q So that last part you read is a little

1 convoluted in its terminology. When we talk about force
2 likely to cause serious bodily harm or death, are we
3 talking about what we termed deadly force?

4 A Yes.

5 Q Or lethal force?

6 A Yes.

7 Q However we use those terms, they are all the
8 same thing?

9 A Correct.

10 Q Is there a difference in what a civilian under
11 Montana law must abide by under the law versus what a
12 police officer?

13 A No.

14 Q The law applies equally to both?

15 A Correct.

16 Q Is the analysis of those two uses of force the
17 same?

18 A Yes.

19 Q Does the US Supreme Court provide guidance on
20 how to evaluate a police officer's use of force?

21 A They do. The Supreme Court Grant versus Connor
22 is what we used a lot of when we are talking about use
23 of force in teaching at the law enforcement academy.

24 Q What does Grant V Connor teach from the Supreme
25 Court?

1 A Objective reasonable force is the biggest
2 thing. And they teach -- we teach the level of force
3 must be objectively reasonable considering the totality
4 of the circumstances at the moment it occurs.

5 Q So why the objective reasonable standard? What
6 does that mean?

7 A At the moment, what the officer was thinking.
8 Is that what you are talking about, at that moment?

9 Q Is the analysis to look at what the officer
10 knew, saw, experienced, and put another objective
11 officer in that circumstance and evaluate what that
12 first officer did?

13 A Yes.

14 Q Is that what you mean by objective
15 reasonableness?

16 A Yes, sir.

17 Q Is the Supreme Court guiding us to take
18 subjectivity out of the analysis if possible?

19 A Yes.

20 Q What factors does the Supreme Court instruct to
21 look at in evaluating the use of force such as shots
22 fired as we are talking about today? What are the
23 factors does the court ask us to look at?

24 A Not hindsight, 20/20. They have to look at the
25 moment that it occurred. That's what we have to

1 evaluate that from, not anything else other than what
2 the officers were doing at that moment that the shots
3 were fired.

4 Q What type of factors are evaluated under
5 Connor?

6 A As far as?

7 Q Do you have that summary sheet?

8 A Yes.

9 Q What are some of the factors that the court
10 instructs us to look at in evaluating the reasonableness
11 of officers' actions?

12 A So we -- we go over and beat it into their
13 heads, I guess for a term not literally, what is the
14 severity of the crime? Was the subject an immediate
15 threat to the safety of the officer or others? Did the
16 subject obey clear commands or actively resist?

17 Did the subject -- did the subject attempt to
18 evade arrest by flight? And was warning given prior to
19 application of the force?

20 Q Taking those factors from the U.S. Supreme
21 Court, what was your analysis of the use of force by
22 officers Nelson and Bickford?

23 A I believe that at the moment they were involved
24 with Mr. Stump that they actually went above by
25 attempting to tase him prior to engaging him with

1 gunfire. That was a pretty big step to do knowing that
2 at that moment he more than likely had a gun in his
3 waistband.

4 Q Are you saying that potentially they could have
5 legally fired sooner in your professional opinion?

6 A Yes.

7 Q Do you have any opinions on their conduct as it
8 pertains to the training provided by the law enforcement
9 academy and the law as you understand it, any concerns
10 at all?

11 A Absolutely not.

12 Q Do you believe as a trainer and a defensive
13 tactic instructor that they had any other reasonable
14 available options to them that they could have or should
15 have tried before using firearms?

16 A The one thing that they had was the Taser. And
17 they actually took that option. Other than that, there
18 is nothing else that you can do in that rapidly evolving
19 of a situation even if -- there is nothing.

20 Q Is the pointing of a firearm at another
21 individual as Mr. Stump did here according to the
22 testimony a forcible felony under Montana law?

23 A Yes, it is.

24 Q Would that in itself, in your opinion, have
25 justified their use of deadly force?

1 A Yes, it would.

2 Q Would that analysis be the same if it were a
3 civilian?

4 A Yes.

5 Q Continuing that line of analysis, would his
6 announcement or pronouncement of his intent to shoot one
7 of the officers as he produced a firearm would that be
8 considered a forcible felony under Montana law?

9 A Yes.

10 Q In your professional opinion, would that
11 justify a deadly force response under those
12 circumstances?

13 A Yes.

14 Q Do you have an opinion as to whether either
15 Officer Nelson or Officer Bickford who caused
16 Mr. Stump's death, do you have an opinion as to whether
17 either of them committed a crime under Montana law at
18 that time?

19 A No. Neither one committed a crime under
20 Montana law at that time.

21 Q Do you believe under Montana law that they were
22 legally justified in taking that action?

23 A Yes, I do.

24 Q Do you have any other observations about the
25 investigation or about the facts that were presented

1 today that you think are important for this jury to
2 know?

3 A One of things that -- I'd just like to add with
4 this, one of the things, some of the things that we
5 teach them is what was the person's ability or
6 capability at the time you were dealing with them? They
7 are -- did they have the opportunity? And what was
8 their intent?

9 And if you look at what the testimony has been
10 throughout, all three of those were there. He had the
11 ability, capability, the opportunity, and the intent to
12 attempt to harm the officers that were attempting to
13 arrest him.

14 Q Does any part of your analysis or your
15 conclusions that you testified to this afternoon have
16 anything to do with police officers' action? Would your
17 opinions be the same if it was a civilian in the exact
18 circumstance?

19 A Absolutely. If this was for a civilian, I
20 would have been saying the exact same thing.

21 Q One moment. Are there circumstances that are
22 different involving a police officer in a situation like
23 this that may be different than what a civilian faces?
24 By that I mean, by nature of their occupation, do police
25 officers find themselves in situations such as this more

1 often than civilians?

2 A Yes.

3 Q Why is that? I realize that may be an obvious
4 question. But it's one that bears asking.

5 A Because we are constantly responding to high --
6 sometimes high threat calls or calls like this where it
7 was a suspicious person. We are going to these all the
8 time without knowing what could possibly happen.

9 Q Does a police officer under Montana law have
10 the option of not responding to a call they are sent to?

11 A No. No, that is not our option. We have to go
12 to all the calls we are dispatched to.

13 Q Good, bad, or ugly?

14 A Yes, sir.

15 Q Mr. Wilson, is there anything else you would
16 like to offer this jury before we wrap up today?

17 A No, sir.

18 MR. ZINK: Those are all the questions I have. Any
19 questions from the jury?

20 CORONER BILLQUIST-JETTE: Any of our jurors have any
21 questions for this witness? Thank you, Mr. Wilson. You
22 are excused.

23 MR. ZINK: Ms. Coroner, those are the only witnesses
24 the County intends to call. We rest.

25 CORONER BILLQUIST-JETTE: Thank you. Members of the

1 jury, you have heard the testimony presented at this
2 inquest into the death of Mr. Stump. The witnesses were
3 sworn or affirmed to tell the truth. And you the jury
4 have sworn to render a true verdict according to the
5 evidence offered to you.

6 Specifically you are to reach a verdict as to
7 who the deceased person is, when, where, and by what
8 means he came to his death and if it was committed by
9 criminal means. And if so, who committed the criminal
10 act. Once you have reached a verdict, word should be
11 sent to me through the bailiff, and I will reconvene
12 this inquest so your verdict may be received.

13 If in the course of your deliberations there
14 are any questions concerning this matter, please submit
15 the questions in a written form to me through the
16 bailiff. Remember, however, that you are the sole and
17 exclusive judges as to the facts in this case,
18 therefore, all questions regarding these facts are to be
19 determined exclusively by you.

20 Your jury foreperson when selected by you
21 should see to it that your discussions go forward in a
22 sensible and orderly fashion and that each juror has the
23 opportunity to discuss these issues fully and fairly.
24 The attitude and conduct of jurors at the beginning of
25 deliberations is very important.

1 Jurors have the duty to consult with one
2 another and to deliberate with a view to reaching an
3 agreement. This means you may discuss among yourselves
4 all of the evidence you have seen or heard during the
5 course of this inquest together with the law as set
6 forth in these instructions.

7 You are to be governed solely by evidence
8 presented at this inquest. I want to commend you and
9 thank you for being jurors in this matter. You were
10 attentive, and I thank you for that. These are going to
11 be the instructions that will follow you into the jury
12 room to provide information and also the jury form you
13 will sign it as to what your findings are.

14 I will read these instructions and the jury
15 form to you. And you will take it with you into the
16 jury room. Myself and the bailiff will also be here if
17 you have any questions during your deliberations. I
18 will now read you your instructions.

19 (Jury instructions and blank verdict
20 form read.)

21 CORONER BILLQUIST-JETTE: Mr. Zink, do you have a
22 closing statement?

23 MR. ZINK: I do. May I have a copy of the
24 instructions, please. Thank you. Thank you for being
25 here today. As I said this morning this was going to be

1 a difficult day and probably expose you to some things
2 that were difficult to hear. I'm certain they were
3 difficult to hear for everyone in this courtroom.

4 I'm going to echo what the coroner said, and
5 that is how much we appreciate you being here for this
6 very important and necessary day. Your role ultimately
7 the bottom line question is your verdict on whether
8 officers Nelson and Bickford committed a crime under
9 Montana law when they took Cole Stump's life by gunfire
10 on October 12th, 2020.

11 You have heard an uncontroverted statement of
12 what took place from the first witness to the last
13 person who was there and the investigator. And it's our
14 hope you have a very complete picture of what took place
15 that night. Several parts of your verdict form are
16 going to be easy to fill out. The name of the deceased
17 is Cole Stump.

18 The date of the death was October 12th, 2020.
19 The place of the death as Dr. Kurtzman testified was
20 pronounced at Billings Clinic Hospital. The cause of
21 the death was gunfire. Skipping to number six, if
22 caused by another person, it is Ryland Nelson and
23 Justin Bickford.

24 The questions that you have to decide are
25 number five and number seven. The death was and the

1 cause of death was by criminal means, yes or no. You
2 have heard uncontroverted testimony as to the law. The
3 coroner has also instructed you as to the law and your
4 job is to apply it.

5 I don't take any position for you as I stand
6 here tonight. I want to thank you for your attention.
7 I know it has been a long day. We look forward to
8 hearing back your verdict. Thank you.

9 CORONER BILLQUIST-JETTE: Thank you, Mr. Zink.

10 Mr. Hoffman, will you stand and raise your
11 right hand.

12 (The Bailiff was sworn by the Coroner)

13 CORONER BILLQUIST-JETTE: Thank you. Ladies and
14 gentlemen of the jury, I will now excuse you to begin
15 your deliberations. If any of you have mobile devices,
16 we do ask that you leave them outside of the jury room
17 with the bailiff. They will be returned to you upon
18 completion of your duties. Everyone please rise.

19 (Jury deliberation)

20 CORONER BILLQUIST-JETTE: We will now reconvene the
21 inquest into the death Cole Stump. Let the record
22 reflect the date is January 31st, 2022. And the date is
23 5:02 p.m. Ladies and members -- ladies and gentlemen of
24 the jury, I understand you have reached a verdict; is
25 this correct?

1 THE JURY: Yes.

2 CORONER BILLQUIST-JETTE: Please give your verdict
3 form to Mr. Hoffman. I will now read the verdict form.
4 Coroner's inquest County of Yellowstone, State of
5 Montana. In the matter of the inquest of the body of
6 Cole Stump, we the jury duly impanelled to hear the
7 testimony relating to the above-entitled death do by
8 majority of the jurors return the following verdict:

9 Number one, the name of deceased is Cole Stump.
10 Two, the date of the death was October 12th, 2020.
11 Three, the place of death was Billings Clinic ER. Four,
12 the cause of death was gunshot. Five, the death was
13 justifiable homicide. Six, if caused by another person
14 or persons, his/her or their names are Ryland Nelson and
15 Justin Bickford.

16 Seven, the death was caused by criminal means
17 and no is checked. It is dated the 31st day of
18 January 2022.

19 I want to thank those involved today, Mr. Zink
20 and the Yellowstone County Attorney's Office; Ms. Fox as
21 well from the Yellowstone County Attorney's Office;
22 Mr. Hoffman for serving as our bailiff; and our court
23 reporter, Claudette Henry. I want to thank Judge Moses
24 for letting us using his courtroom today for this
25 inquest.

1 I especially want to thank you, the jurors, for
2 your time and your work here today. For the record, let
3 it be known that today's date is January 31st, 2020.
4 And the time is 5:04 p.m. And this concludes the
5 coroner's inquest for Cole Stump. Thank you. You are
6 all dismissed.

7 (Proceedings concluded)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF REPORTER

I, CLAUDETTE HENRY, Official Court Reporter,
do hereby certify that I reported in machine shorthand
the foregoing proceedings at the time, place and with
the appearances of counsel hereinbefore noted.

I further certify that the transcript
transcribed from my original shorthand notes by means of
computer-assisted transcription, is a full, true, and
correct transcript of the oral testimony adduced
therein, to the best of my ability.

I further certify that I am not of counsel
for, nor in any way related to, any of the parties in
this matter, nor am I in any way interested in the
outcome thereof.

IN WITNESS WHEREOF, I have hereunto set my
hand this 21st day of February, 2022.

/s/ Claudette Henry

CLAUDETTE HENRY
OFFICIAL COURT REPORTER
P.O Box 35028
Billings, Montana 59107
406-254-7906