

To Marchell Adams-David, City Manager
From Estella D. Patterson, Chief of Police *EDP*
Department Police
Date May 13, 2022
Subject Preliminary Report of May 7, 2022 Officer-Involved Shooting

An officer-involved shooting occurred at approximately 1:20 p.m. on May 7, 2022, at 2800 Rock Quarry Road, the Raleigh Police Department Southeast District Station. The encounter occurred in the parking lot that is adjacent to the station's main entrance. An individual later identified as Reuel Rodriguez Nunez (37 years old) was shot. Mr. Nunez was transported to a local hospital and died from his injuries. The North Carolina State Bureau of Investigation (SBI) is conducting a criminal investigation of the shooting and will present a completed investigation directly to the Wake County District Attorney for review. The Detective Division of the Raleigh Police Department is conducting a separate investigation into the actions of Mr. Nunez, including the burning of two vehicles and subsequent assaults on police officers. Additionally, the Raleigh Police Department's Office of Professional Standards is conducting an administrative investigation into the incident. When complete, the administrative investigation will be reviewed by members of the RPD Command Staff.

All investigations are ongoing, will be thorough, and follow the available facts and evidence wherever they lead. Based upon the information currently available to the Department, a preliminary review of the incident provides the following:

At approximately 1:02 p.m. on Saturday, May 7, 2022, Mr. Nunez entered the RPD Southeast District parking lot traveling in a silver van. The parking lot is adjacent to the main entrance of the station and contains two rows of parking spaces, with one row along a sidewalk that provides access to the station and one row directly across from it. Mr. Nunez parked at the north end of the lot between the two rows of parking spaces. Two police vehicles and one private vehicle were parked on the row farthest from the station. No other vehicles were parked in the lot.

Mr. Nunez exited his vehicle and threw what was believed to be fecal matter and urine towards the entrance to the police station. Shortly thereafter, Mr. Nunez set two vehicles parked in the lot on fire using incendiary weapons, commonly known as Molotov cocktails (flammable liquid poured into cups and set on fire). Mr. Nunez then removed a gas can and an unknown container from the passenger area of his van. He placed several

white cups on the parking lot pavement and poured liquid into them, and then sat in the rear area of his van with the rear van door open.

At approximately 1:18 p.m., Lieutenant M.F. Schabel drove up to the station. Lieutenant Schabel radioed the communications dispatcher to send the Fire Department to the police station due to a patrol car being set on fire. As Lieutenant Schabel drove into the parking lot, Mr. Nunez approached and threw three cups containing an unidentified liquid at Lieutenant Schabel's police vehicle.

Lieutenant Schabel called for additional officers to check in with him. He also provided an update that the subject had gasoline and that responding officers should be careful. Mr. Nunez then threw a Molotov cocktail towards Lieutenant Schabel while he was in his patrol vehicle. The Lieutenant remained in his vehicle but backed it away from the scene.

Senior Officer B.A. Beausoleil, Master Officer P.W. Coates, and Officer M.M. Oreskey responded to Lieutenant Schabel's request for assistance. Senior Officer Beausoleil and Officer Oreskey joined Lieutenant Schabel at the entrance of the parking lot which is at the south end of the lot. Senior Officer Beausoleil repeatedly told Mr. Nunez "do not do it," "don't do any more," "don't do it," and "don't do it, bro." These commands were issued multiple times. Despite the commands, Mr. Nunez threw flaming liquid at Lieutenant Schabel's vehicle, and the officers backed away.

Lieutenant Schabel moved his vehicle out of the parking lot and returned on foot. Lieutenant Schabel notified the dispatcher that the subject had a knife in his pocket. The Lieutenant continued efforts to de-escalate, asking Mr. Nunez "what's going on man?" Lieutenant Schabel spoke to Mr. Nunez without his weapon drawn.

Mr. Nunez can be heard stating to officers "Today . . . is my day . . . to . . . move on." Mr. Nunez then advanced toward the officers, as Senior Officer Beausoleil again told Mr. Nunez "don't do it" and again the officers backed up. Mr. Nunez advanced and threw another Molotov cocktail at them.

By this point, the front of the parked police vehicle was engulfed by flames and a loud explosion-type sound could be heard coming from the vehicle. There were also flames that were gradually growing in intensity underneath another parked car.

Master Officer Coates approached the scene from Rock Quarry Road. Mr. Nunez began walking back to his van but hurried as Master Officer Coates approached. Mr. Nunez had a cup in his hand and was facing toward Master Officer Coates. The officers continued to give direct, unequivocal commands to stop. As officers again attempted to approach Mr. Nunez, they ordered him to take his hands out of his pocket.

The four officers slowly approached Mr. Nunez, continuing to issue commands to him as they approached. Master Officer Coates was the closest officer to Mr. Nunez and stood in the parking lot on the opposite side of the van, closest to the entrance of the district station. Master Officer Coates confronted Mr. Nunez stating repeatedly, "go

ahead [expletive], do it, do it.” Master Officer Coates asked other officers to “give me the go ahead.” When Mr. Nunez lit a Molotov cocktail and began to throw it in Master Officer Coates’ direction, all four responding officers fired their weapons. The burning liquid hit the ground where Master Officer Coates had been standing, narrowly missing him only because he moved out of the way.

Preliminary results indicate a total of 30 rounds were fired. Approximately 16 minutes elapsed from Lieutenant Schabel’s initial arrival until the officers discharged their weapons.

Officers secured Mr. Nunez, carried him away from the two burning cars, and began life-saving measures. Once the area was secured, EMS and the Fire Department arrived to care for Mr. Nunez and to extinguish the burning vehicles.

RPD patrol officers and police sergeants are assigned body-worn cameras. The officers’ cameras captured the encounter with Mr. Nunez. In addition, security cameras and dash cameras from marked patrol cars also captured the encounter. As is standard protocol and in the spirit of transparency, the Department will petition for the release of agency recordings that captured the encounter.

After the encounter, RPD detectives determined that Mr. Nunez’s van and his physical description matched those of a suspect who attempted to set fire to gas pumps at a convenience store on Capital Boulevard the night before, on May 6, 2022 at approximately 11:54 p.m.

Pursuant to Departmental policy, the four officers involved have been placed on administrative duty.