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February 26, 2015
FOR IMMEDIATE RELEASE
IN RE: BRANDON TATE-BROWN, deceased

Today, our investigation has uncovered new police inconsistencies in the Police shooting death of Brandon-Tate Brown.

- PHILADELPHIA MEDICAL EXAMINER RECORDS: DETAILS PROVIDED TO MEDICAL EXAMINER ON DATE OF SHOOTING DIFFERENT FROM CURRENT OFFICIAL POLICE ACCOUNT OF INCIDENT
- POLICE TOLD A DIFFERENT STORY TO MEDICAL EXAMINER CONCERNING THE DEATH OF BRANDON TATE-BROWN
- NO MENTION OF HEADLIGHTS AS REASON FOR STOP
- ALLEGED GUN NOT SEEN UNTIL AFTER TATE-BROWN ASKED TO EXIT VEHICLE
- POLICE CLAIMED GUN ONLY SEEN BY ONE OFFICER, WELL INTO THE VEHICLE STOP, NOT BY THE OFFICERS UPON APPROACHING THE VEHICLE
- VIDEO OF THE SHOOTING VIEWED BY TANYA DICKERSON AND BRIAN MILDENBERG, ESQ. AT POLICE INTERNAL AFFAIRS, CONFIRMS POLICE DID NOT SEE GUN IMMEDIATELY; ON VIDEO, POLICE ARE SEEN INTERACTING WITH TATE-BROWN WITH NO STRUGGLE FOR SEVERAL MINUTES.
- ACCORDING TO ACCOUNT TOLD TO MEDICAL EXAMINER, HE WAS ASKED TO EXIT VEHICLE BECAUSE LICENSE PLATES DID NOT INITIALLY MATCH INQUIRY, NOT BECAUSE POLICE SAW A GUN.
- FIVE HOURS AFTER THE INCIDENT, POLICE STILL HAD “NOTHING IN WRITING” AND WERE STILL “INTERVIEWING” THE OFFICERS INVOLVED.
- DETAILS AND DOCUMENTS ATTACHED BELOW:

Mildenberg Law Firm, P.C. has obtained documents from the official Medical Examiner's Report of Death Investigation in the case of Brandon Tate-Brown, who was shot in the head from behind by a Philadelphia Police Officer during a traffic stop on December 15, 2014.

These documents show that the contemporaneous details provided to the Medical Examiner by police as part of the Examiner's official investigation into the death are different and inconsistent with the details currently forming the Police Department's official account of the incident. These documents, and subsequent changes to the factual claims by the Police Department, raise questions as to the accuracy and integrity of the police investigation. As a result, Tanya Dickerson, the mother of Brandon Tate-Brown, continues to respectfully demand that all evidence, videos, and police interviews relating to this case be immediately released for investigation and review.

INCIDENT STARTED AS 'STANDARD CAR STOP'

According to the Medical Examiner's Report, the incident began at approximately 2:40 a.m. At approximately 3:29 a.m., the Medical Examiner's office received a telephone call from Detective Scally, of the Philadelphia Police Homicide Unit, to report that Brandon Tate-Brown was shot by police. At that time, the Detective stated, according to the Medical Examiner's records, that the "incident started out as a standard car stop," and provided "no further details."

MORE THAN FIVE HOURS AFTER THE INCIDENT, POLICE TOLD MEDICAL EXAMINER THEY WERE STILL INTERVIEWING OFFICERS AND HAD NOTHING TO PROVIDE IN WRITING

At 5:46 a.m., the Medical Examiner called Homicide and spoke with Detective Hagan, and "requested copies of the police interviews for the job be faxed to the MEO once they are complete."

At 7:54 a.m., the Medical Examiner again called Homicide and learned that, more than five (5) hours after the incident, "[t]hey are still in the process of interviewing the officers and **don't have anything in writing.**"

**POLICE TOLD MEDICAL EXAMINER
LICENSE PLATES WERE THE ISSUE; NO MENTION OF HEADLIGHTS OUT
IN EXAMINER'S REPORT**

**POLICE STATE THAT THEY DID NOT SEE A GUN UNTIL AFTER PULLING
BRANDON-TATE BROWN OVER, SPEAKING WITH HIM, RUNNING HIS
PLATES, AND THEN ASKING HIM TO STEP OUT OF THE CAR**

At 7:54 a.m., although Homicide indicated they had “nothing in writing,” the Medical Examiner was advised by Homicide that:

[W]hat they know so far is that the incident started as a car stop. The decedent said he was renting the car from a specific company. *When the police ran the plates, the plate came back to a different rental car company. They ask the decedent to step out of the car, and the second officer notices a gun between the console and the seat. He tells the other officer.* The decedent starts to fight with the officer. Both officers end up struggling with the decedent from the street onto the sidewalk. The decedent get [sic] free of both of them and goes for the open car door where the gun was seen. One officer shoots the decedent once in the head. There will not be any other official report until later.

Philadelphia Medical Examiner Report, Case No. 14-05016, Brandon Tate-Brown, deceased (emphasis added).

In the Medical Examiner's investigation, there was no mention by police that the reason for the car stop was that Brandon Tate-Brown's headlights were not turned on.

**OFFICIAL POLICE STATEMENT ISSUED LATER THAT DAY DIFFERS
FROM CONTEMPORANEOUS ACCOUNT TOLD TO MEDICAL EXAMINER;
NO MENTION OF LICENSE PLATE PROBLEMS**

Later, at 10:13 a.m., the Police Department, acting through Lt. John Stanford, Office of Media Relations, sent out an official press release notifying the media of the details of the incident, stating as follows:

Monday morning December 15, 2014, at approximately 2:45am, 15th District officers working in full police uniform, operating a marked police vehicle, observed a White Dodge Charger with a Florida tag driving without headlights. The officers stopped this vehicle for investigation as a result of that traffic violation. *Upon approaching the vehicle the officers observed a handgun in the center console area of the vehicle. The officers asked the male to exit the vehicle and upon exiting a struggled ensued between the male and the officers.*

The male forced his way back to his vehicle and attempted to retrieve the gun when one of the officers discharged his weapon striking the male once in the head....

Id. (emphasis added).

CURRENT OFFICIAL ACCOUNT POSTED ON POLICE WEBSITE PROVIDES YET A THIRD INCONSISTENT VERSION OF THE SHOOTING; POLICE NOW ALSO CLAIM THAT BRANDON TATE-BROWN “REACHED FOR HIS WAISTBAND,” A NEVER-BEFORE HEARD CLAIM

Still later, the Police Department posted an official description of the incident to the Philadelphia Police website page indexing officer involved shootings at <https://www.phillypolice.com/ois/>. In that description, the Police Department states as follows:

On Monday, December 15, 2014, at approximately 2:40 A.M., uniformed officers, in a marked police vehicle, stopped a vehicle for traffic violations (*headlights were not on*) in the 6600 block of Frankford Avenue. The vehicle was occupied by one male. *Upon approaching the vehicle, one of the officers observed a firearm inside the vehicle. The officers instructed the male operator of the vehicle to exit the vehicle. As the male exited the vehicle, a struggle ensued between the male and the officers. At one point, the offender reached for his waistband, after which he broke free from the officers. The offender ran to the passenger side of his vehicle and was reaching for the weapon in the vehicle, when one of the officers discharged his weapon, striking the offender.*

<https://www.phillypolice.com/assets/crime-maps-stats/officer-involved-shootings/14-46.pdf> (accessed 2/25/2015).

IN SUMMARY:

- At 7:54 a.m., Police told the Medical Examiner that, when they stopped him, Brandon stated he was renting car from a rental agency, but that when they ran his plates, the car came back to a different rental car agency. Apparently, this was the original reason for asking Brandon to step out of the vehicle, not because the officers saw a gun as they approached the vehicle, contrary to what police would later tell the public and media. The Medical Examiner’s records also do not indicate that the reason for the stop was driving without headlights.

- At 7:54 a.m., Police told the Medical Examiner that after the plates did not come back matching the rental agency name, they asked Brandon Tate-Brown to step out of vehicle, and only then did one of the officers “notice[] a gun between the console and the seat” at which point that officer told the other officer. The police claim that Brandon then started to fight with the police officers. It is important to note that the details concerning the checking of license plates conforms to the video of the incident viewed by Tanya Dickerson and Brian Mildenberg, Esquire. In the video, the police officers are seen interacting with Brandon Tate-Brown after pulling him over for several minutes without struggle. This was apparently the time when they were asking him questions and running his license plate. It was only after this several minutes of interaction did any struggle begin. If the police saw the gun “upon approaching the vehicle,” there would not have been several minutes of police interacting with and speaking with Brandon Tate-Brown. The story that they saw the gun when they approached the vehicle, which is being told to the public as the official story, just does not hold up.
- In yet a third version of the story, currently published on the Philadelphia Police Department website, additional details were added, including that Brandon “reached for his waistband,” a tale that was never before heard, which appears to the Tate-Brown family to be an additional embellishment to convince the public that the officers were justified.

ATTACHMENTS:

1. DOCUMENTS FROM MEDICAL EXAMINER’S REPORT
2. OFFICIAL POLICE STATEMENT OF 12/15/2014
3. POLICE WEBSITE MATERIALS AND STATEMENT CONCERNING THE INCIDENT, PRESENTLY POSTED ON OFFICIAL PHILADELPHIA POLICE OFFICER-INVOLVED SHOOTING WEBSITE INDEX

#



City of Philadelphia
Office of the Medical Examiner
 321 University Avenue
 Philadelphia, PA 19104

RELEASED BY:
 MILDENBERG LAW FIRM, PC
 PHILADELPHIA, PA
 215-545-4870
 WWW.MILDENBERGLAW.COM

Case Number : 14-05016
 Date of Death : Dec 15 2014

FINDINGS AND OPINIONS

DECEDENT'S NAME Brandon Jarrel Tate-Brown	AGE 26 Years	RACE Black	SEX Male	HEIGHT 5 ft 11 in	WEIGHT 180 lb
PRONOUNCED DEAD BY Medic Unit #17	AT 6700 Frankford Ave. Philadelphia PA			DATE & TIME Dec 15 2014 3:05AM	
ID WITNESS NAME	ADDRESS			RELATION Mother Step-parent	

Findings:


I. Gunshot Wound of Head

Cause of Death: Gunshot Wound of Head

Other Significant Conditions:

Manner of Death: Homicide

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 Daniel Kenneth Brown, M.D.
 Associate Medical Examiner
 Date: 1-28-2015



**Report of Death Investigation
City of Philadelphia
Office of the Medical Examiner
Department of Public Health**

Case Number: **14-05016** 12/15/2014 3:29:00 AM

Brandon Jarrel Tate-Brown

26 Years Black Male
Daniel Brown

Investigator: Natalie Young
ReportedBy: Det. Scally #791, Homicide
Place of Pronouncement: Other

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Date:

Non-Jurisdictional Status
By
Date:

Reviewed By: Date:
Approved By: Date:

Brought to hospital by:
Place of Death: 6700 Frankford Ave.
Death Date: 12/15/2014 3:05:00 AM
Pronounced By: Medic Unit #17
Address:
Employer: Hertz Rent-A-Car
Occupation: Driver

Body Ordered to OME By: Natalie Young Via Police
Date: 12/15/2014 4:20:00 AM

Sign Out by Inquiry? No
SignOut by Hospital Autopsy? No

Notifications

By Date

Relatives

Med.Agencies

Official Agencies

Hospital Requests
Autopsy? No

Legal Consent By:

Pending: No Refused: No

Alias: Brandon Tate Brown
Brandon Tate-Brown

Circumstances:

Det. Scally #791 from homicide called to report the above decedent was shot by police. The incident started out as a standard car stop. No further details at this time. Paramedics moved the decedent from the scene to the back of Medic Unit #17. He was treated on scene for a few minutes before being pronounced in the ambulance.

Multiple police are on scene as well as multiple media outlets. There are also crowd control issues. Contacted Inv. Rodgers regarding the case. Body is to be ordered in since the scene was disturbed.

Radio Time: 0240 hrs
Incident Location: 6700 Frankford Ave., 19135
Assigned: Det. Scally #791
Control Number: PS#14-004

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0546, T/C to Homicide. Talked with Det. Hagan. Requested copies of the police interviews for the job be faxed to the MEO once they are complete.....nay

0723 T/C from mother [REDACTED] Informed of MEO procedure. They will be in after 10am.//JLB

0754, T/C to Homicide. They are still in the process of interviewing the officers and don't have anything in



**Report of Death Investigation
City of Philadelphia
Office of the Medical Examiner
Department of Public Health**

Case Number: **14-05016** 12/15/2014 3:29:00 AM

Brandon Jarrel Tate-Brown

[REDACTED]

26 Years Black Male

[REDACTED] Daniel Brown

writing. What they know so far is the incident started as a car stop. The decedent said he was renting the car from a specific company. When police ran the plates, the plate comes back to a different rental car company. They ask the decedent to step out of the car, and the second officer notices a gun between the console and the seat. He tells the other officer. The decedent starts to fight with the officer. Both officers end up struggling with the decedent from the street onto the sidewalk. The decedent get free of both of them and goes for the open car door where the gun was seen. One officer shoots the decedent once in the head. There will not be any other official report until later....nay

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Informant Statement:

Date: 12/15/2014

Relation: Mother

Name: [REDACTED]

Phone: [REDACTED]

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I pulled up at work at 0600. I heard on the news that a male in a white Dodge Charger was killed. He drove that car, I saw him at my house. I called around the districts until I found out. Last time around 2330, he was fine. RELEASED BY:

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NEWS RELEASE

CHARLES H. RAMSEY
Commissioner

CONTACT:

Lt. John Stanford
Office of Media Relations
215.686.3388/89
police.public_affairs@phila.gov

FOR IMMEDIATE RELEASE

December 15, 2014

PHILADELPHIA

Officer Involved Shooting
15th District
Location: 6700 Frankford Ave

*****Please note that the following information is preliminary as this is a very active investigation, currently taking place.*****

Monday morning December 15, 2014, at approximately 2:45am, 15th District officers working in full police uniform, operating a marked police vehicle, observed a White Dodge Charger with a Florida tag driving without headlights. The officers stopped this vehicle for investigation as a result of that traffic violation. Upon approaching the vehicle the officers observed a handgun in the center console area of the vehicle. The officers asked the male to exit the vehicle and upon exiting a struggled ensued between the male and the officers. The male forced his way back to his vehicle and attempted to retrieve the gun when one of the officers discharged his weapon striking the male once in the head. Medic 17 responded to the location and pronounced the male at 3:05am. The male's gun which was recovered inside the vehicle is a Taurus, .22 caliber, SAP, containing eight (8) live rounds. The gun was reported stolen on 7-8-13. A number of witnesses were transported to Homicide for interviews.

The incident is being investigated by Homicide and Internal Affairs. Upon completion, all aspects of the investigation will be forwarded to the District Attorney's Office for review. The discharging Officer will be on administrative duty pending the outcome of the investigation.

One officer was transported by Medics to a local hospital for observation due to incident.

Male: 26 male 52XX Horrocks Street, has 4 priors- 2 for Attempted Murder and related charges (including Violation of Uniforms Firearms Act), Theft and Receiving Stolen Property.

There are no other police or civilian injuries as a result of this incident.





(<http://www.phillypolice.com/>)

Officer Involved Shootings

COMMISSIONER'S MESSAGE

Philadelphia's more than six thousand sworn police officers have taken an oath to protect and serve the city's residents, workers and visitors. It is the policy and commitment of the Philadelphia Police Department that our officers hold the highest regard for the sanctity of human life, dignity and people's liberty. The application of deadly force is to be employed only in the most extreme circumstances and when all lesser means of force have failed or could not be reasonably employed.

When Deadly Force is Used

Why We Post Officer Involved Shooting (OIS) Information

What You Will Find on this Page

You will find data, maps, and charts about officer involved shootings. Also provided is a flow chart of the process that starts when there is an officer involved shooting. Finally, the department is providing information about each officer involved shooting.

CITYWIDE VIOLENT CRIME

Philadelphia is an amazing city that rivals major cities around the world. Great cities face great challenges. One of Philadelphia's challenges is our battle against gun violence. Over the past five years, we have put our officers where they need to be – in the most violent areas, during the most violent times. We believe that this approach accounts for the reductions in crime across our city. The following data shows what officers are doing and facing every day for us.

Tables

The first table below offers a statistical look at crime, assaults against police officers, and police involved shootings starting in 2007. The second table defines terms used in the first table.

35.pdf)							
14-36 (/assets/crime-maps-stats/officer-involved-shootings/14-36.pdf)	2014-09-07	4800 block of Comly Street	Unknown	No	No	Declined	Not Scheduled
14-37 (/assets/crime-maps-stats/officer-involved-shootings/14-37.pdf)	2014-09-08	300 block of N. 62nd Street	No	Yes	No	Declined	Not Scheduled
14-40 (/assets/crime-maps-stats/officer-involved-shootings/14-40.pdf)	2014-09-21	1500 block of N. 57th Street	Wounded	Yes	No	Declined	Not Scheduled
14-41 (/assets/crime-maps-stats/officer-involved-shootings/14-41.pdf)	2014-09-30	5700 block of Crittenden Street	Unknown	No	No	Declined	Not Scheduled
14-44 (/assets/crime-maps-stats/officer-involved-shootings/14-44.pdf)	2014-11-30	Unit Block of Reger Street	Wounded	Yes	No	Pending	
14-46 (/assets/crime-maps-stats/officer-involved-shootings/14-46.pdf)	2014-12-15	6600 block of Frankford	Killed	N/A	No	Pending	

2013

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PS#14-46

12/15/14

On Monday, December 15, 2014, at approximately 2:40 A.M., uniformed officers, in a marked police vehicle, stopped a vehicle for traffic violations (*headlights were not on*) in the 6600 block of Frankford Avenue. The vehicle was occupied by one male. Upon approaching the vehicle, one of the officers observed a firearm inside the vehicle. The officers instructed the male operator of the vehicle to exit the vehicle. As the male exited the vehicle, a struggle ensued between the male and the officers. At one point, the offender reached for his waistband, after which he broke free from the officers. The offender ran to the passenger side of his vehicle and was reaching for the weapon in the vehicle, when one of the officers discharged his weapon, striking the offender. The offender was pronounced by Fire Rescue at scene.

The weapon, a stolen .22 caliber Taurus, semi-automatic pistol, loaded with eight live rounds, was recovered from inside the vehicle. The weapon was reported stolen on 7-8-13.

There were no other injuries as a result of this incident.