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Man with knife refused to comply

Jones says accounts from witnesses, officer in shooting consistent

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Article Text:

A 42-year-old man with a knife refused to comply with Milwaukee Police Sgt. Jeffrey Cook's repeated orders Tuesday night and was walking determinedly toward the officer when Cook shot and killed him, according to a witness.

"I know what should be right or wrong and if I was the officer I would have done the same thing," said Peter Hill, who was returning to his Bay View home around 9:45 p.m. when he said he saw the fatal encounter.

Although police released Cook's name Wednesday, they would not identify the victim, saying they had not located his relatives because he had addresses in multiple states.

Milwaukee Police Chief Arthur Jones said Cook's estimate that he fired when the knife-wielding man was approximately 6 feet away was consistent with the statements of all witnesses who were interviewed by police. Before shooting the suspect three times in the chest, Cook sprayed him with pepper spray, which Jones said was ineffective.

W. Kenneth Katsaris, a consultant and former police officer from Tallahassee, Fla., who has testified in police deadly force cases in every state, said pepper spray doesn't affect all people, especially if they are emotionally disturbed or under the influence of alcohol or drugs.

Police officers are trained to shoot if a suspect armed with a knife comes within 21 feet.

"(That's the area) the subject can cover in less than the time it takes to fire two shots," Katsaris said.

Cook, an eight-year veteran of the force, has been placed on desk duty, which is standard procedure in police shootings.

He was suspended for 10 days in July in connection with the highly publicized death of a man in police custody. Cook was driving the police van in which Mario Mallett, 29, stopped breathing in December 2001.

He was driving Mallett to the hospital after Mallett caused a disturbance on the street. Cook was disciplined because he violated a department rule by leaving a suspect unattended in the back of a police van. Mallett died of a sudden heart attack.

The same day he was disciplined, Cook was promoted to sergeant, according to police records. Another witness said the man Cook shot Tuesday had rushed into a Clark service station at 2759 S. Kinnickinnic Ave. a few moments earlier, mumbling to himself repeatedly, "Someone's going to die."

Lakhwinder Singh, the clerk at the station, said Wednesday the man bought a phone card and left, then returned and was talking to himself near the cooler.

"This guy wanted trouble -- anyone could see that," Singh said. "He wanted to start a fight."

The man approached the counter and he said, "Sir, you want to die?" Singh said he shut the security window and called police and the man left.

A short time later, Hill saw Cook confront the man a few blocks away from the station.

"The guy was walking away at first," Hill said. "Finally something slipped in his noggin. He turned around really fast and took a couple quick steps toward the officer."

He heard Cook say, "Drop it! Drop it! Drop it!" The suspect continued marching toward Cook, who sprayed him with pepper spray. The suspect did not stop and Cook shot him, Hill said.

"All I can see is the guy falling down over and over. . . . Every time I close my eyes I keep seeing it -- the guy on the ground with a light-colored shirt and it was all red," said Hill.

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