



TEXAS YOUTH AND GOVERNMENT

THE CASE OF "THE CONFUSED COP"



2023-2024
TRIAL COURT CASE

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CASE SPECIFIC NOTES, RULES, AND STIPULATIONS

- (1) The trial will take place in Navarro County which is in the state of Texas. The trial will be governed by the Rules of Evidence and Procedure posted with the case. The city of Mustang is a fictional city in Texas. The real city of Mustang, Texas has a population of zero. In 2021, Mark Cuban, owner of the Dallas Mavericks purchased the entire 77-acre town for roughly \$2 Million.
- (2) This case is a fictional adaptation of an original trial. However, the facts contained herein are not presented as historical facts. The case has been heavily amended with additional facts. Outside research would conflict with the facts presented in this case packet. Students may not use information gathered outside of the case packet in their presentations.
- (3) The affidavits have numbered lines for ease of use. For example, on cross-examination, an attorney may reference the page and line number when pointing a witness to a portion of the witness's affidavit.
- (4) The exhibits are pre-numbered. When they are offered into evidence and used as evidence, the exhibits do not have to be associated with one particular litigant. For example, just say "The State offers Exhibit 1" instead of "The State offers State's Exhibit 1."
- (5) Teams may wish to use Exhibit 9 during the testimony of Dr. Breslin Barajas to diagram the injuries to the victim's hands and arms. One possible use is to have the medical examiner mark on the exhibit where the bullets entered and exited the body.



Provision of Law

Penal Code Sec. 19.02(b)(1). Murder. A person commits an offense if they intentionally or knowingly cause the death of an individual. An offense under this section is a felony of the first degree.

Penal Code Sec. 19.02(b)(2). Murder. A person commits an offense if they intend to cause serious bodily injury and commits an act clearly dangerous to human life that causes the death of an individual. An offense under this section is a felony of the first degree.

Penal Code Sec. 1.07(a)(46). Definitions. "Serious bodily injury" means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

Penal Code Sec. 6.03(a) . Definitions of Culpable Mental States. A person acts intentionally, or with intent, with respect to the nature of his conduct or to a result of his conduct when it is his conscious objective or desire to engage in the conduct or cause the result.

Penal Code Sec. 6.03(b) . Definitions of Culpable Mental States. A person acts knowingly, or with knowledge, with respect to the nature of his conduct or to circumstances surrounding his conduct when he is aware of the nature of his conduct or that the circumstances exist. A person acts knowingly, or with knowledge, with respect to a result of his conduct when he is aware that his conduct is reasonably certain to cause the result.

Penal Code Sec. 9.31. Self Defense.

(a) A person is justified in using force against another when and to the degree the actor reasonably believes the force is immediately necessary to protect the actor against the other's use or attempted use of unlawful force.

(b) A person who has a right to be present at the location where the force is used, who has not provoked the person against whom the force is used, and who is not engaged in criminal activity at the time the force is used is not required to retreat before using force as described by this section.

(c) For purposes of Subsection (a), in determining whether an actor described by Subsection (b) reasonably believed that the use of force was necessary, a finder of fact may not consider whether the actor failed to retreat.



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Penal Code Section 9.51. Deadly Force. A peace officer is justified in using deadly force against another when and to the degree, the peace officer reasonably believes the deadly force is immediately necessary and when the police officer reasonably believes there is a substantial risk that the person will cause death or serious bodily injury to the police officer or another if the use of deadly force is delayed. There is no duty to retreat before using deadly force if justified by this section.

Code of Criminal Procedure 2.01 Proof Beyond a Reasonable Doubt. All persons are presumed to be innocent, and no person may be convicted of an offense unless each element of the offense is proved beyond a reasonable doubt. A "reasonable doubt" is a doubt based on reason and common sense after careful and impartial consideration of all the evidence in the case. It is the kind of doubt that would make a reasonable person hesitate to act in the most important of his or her own affairs. The fact that they have been arrested, confined, or indicted for, or otherwise charged with, the offense gives rise to no inference of guilt.



TEXAS YOUTH AND GOVERNMENT

CAUSE NO: 23-123456

STATE OF TEXAS

VS.

ALEX GREENE

FELONY INDICTMENT

In the name and by the authority of the State of Texas, the Grand Jurors of Navarro County Texas, duly elected, tried, impaneled, sworn and charged to inquire of offenses committed on their oaths do present in and to this Court that

Alex Greene hereinafter call Defendant on or after the 25th day of November 2022, in the County of Navarro, State of Texas did then and there intentionally or knowingly cause the death of an individual Kamari Jenkins by shooting Kamari Jenkins with a deadly weapon to wit: a firearm

And it is further presented in and to said court that

On or about the 25th day of November 2022, the defendant in Navarro County, Texas did intentionally with intent to cause serious bodily injury to Kamari Jenkins commit an act clearly dangerous to human life namely shooting Kamari Jenkins with a deadly weapon to wit: a firearm and thereby causing the death of Kamari Jenkins.

AGAINST THE PEACE AND DIGNITY OF THE STATE

SIGNED BY DISTRICT ATTORNEY SALEK

SIGNED BY GRAND JUROR FOREPERSON



TEXAS YOUTH AND GOVERNMENT Affidavits

Witnesses for the Prosecution

Sage Alexander
Leighton Shields, officer
Dr. Breslin Barajas, medical examiner

Witnesses for the Defense

Alex Greene, defendant
Dr. Bellamy Frey, police training expert
Ferrin Glass, neighbor



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AFFIDAVIT OF SAGE ALEXANDER

STATE OF TEXAS
COUNTY OF NAVARRO

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My name is Sage Alexander, I am 11 years old. I can read, write and understand the English language. I am not under the influence of any drug or other substance which would prevent me from fully understanding the nature of this affidavit. All of the information in this affidavit is within my personal knowledge and is true and correct.

My aunt was killed. I have a few other aunts, but she was my favorite. I didn't really understand what was happening. I was only 11 at the time. My birthday is April 3rd. I love playing video games and helping my aunt cook and decorate. My school was out for Thanksgiving break, so I was with Aunt Kam at Grandma's house, her full name is Kamari. My mom said I couldn't stay at my house because she had to work. I was excited about staying with Aunt Kam because she never made me do chores, we could just relax and have fun playing games or cooking. My mom always said Grandma's house was messy, but I didn't mind.

Aunt Kam always taught me new things - how to plant flowers, how to tie my shoes, how to do math, how to cook fish sticks, and how to decorate for Christmas. Because it was Thanksgiving, we were working on Christmas decorations a lot at Grandma's house. Aunt Kam just finished college so she was living with Grandma before she was killed.

Earlier in the day, I made some chocolate chip cookies that were yummy! As I was taking the empty plate back to the kitchen, I tripped on the carpet and the plate broke on the floor. It cut my hand pretty badly, so Aunt Kam took me to the bathroom and wrapped it up.

I got to be the chef that night. Aunt Kam even had a chef's hat for me. Grandma wasn't home for some reason, so I was just cooking for the two of us. I wanted to cook fish sticks and blue box mac and



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cheese. The problem was I took too long making the mac and cheese and forgot to take the fish sticks out of the oven. The smoke alarms started blaring. The fish sticks were kind of burnt and crunchy but they were still delicious. Aunt Kam opened all of the windows and propped open the front door. She said we needed to let the air blow through the house to get rid of the burnt fish smell. The outside light by the front door was on because it was dark outside. The backyard outside light wasn't on though. It was all the way dark in the backyard.

After dinner, Aunt Kam and I played video games in the living room. All the lights were off inside the living room except the big TV and my iPad screen. It was dark. She was playing Fortnite on her PS4 with a few of her friends. They were online, not in the house with us. I was playing Minecraft on an iPad. About 30 minutes or an hour later, Aunt Kam looked out the window and asked if I heard a noise outside. The living room has big glass windows. You can see the backyard through them. I told her I didn't hear anything. She ran to the front door area where her purse was and grabbed her small gun. She then came back into the living room. She had the gun in her right hand at her side the whole time. She didn't point it up at all. I remember that very clearly. Aunt Kam started walking to the window and then she just fell on the floor. I didn't hear anything. I dropped my iPad on the couch. I've seen a picture of my iPad on the floor. **(Exhibit 5)**. I didn't really understand what was happening and don't remember much of what else happened that night.

A police officer came inside through the front door right after Aunt Kam fell down. They took me to a place and asked me some questions. I don't know where they took me and I don't really remember what they asked or what I said. I do remember they had me write my name on a paper like I do at school. They read me that paper and asked if it was right and I said yes. Then they had me write my name. They gave me an ice cream popsicle after that. It was a SpongeBob shape and the eyes were really weird - like not in the right spots on his face.



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I didn't know Aunt Kam had been hurt and died until the next day. After the police talked with me, my mom came and picked me up. She took me back to our house where I stayed the night. I didn't get to finish Christmas decorations at Grandma's. My mom took me to McDonald's the next morning for breakfast and told me that there was a police officer in the backyard who shot Aunt Kam through the window. Mom said Aunt Kam died and we would have a funeral at church to talk about how great Aunt Kam was at Fortnite. I just wish I hadn't burnt the last meal I cooked for her. She deserved a steak and potatoes or something more delicious than burnt fish sticks. She was the best aunt ever.

I know that guns are dangerous. I've seen one before. There is a small creek that runs behind Ma's neighborhood. When I was 10, last year, me and some friends were exploring the creek. Sometimes we found old coke bottles or live crawfish. I collected smooth rocks in all different colors. Alan, the one who always gets into trouble, found an old, rusty metal box. It was stuck closed - wouldn't open one bit. Alan picked up a big rock high above his head and dropped it on top of the box. The box smashed to bits and we all jumped back when we saw what was inside. It was a small, old gun. Alan ran over and picked it up and started pointing it around. My mom had talked to me about guns before and how they could be dangerous. The number one rule with guns is never to point them at a person or something you don't mean to break. I ran home and told Ma. She called the police to come get the gun. Alan got a whooping from his dad for picking up the gun.



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AFFIDAVIT OF LEIGHTON SHIELDS

STATE OF TEXAS
COUNTY OF NAVARRO

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My name is Leighton Shields. I am over the age of 18 years and I am otherwise fully competent to testify. I can read, write, and understand the English language. I am not under the influence of any drug or other substance which would prevent me from fully understanding the nature of this affidavit. All of the information in this affidavit is within my personal knowledge and is true and correct.

I have been a police officer for the city of Mustang since 2019. Before that, I was a police officer for the city of Denton. I went through the police academy in Denton in 2009. The police academy is a 6-month training program with both in-class instruction and scenario-based learning. I graduated from the academy with honors and was voted by my peers as the class president. I have received all state-mandated yearly training. Part of that training includes conflict resolution, de-escalation techniques, and general community engagement. I've only ever been a patrol officer. I have never had a supervisory role over other officers.

I'll remember November 25, 2022, for the rest of my life. I've never had a worse day and I hope to never experience a day like that ever again. The whole patrol department was working standard 8-hour shifts. Both Officer Greene and I worked the mid-shift from 2:00 PM to 10:00 PM. We were busy from the start. Each shift starts with a roll call – a general meeting at the station with our sergeant or lieutenant. They discuss any policy changes or upcoming training. Also, we would be briefed on whether any specific neighborhoods are experiencing an uptick in a certain type of crime. In that roll call, we were told about a recent string of perfume and cologne robberies from Ulta. Apparently, a group of young adults from Houston drive north and rob every Ulta along the way. The video is crazy to watch. A detective out of Dallas identified the suspects and got arrest warrants for them already. The same scheme was happening



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with candles from Bath and Body Works. I made contact with Alex and smiled about the thought of someone stealing scented candles - carrying out stacks of them in their arms.

The disturbing report in roll-call was that a burglar had been breaking into homes in the Glenview neighborhood. This is normally a quiet part of town. I've patrolled in that area for hours and hours during a shift without anything happening. We hadn't identified the suspect. Although, from witness reports, we know he was extremely tall like 6 foot 5 inches, and slightly skinny for that height. Some reports put his weight at around 215 pounds. We didn't have any reports where his race was described. All reports stated that he carried a gun in his left hand and was quick to point it at anyone who got in his way. He even shot at one old lady who woke up in the middle of the night to use the restroom and found him in her living room. All three houses that he broke into, he entered through an opened front door – leaving the door wide open. Then he left through the backdoor. Luckily, no one has been injured so far.

The Mustang PD has around 45 officers. A normal patrol shift will have around 8 to 10 officers in vehicles. We aren't assigned a specific partner but are expected to back up other officers on any serious call. On November 25th, I caught a DWI within a few blocks of the station after leaving roll-call. They refused to provide a blood sample, so I had to prepare a blood search warrant for the judge to review. That whole interaction, from the traffic stop to releasing the person to the jail ate up the first few hours of my shift. The sun went down around 5:30 PM that night. So, it was dark when I went back out on the street. I conducted a few more traffic stops and issued a few traffic citations.

Around 9:15 PM, the call came in which changed everything. Dispatch relayed over our radios that a neighbor was concerned about a possible break-in. The call details immediately caught my attention - instant alertness where the hairs on the back of your neck stand up. It was the exact scenario that was described in our roll-call - open front door, concern of burglary, and in the Glenview neighborhood. The call location was 283 Meadow Drive. I was only a few minutes away from the location so I self-dispatched



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- or told dispatch that I would head toward the location. I turned off my lights when I began to approach.

Officer Alex Greene had arrived first. He was already out of his patrol car – waiting for a backup officer to assist with a sweep of the house. He took the lead. Normally, for an open residential structure call without a clear indication of an immediate threat, our policy requires that we approach the opening and announce ourselves as police officers. Alex had his handgun drawn as he approached the house. I had my flashlight in my right hand. Alex passed right by the front door and headed toward the backyard gate. Exhibit 2 shows the front door as it was that night. **(Exhibit 2)**. Exhibits 1, 2, 4 and 5 were all taken by a police department crime scene technician. I quickly returned my flashlight to my belt and drew my department-issued handgun. The fence that separated the front and the backyard was a basic 6-foot-tall wood fence. I glanced into the residence when I passed the door and didn't see anyone visible through the doorway. Alex opened the fence and the hinge squeaked slightly. I followed him into the backyard - a few steps behind him. I was probably between three to four feet away from him during this whole time. I grabbed the gate from him and tried to quietly close it. I glanced around the backyard quickly and didn't see anyone.

To be honest, after entering the backyard, time sort of sped up and slowed down all at the same time. I remember all of the events clearly. However, when I think back on them, it doesn't really seem like it was me who was experiencing what happened next. The time frame was very short, from the moment the gate closed to the moment Alex fired his weapon. So, I glanced around the backyard, my eyes fell on Alex and he was looking through a large window into the house. His weapon was pointed with intention at something in the house. His stance was angled to where his body mass was almost perpendicular to the window. His right arm was in a straight line from his shoulder to his hand which held his weapon. He became more intense. He said something like, "Show me your hands." I heard the shot immediately and saw the flash from his gun. He fired one shot in total. I never heard glass break, although I know it did because he was firing into a window. He stepped back instantly - as if the threat were neutralized. I know Exhibit 4 is the



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window he fired into and that it shows two bullet holes, I really only have memory of one shot though.

(Exhibit 4). I never had a view into the window to see what Alex saw. Then he took off running to the gate and then into the open front door. I knew it was bad so I ran to my patrol car and grabbed my Tac-Med kit. This is a specialized first-aid kit, put together to treat traumatic injuries for multiple people. It has tourniquets, chest seals, combat gauze, pressure dressing, shears, and personal protective equipment like masks and gloves. I also radioed “Shots fired, send an ambulance and supervisors.”

I knew in those moments that I wasn’t perceiving time correctly. So I was careful to focus on what the next task before me was. There were voices and questions coming back through the radio. I knew they were directed at Alex and myself, but neither of us responded to the questions.

I was not that far behind Alex. I made my way to where Alex’s voice was coming from. It was a living room area. A young male was standing up and an adult female lying on the ground. Alex was performing chest compressions, but it was clear to me right away that she was already deceased. There I checked for a carotid pulse on the right side of her neck. There wasn’t a pulse. I shook my head at Alex to indicate it was over. Alex didn’t say anything to me. His face looked like he was in shock. I didn’t look for a gun. My next instinct after first aid was the kid.

I picked up the kid and carried him to the front yard. It breaks my heart, but he said, “I don’t want to go to jail.” I smiled at him and said, “No, you aren’t going to jail. I’m Officer Leighton. I am a police officer. You are safe. What is your name?” He said his name was Sage. I asked if he had any toys in the house that he liked to play with. He said he had an iPad. I didn’t take it with us because it could be evidence. The crime scene photos does show an iPad in the living room. **(Exhibit 5).** I took Sage’s hand and walked him over to my patrol car. Paramedics and major case detectives arrived. A social worker took Sage.

I went with one of the detectives in a separate car from Officer Greene. I was taken back to the police station. The detective got me some water and had me remove my duty belt and gear and change into



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normal clothes. Both Alex and I had a basic duty belt and a bulletproof vest. Our belt had a taser, two cans of pepper spray, our radio, two pairs of handcuffs, a pocket for the handcuff keys, our sidearm, and a flashlight (**EXHIBIT 1**). I told them everything that I've said in this affidavit. Under normal procedures, I was placed on paid administrative leave for two weeks while the investigation was ongoing. However, it wasn't for another 4 months before I resumed patrol duties. That was my decision, I just needed some time to process and regroup.

Looking back now, I've come to some opinions about that incident. I hate to put myself in Alex's shoes because I wasn't the one faced with the choice he made. I wish we had just gone to the front door and announced ourselves. I should have insisted on that when Alex started toward the backyard gate. I also wish he had just stepped back behind the wall instead of staying in the window view when he saw Ms. Jenkins with the weapon. I wasn't in the way. I don't know if he knew where I was or not though.

From all of the calls that I went on with Alex, I thought he was a great officer who interacted with the community in a kind and caring way. I've never seen him overly aggressive or needlessly escalate to using force. I'm not sure if he should be convicted of murder. I believe in the justice system and I trust that the process will result in a just outcome.



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AFFIDAVIT OF BRESLIN BARAJAS

STATE OF TEXAS

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COUNTY OF NAVARRO

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My name is Breslin Barajas. I am over the age of 18 years, and I am otherwise fully competent to testify. I can read, write, and understand the English language. I am not under the influence of any drug or other substance which would prevent me from fully understanding the nature of this affidavit. All of the information in this affidavit is within my personal knowledge and is true and correct.

I am a board-certified forensic pathologist. A pathologist is a medical professional specializing in studying and diagnosing diseases by examining tissue samples, bodily fluids, and organs. There are a few main career paths for a pathologist. One main area is in a hospital setting, helping to identify diseases and providing critical information to guide patient treatment and management. Here the pathologist would analyze human tissue samples to find the presence of any anomalies including diseases, pathogens and cancers. The other main career path is as a medical examiner. An ME's main task is where the cause of death is unclear or unexplained, the ME will conduct autopsies to determine the cause and manner of death. Autopsies provide valuable insights into the nature and extent of diseases or injuries and can help in legal investigations - which is the service I'm providing in this case. A medical examiner also has training and can also assist in analyzing bullet trajectory as a bullet travels through a body. This analysis includes determining entry and exit wounds and also the particular articulation of the body parts in relation to where the bullet was fired from.

In my 25 years of experience in conducting autopsies and analyzing post-mortem findings, I have performed hundreds of examinations related to homicides and have testified as an expert witness in several criminal trials. I am employed as a public employee of Navarro County as the lead medical examiner. I conduct almost all the autopsies for the County. I received my bachelor's of science, master's of science,



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and medical degree all in pathology from the University of North Texas. My four-year residency out of college was at Navarro County Hospital in the early 80s. I am board-certified through the University of Texas in clinical pathology. I'm a remote Associate Professor of Pathology at the University of North Texas Health Science Center in Fort Worth. I've published several papers and presented oral presentations at state conferences on various topics including digital pathology which is using digitized specimen slides to analyze and interpret a specimen either remotely or at a future time.

In early December 2022, I conducted the autopsy on the deceased individual, who was identified as Kamari Jenkins, following her death on November 25th, 2022. I created the official Death Certificate and filed it with the Navarro County vital records department. **(Exhibit 3)**. To start with a summary, I arrived at two significant findings. First, there were three gunshot wounds from two bullets found on the deceased - two entry wounds and one exit wound. Second, based on my examination, the cause of death for Kamari Jenkins was a gunshot wound to the chest. The bullet penetrated the left lung and heart, causing significant internal bleeding and subsequent cardiac arrest. This gunshot wound was fatal and directly responsible for the death of the deceased.

I think it would be helpful to walk through the areas of the body that brought no concern and then focus more in-depth on the areas that were impacted by the gunshots. Starting with the head, there was a slight contusion on the back of the head, at the base of the skull. It was a new injury lacking any sign of healing. This type of injury is common when someone has a fall from an upright position. When the head encounters an object around the person or ultimately the floor, a contusion can develop at that location. Without speculating in this case, if the person was anticipating the fall and fell straight down instead of backward or forward, this contusion would be less likely to appear on the body. According to the family, the deceased wore contacts to see on a daily basis. However, none were present in the decedent's eyes during the examination. It is rare for contacts to be dislodged with the presented injuries. It is fair to say



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that she was not wearing her prescription contacts during her interaction with the officer. There were no injuries on her face or neck.

Next, for the torso, there were no internal injuries besides the bullet wound to the left lung and heart which we will discuss later. Also besides the entry and exit wounds, there were no superficial wounds to the deceased torso.

For the arms, there were no injuries to the left arm besides a half-inch scar on the right upper bicep from an apparent old injury probably suffered in childhood. Besides the damage caused by the bullet, there was nothing of importance to note regarding the right arm.

Ms. Jenkins's legs also showed no recent injuries. The left ankle had a small scar from a surgical incision which is common for repair of a broken bone. This scar and any repairs had completely healed.

Finally, we'll turn back to the bullet wounds. Based on my experience and analysis of all of the wounds, the gunshot injuries were consistent with being caused by a firearm held and discharged by a person. The trajectory and characteristics of the wound are indicative of a gunshot from a firearm.

For the thoracic wound, I noted an entry point between two ribs on the left side of the chest. A bullet entry wound from a handgun generally has a somewhat clean entry wound that is relatively small in size. An entry wound might be ringed or surrounded by dark gunpowder. Exit wounds could be larger and less clean. In our case, the bullet first struck the left lung, then traveled straight through the heart, and then became lodged behind the left shoulder blade and remained in the body. The damage to the heart alone was severe and would have been instantly fatal for the decedent. No emergency surgery would have repaired the damage. The damage to the lung was life-threatening, but would likely have been non-fatal with immediate response from skilled surgeons.

I spent some extra care and attention analyzing the wound path on the right hand and arm and was able to determine the trajectory of the gunshot. Generally, I can provide some opinions on how bullet



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wounds in a victim's body provide clues about the location of the gun that fired the bullet. I think in this case, the bullet wounds are telling.

The deceased had two gunshot wounds on her right arm—an entry wound on the back of the hand and an exit wound on the inside of the forearm. The gunshot wound on her right hand was located an inch above the location of the wrist joint and about an inch over from the base of the thumb. From left to right, the entry wound almost fell on the center of the back of the hand. It resulted in significant tissue damage to the hand and appeared to have caused fractures in the metacarpal bones. The exit wound was situated on the medial aspect or inside the forearm - six inches up from the wrist. This wound traversed through the soft tissue and fractured the ulna bone. The ulna is one of two bones in the forearm – the other being the radius. The ulna is the one that is not on the thumb side of the forearm. There were no wounds on the right flank or right side of the body.

Based on the entry and exit wounds, I was able to determine the direction of the shot. The gunshot wound on the right hand indicated an outside-to-inside trajectory, which means the shot came from the back of the hand and exited towards the inside of the forearm. Considering the trajectories of the gunshot wounds and the positions of the entry and exit points, it is probable that the deceased had her right hand exposed and facing the source of the gunfire when she sustained these wounds. The hand would have been further away from the body than the forearm. This either indicates that the hand was raised toward the direction of the gunfire or that the entire body was in somewhat of a parallel position to the gunfire – meaning in a backward falling position.

Further, it is important to note that I have no way of determining whether the shot to the heart or the shot to the hand was the first bullet to enter the deceased.

Based on the timeline of events, where all indications suggest that two bullets were fired back to back, it is unlikely that the deceased was falling backward at the time the bullet impacted her hand. If there



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was some time, even fractions of seconds between the shots, there could have been a chance that the bullet entered her hand while she was falling. However, that is unlikely based on my training and experience.

The gunshot wounds to the right hand and right forearm, in and of themselves, were not immediately fatal.

I found trace amounts of marijuana in the bloodstream of the deceased during the toxicology analysis. The trace amounts of marijuana found in the deceased's system indicate that she had consumed or been exposed to marijuana at some point before her death. However, it's essential to note that the presence of marijuana does not necessarily imply impairment at the time of the incident or have a direct link to the cause of death. The presence of trace amounts of marijuana in the deceased's system did not contribute to the cause of death.

Upon reviewing the complete autopsy and toxicology reports, I can confidently state that the gunshot wound to the chest was the primary and sole cause of death for Kamari Jenkins. There were no other contributing factors or pre-existing medical conditions that would have directly caused her death.



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AFFIDAVIT OF ALEX GREENE

STATE OF TEXAS §
COUNTY OF NAVARRO §

My name is Alex Greene. I am over the age of 18 years and I am otherwise fully competent to testify. I can read, write and understand the English language. I am not under the influence of any drug or other substance which would prevent me from fully understanding the nature of this affidavit. All of the information in this affidavit is within my personal knowledge and is true and correct.

I was born and raised in Navarro County. This is my home. I always dreamed about growing up and becoming a police officer. I dressed up as a police officer for every Halloween as a kid. I just wanted to protect my community and serve the people who gave me so much. I went away for college to Blinn Community College near College Station, Texas. I earned an Associate of Applied Science in Criminal Justice degree in 2016. I also passed my Basic Peace Officer Academy through a partnership that Blinn has with Texas A&M. I've been a licensed police officer through the State of Texas since 2017. Up to the incident in November 2022, I had attended all state-mandated yearly training for police officers. I am familiar with the Mustang Police Department Policies.

That day will stay with me forever. I've replayed the events before and after, over and over in my mind to try to arrive at a different outcome. Of course, there are a hundred things that could have gone differently that would have removed me from those moments. I had a near-miss accident earlier in the day. If I would have been hit, I would not have been at work that day. My kid was feeling sick and I almost stayed home with him. Then, he started feeling better and I went to work. However, in the moment at the window, there isn't a scenario where I could have changed the outcome. Training requires the result. When an officer is faced with a person pointing a gun at them at close range, training requires that the officer respond with deadly force, not to kill the person, but to stop the threat. I wish none of it would have



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happened. However, in all my years with the force, I never shot someone until that day.

I worked the mid-shift that day which was two to ten at night. The on-shift sergeant handled roll-call, told us about a few organized retail theft concerns, and informed us about a burglary issue in the Glenview neighborhood. It was reported that a tall, skinny man was breaking into homes in Glenview. The reports said he was armed and dangerous. He had shot at someone already. His MO was to break in right through the front door and to leave the door wide open then exit out the backdoor.

My shift started with some paperwork that I had to finish up from the day before. We are required to file our cases electronically with the DA's office. So I had a few files to get uploaded to their website storage site. I spent most of my shift in the Glenview neighborhood. I wanted those residents to feel the police presence because they were all a little on edge. We were getting a lot more calls out of that area of town. Many of them were suspicious cars driving around slowly. Most turned out to be nothing – meal delivery drivers or Amazon package deliveries.

It was a little after 9 PM when the call came out regarding 283 Meadow Drive. It came through as a High Priority Call. This type of call will always require dispatch to send a second officer. Also, this type of call allows us to travel to the location with lights and sirens. I arrived first. As I approached, I turned off the lights and sirens. Officer Shields arrived in a separate patrol car shortly after me. We were parked about two houses away, we didn't want to give away our presence to any possible criminals.

There was a sidewalk that we followed towards the residence. At the house, we walked off the sidewalk and onto the grass. This is standard training. The street was dark, the residence had the front door open with light coming from inside. It was a quiet night and the residence was quiet. The front door faces south. A cool front had come through. There was a streetlight that would have lit up the street and front of the house, but that light was broken and wasn't operational.

I glanced in the front door. Exhibit 2 shows what the outside area of the door looked like. **(Exhibit**



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2). Exhibits 1, 2, 4 and 5 were all taken by a police department crime scene technician. The call notes said that the neighbor told them the front door was never open in the way it was that night. I observed that the outside screen door was shut and the inside door was open. The screen part of the door had been ripped off - it looked like that had been done recently. Objects were strewn about all over the floor. It looked ransacked as if someone was actively engaged in burglary. There was a broken plate in the dining room area that looked like it had blood on it. There was trash all over the kitchen floor. Most of the kitchen drawers and doors were open. It looked as if someone had looked through the drawers for items to steal. I noticed on the ground near the front door was a screwdriver. This was another indication of a burglary in progress. A screwdriver could be used as a tool to pry open or break into areas. There were no other tools in the immediate area.

We moved past the door. There were some parked cars before we reached the backyard gate. I scanned the cars as I passed and confirmed no one was hiding in the vehicles. I whispered, "clear" to Officer Shields. We whisper in these moments because we don't want a potential threat to hear our location. She whispered back, "clear" - confirming my assessment of the vehicles. It's a standard process to clear vehicles as we are passing them to ensure no threat is located or hiding in the vehicle. Officer Shields was right behind me through this process. She was positioned with her feet pointed toward my direction and her torso angled slightly backward. Her task was to identify threats behind us if anything new approached our location.

The gate was a normal 6-foot-high residential gate. It was latched by the house and opened inward away from the house. It was a tight quarters - the gate wouldn't allow both of us to enter the gate into the backyard. I was the first through the gate and rounded the house to the left. I scanned the backyard and saw no movement or threat in the yard. I sensed Officer Shields immediately behind me. As we were passing through the gate I could feel some part of her brush against the back of my arm. There was a large window



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looking into the backyard. The window went almost from the floor to the ceiling. I glanced into the window and saw movement and a person. I couldn't tell if they were male or female, white or black or other. They were very close to the window. It was more like a silhouette of an adult torso. They were almost eye to eye with me - neither above me nor below my body position. All information pointed to this being a burglar. I couldn't immediately see their hands so that was the first command I gave. I said, "Police, put your hands up! Show me your hands!"

It's important to talk about our training as police. We are reactive. The nature of police work is in reaction to an action. A member of the public takes an action and we respond with a reaction. We know the general studies that explain the speed at which a threat can shoot an officer versus the time an officer can respond and stop the threat. We know that the decisions required in that situation are critical and that it is vital that we make the right decisions within seconds of a threat. The goal is for everyone to walk away from that encounter. But, we know that isn't always possible. If the person with a gun insists on raising the weapon toward the officer, our training tells us that hopes of de-escalation are gone at that point. Unfortunately, here, the silhouette in the window began to raise a gun towards the window before I had much of a chance to de-escalate.

I didn't see much back into the room in those moments. The silhouette took up much of my field of view and focus. I took one step backward as I was ordering them to show me their hands. Training says, "hands are the threat." By the time I got through saying, "Show me your hands", I was staring down the barrel of a weapon pointed right at me. I saw the flash from my handgun reflected in the window. My brain registered it as a shot being fired toward me. My weapon recoiled slightly and came back down. I heard a scream and saw the person fall backward. I knew at that moment that I had shot that person. It's a moment no officer ever wants to go through. It's our job to protect lives, not take them. But, there was no choice at that moment. When I saw the gun pointed at me, I was arm's length from the window. The gun was two



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feet or less from their side of the window. What I can testify to is clear to me. I know that in that moment, time felt like it went by slowly and all in an instant – all at the same time. I know there are things after the shots were fired that I don't recall exactly. My perception of the scene leading up to the shots though were and still are clear. I have seen the crime scene photos of the bullet holes in the window. **(Exhibit 4)**.

I heard Officer Shields call out "shots fired" on her radio. I called through the radio as well. In those moments afterward, I gathered as much information as I could quickly. I couldn't see anyone else in the room besides the person on the floor. We still didn't know if there was a burglary in progress. However, I knew that person needed medical care. I wanted medical attention there quickly. I turned around and ran back to the front door with the intention of delivering medical care. I moved through the house quickly to do a fast clear. The house was in a mess with drawers open. There were valuables here and there. I made it into the living room and noticed the small child. I immediately thought, "who brings a kid to a burglary." There wasn't anyone else in the house. Officer Shields had run back to her car. I kicked the weapon away from us. Training and procedure require us to first get the weapon away from the person who pointed it at us or used it against us. As I kicked the weapon, I noticed it was emitting a green laser to where it was facing.

I am not an EMT or Tac-Med trained. I have basic first aid training and wound care. I found a shirt nearby and began applying pressure to the wounds. It seemed like Officer Shields was behind me immediately. She has more medical training. She indicated that there wasn't a need for further medical care - that person was deceased.

Another officer drove me to police headquarters. I'm not sure how my patrol car got back to the station. My weapon and duty belt were taken and I was put on administrative leave per department policy when there is an officer-involved shooting. There was a part of me in those moments that knew I wouldn't be back in the policing job at all - not because I made a mistake in my reaction to the threat, but because



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the trauma of the job would be too much for me to step back into. Until that moment, I never knew how actually shooting a suspect would impact me.



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whether an officer's actions were in violation of a rule or law and also what ranges of punishment would be appropriate for the officer. I spent 5 years with Travis County before opening my own consulting firm as discussed above.

I have published several peer-reviewed articles and authored a book on police use of force, examining the various factors that impact the reasonableness of such actions. I have also served as an adjunct professor of Criminal Justice at Navarro College. I have taught courses specifically related to police use of force and the evaluation of reasonableness in deadly force incidents. I am an active member of the National Association of Criminology Experts. I regularly attend conferences and seminars to stay updated on the latest research and legal developments related to police use of force.

There are two concepts that are important to understand before analyzing an officer's actions in any incident: the OODA Loop and the Blair Reaction Time Study. **(Exhibit 8).**

The OODA Loop was first developed by the US Air Force. It is a mental decision-making cycle that consists of four steps: Observe, Orient, Decide and Act. Observe means to collect data through all available means - all five senses. Orient means to analyze the data and understand the implications of the data - how it affects the future decisions you are tasked with making. Decide means to arrive at a decision based on the analysis. What action is the most prudent under the circumstances? Finally, Act is the implementation step. The cycle is continuous, once you act, you must begin collecting data again that you analyze and then develop the next action point. An officer in the heat of the moment of a critical police incident will complete this cycle over and over.

In every encounter with a citizen, an officer is required to observe that person, make a split-second decision on whether they pose a lethal threat, and then act with deadly force if reasonable based on the observations. The OODA Loop often must be completed within fractions of a second. Sometimes, the officer assesses that time exists within the situation for an attempted de-escalation. De-escalation is the



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officer's attempt to calm the situation down and talk the person out of a bad situation. During any incident, the person is completing their own assessment of their desire to harm or threaten to harm the officer. This is where the Blair Reaction Time Study comes into play.

The reasonable officer represents the average, well-trained officer. In determining whether an officer's reaction was reasonable we look at an objective standard that would incorporate situational variables known to affect most officers faced with the same situation. We must take into account factors such as perceptual distortion, memory distortions, and reaction time. Tunnel vision is an example of perceptual distortion where a person only sees what is right in front of them. For an officer facing a person with a weapon, their perception may narrow in on the square foot of space directly around the firearm. Sometimes if an officer is experiencing this unconscious, automatic reaction, we see bullet entry wounds on the suspect's hand that was holding the weapon - as if the officer were aiming at the perceived threat. Memory distortions occur when the officer's recall of the event doesn't match the footage or another witness' recollection. For example, an officer might say they only fired their weapon once when in fact there were multiple rounds fired from the officer's weapon.

The Blair Reaction Time Study focused on measuring the officer's reaction time. Specifically, the study examined whether an officer could perform an OODA loop of a person with a weapon and successfully neutralize a threat before the suspect fired their weapon at the officer. I have read and am able to testify about the whole paper that was produced from the study.

The study examined the reaction time of real police officers faced with a subject with a simulated firearm. The officer also had a firearm. The study used equipment that measured when the triggers on the firearm were engaged and also measured when the suspect began to raise their firearm to shoot the officer. In the study, the officers gave verbal commands for the suspect to drop their weapon. The suspects either complied or raised their weapons to fire. The study found that suspects shot faster than the officer in 49%



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of the trials and suspects fired at the same time as the officer in 12% of the trials. The officers were shot in 50% of the trials. The officer shot the suspect in 88% of the trials where the suspect failed to comply with the officer's commands. The study concluded that the officer facing a suspect with a firearm at their side would have a difficult time waiting until the weapon was raised to stop the threat. Once the suspect began to raise the firearm, the officers had a 50% chance of firing faster than the suspect and an even higher chance of being shot regardless of who fired the fastest.

The Blair study acknowledges its own limitations. In the scenario, the officer began the interaction with the knowledge that the suspect would possess a firearm. Oftentimes, in real life, the officer will enter a scenario without foreknowledge of the existence of a deadly weapon, making these scenarios even more difficult to navigate for the officer. The officers in the study knew that the suspects possessed fake weapons - they were not under the stress that would accompany a real life-or-death scenario. In the real world, an officer's reaction time would be even slower than what was captured in the study.

In all, a reasonable officer placed in the same scenario as Officer Green would feel like their life was in danger by a person inside a house with a visible firearm. If the officer gave commands that were not complied with or if the officer saw movement indicating the firearm was about to be raised, the officer would be more than justified in attempting to neutralize the threat.

In this case, there were a lot of mistakes leading up to the moment when Officer Green was forced into an OODA loop that led to Ms. Jenkins's death. But, those mistakes aren't the point of this trial. The focus is whether the officer was justified in his actions - whether he was reasonable in pulling the trigger given the scenario he was faced with. Based on my years of experience, it is my expert opinion that Officer Green was justified in his actions.

I have reviewed both officer's affidavits and Mustang Policy Department's policies 6.1 and 6.2.

(Exhibit 6 & 7).



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AFFIDAVIT OF FERRIN GLASS

STATE OF TEXAS
COUNTY OF NAVARRO

§
§

My name is Ferrin Glass. I am over the age of 18 years and I am otherwise fully competent to testify. I can read, write and understand the English language. I am not under the influence of any drug or other substance which would prevent me from fully understanding the nature of this affidavit. All of the information in this affidavit is within my personal knowledge and is true and correct.

I am the across-the-street neighbor of Ma Jenkins - the mother of Kamari the young lady who died right after Thanksgiving in 2022. I live at 284 Meadow Drive. Ma lives at 283 Meadow Drive. Everyone called Kamari’s mother “Ma” because she was a mother figure to everyone on the block. There were a few families who lived in the Glenview neighborhood of Mustang city for generations. I, myself, grew up here. I think my extended family has at one point owned 6 houses up and down the street. My mom had me when she was still young so we lived with my grandma in a house down the street for the first six years of my life.

I’ve known Kamari Jenkins since she was little. Kamari finished up with college in the summer of 2022 and moved in with Ma Jenkins while she was waiting for more school, I think. I never really talked to her much, but she was always friendly. I often watched her interact with her nephew Sage when he would come to visit. One day she was trying to teach him how to mow the yard. He would run with the lawnmower and she was trying to teach him to slow down and walk. It was a comical scene. She had the whole neighborhood laughing. A few days later they were trying to put up Christmas lights, Kamari climbed a ladder to the roof and Sage accidentally caused the ladder to fall down - trapping Kamari on the roof. He worked his hardest and finally got the ladder back up to his aunt. Again, the whole neighborhood was watching the comedy show.



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The Glenview neighborhood has always been home. I've always felt safe because everyone looks out for each other. Although, in late 2022, we had more than a few calls to emergency services. The whole neighborhood was worried - – keeping a watchful eye out the windows.

Miss Kamari actually was involved in a call around Halloween. Right outside my house, a car crashed into a tree. I think the driver was intoxicated. The driver wasn't related to anyone in the neighborhood and really had no business driving there. Anyway, he just plowed right into the tree - I saw it from my kitchen window. The airbags went off, the poor tree shook really hard, and the car alarm started blaring. I knew it was bad and headed out the door toward the tree.

Kamari sprinted out of Ma's house with a first aid bag in her hands. I knew she went to school for something related to medicine, but I was so proud of that little lady as she pulled that drunk guy from the car and started all the CPR stuff. I think he was actually dead - starting to turn blue in the face and was all limp. She poked and prodded and he finally sat up coughing - just like you see in the movies. He was fine. The police came and hauled him off for drunk driving. That old tree didn't survive though. So sad.

A few weeks later, there was a burglary a few streets down from us. No one was hurt, but the man pointed a gun at the homeowner. Everyone says he was extremely tall. I started calling him the Beanpole Bandit or the Sneaky Stilts Dude, but none of the names caught on. I was hoping to make the news.

Only a few days later, he struck again. Someone knew their neighbors were out of town and saw the Beanpole Bandit rummaging through their house. The neighbors called the police. It was at night. The police went to the house but the bandit was gone already. The front door was wide open. I don't think they ever caught the guy. I don't have any police officer friends, but I know that we as a community have worried about the Sneaky Stilts Dude. We just want our neighborhood to be safe.

So, it was November 25th, 2022. My stomach turns just thinking about that night. I don't really want to go over the details again, but I know it's important. I was in my living room watching TV and I saw some



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car lights drive by my window. This was around 9 PM at night. My living room window faces the street. I waited a few minutes and decided to go look out the window. I didn't see the car anymore, but something looked "off" about Ma's house. All the lights were off except for a glow coming through the windows. No movement – it looked like everyone had called it a night and gone to bed. However, the front door was wide open as if someone had let themselves right in. That was strange to me because Ma never had her door propped open like that - especially not at night time. I called the police for a welfare check. My goal was just to follow the "see something, say something" rule. I knew there might have been a chance that someone broke in, but I didn't think it was likely. You know - better safe than sorry. Well, of course, now I'm sorry. I wish I had never made that call. I had no idea that it would end with Kamari's death.