

Weber County Attorney's Office
Criminal Investigation
Officer Involved/Deadly Force Used
Date: 06-29-2021
Investigator: Steve Haney

Premise:

City:

Agency Involved: Ogden Metro SWAT

SWAT Case #21G44852

South Ogden Police Case # 21SO6419 (Domestic violence)

CSI Case #21CS1074

PURSUANT to URCrP, Rule 16(e)
and UCS §77-38-6, the victim(s)
and witnesses' identifying
information has been redacted
from the enclosed documents.

Introduction

On June 29th 2021, the South Ogden City Police Department reported that there had been an officer involved incident where deadly force had been used. The OIS protocol for Weber County was initiated at this point.

This force investigation was handled by the Weber County Attorney's Office as outlined in the protocol. The information provided in this document is a summary of the complete and thorough investigation conducted by the Weber County Attorney's Office Force Investigation Team. Due to the complex nature of this investigation, members of the Weber Morgan Homicide Task Force assisted in the investigation. The following investigators were utilized;

Investigator Steve Zaccardi- HTF Commander (WCAO)

Detective Brian Shultz- Team Leader HTF (South Ogden Police)

Detective Sean Endsley- HTF (Weber County Sheriff's Office)

Detective Dustin Stewart- HTF (Weber County Sheriff's Office)

Detective John Frawley- HTF (Roy City Police)

Detective Bryan Hough- HTF (South Ogden Police)

Detective Will Smith- HTF (Weber County Sheriff's Office)

Detective Val Truscott- HTF (Roy City Police)

Detective Zack Baker- HTF (Roy City Police)

Detective Ty Hebdon- HTF (Weber County Sheriff's Office)

Detective Cameron Hartman- HTF (Weber County Sheriff's Office)

Overview/Summary

Officer: Devin Taylor (OPD)

Officer: Erick Gonnuscio (Roy PD)

Officer: Jenna Lewis (OPD)

Officer: TJ Scott (OPD)

Officer: Travis Copier (OPD)

Officer: Rylee Marble (OPD)

Suspect/ deceased: Anthony Markham

Witness/Victim: Heidi Markham (wife)

Witness/Victim: Madesyn Markham (daughter)

Witness/Victim: Shyler Markham (son)

Witness/Victim: Cayden Markham (son)

On June 29th 2021, Weber Consolidated Dispatch received a 911 call at 1856 hrs reporting that a male was being taken by his mother to McKay Dee Hospital to be treated for injuries that occurred during a domestic violence assault. The address that it occurred was reported as _____ in South Ogden Utah.

South Ogden Police learned that an Anthony Markham had assaulted two family members who also live in the house and then pointed a handgun at least three of them and threatened to kill them.

Contact was attempted with Anthony with no results. Ogden Metro SWAT was deployed and surrounded the house. Negotiations with Anthony did not produce peaceful results. Anthony fired multiple shots from a firearm at SWAT officers. Five different officers fired back at Anthony during this siege.

It was decided by SWAT commanders that an explosive breach of a wall where Anthony was shooting from would be executed. An explosive device was constructed and fired into the outer wall of the residence. Anthony was later found to be inside this room and he communicated that he still had a

weapon in his possession. A shot was later heard coming from this room and Anthony was found deceased with a gunshot wound to the head.

Initial Investigation

I was advised by Detective Hough of the South Ogden Police Department that there had been an officer involved critical incident in South Ogden and a male was still barricaded inside of a residence. I responded to the scene and met with SWAT Commander Lt Ward and Sgt Rounkles. They advised me that Anthony Markham was inside the residence of _____ and had fired bullets at SWAT officers when they approached the residence. One SWAT officer, a sniper, had fired back.

Negotiations were being attempted with Anthony but at that time it seemed unfruitful and Anthony was making statements about not being taken alive and that he had many rounds of ammunition. CS gas had been deployed into the house with no results.

I then spoke with Sgt Randy Thomason of the South Ogden Police. Sgt Thomason told me the details of the initial call of domestic violence. The call came into the Weber Consolidated Dispatch that there had been a domestic violence assault at this address and the victims were at McKay Dee Hospital.

Officer Johnson of the South Ogden Police went to the hospital and spoke with Shyler Markham and his mother, Heidi Markham. Shyler had a large wound to the center of his forehead and was being treated. Shyler stated that his father Anthony Markham had hit him in the head with an e-cig when Shyler intervened during a physical fight between his father and mother. Shyler said Anthony had physically abused his mother on prior occasions.

Shyler said he and Anthony began punching each other until Anthony grabbed a handgun from under his pillow and screamed that he was going to shoot everyone. Shyler left the house and went with his mother to the emergency room. Heidi agreed with Shyler and confirmed that he was assaulted by Anthony and that Anthony threatened everyone with a gun.

Officer Johnson then spoke with Madesyn Markham who also lives in the house and is Anthony and Heidi's daughter. Madesyn confirmed much of Shyler's account how Anthony had assaulted him and then pulled a handgun threatening to shoot everyone. Madesyn added that Anthony actually pointed the gun right at her and stated he was going to start with her. Madesyn said she recorded this encounter on her cell phone and had the footage. Officer Johnson obtained the footage and documented in his report how he could hear Anthony threaten to shoot everyone.

Officer Johnson and other police officers from South Ogden Police attempted to make contact with Anthony at his house. Anthony would not answer the knocking on the windows and phone calls into the house. Music was being played loudly inside and it seemed Anthony was inside the residence but would not respond.

The Ogden Metro SWAT Team was paged out and responded to the area. Contact was then made by negotiators but Anthony began firing a gun when they approached the house. An armored vehicle that the SWAT uses was struck multiple times.



Phone contact was made with Anthony by SWAT negotiators at 2238 hrs. Anthony was advised that he needed to peacefully surrender and was asked to exit the house and cooperate with officers to resolve this issue. Negotiators documented that Anthony was emotional and erratic during these conversations. Anthony refused to surrender and threatened to shoot officers at 2305 hrs.

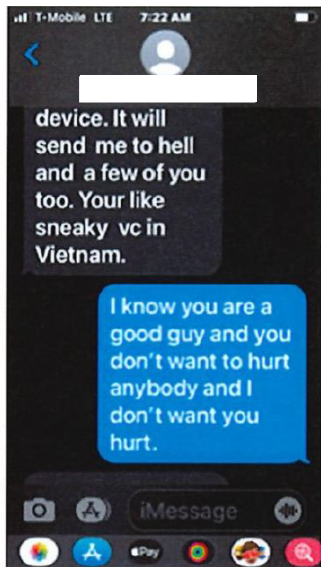
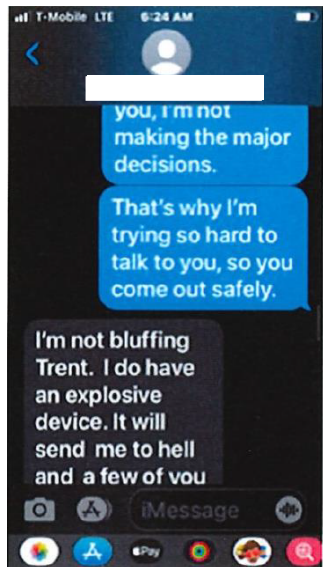
Anthony could be heard yelling from inside the house at SWAT officers and it sounded like he was moving furniture. It was believed that he was fortifying his position in his bedroom. It was then decided that "cold gas" would be deployed into the house in hopes of getting Anthony to surrender. At 0012 hrs into now June 30th, a canister of gas was shot into the southwest bedroom. Anthony was believed to be inside this room. This room would be referred to later in the investigation as the room with the air conditioner attached to the window.

Almost immediately after the gas canister went through the window, shots from a firearm were fired from inside the residence. SWAT officers announced that shots were being fired out of the

southwest bedroom in a western direction. SWAT Marksman, Travis Copier, fired one round into the residence at this time. (This will be further detailed in the interview of this officer)

SWAT Officers retreated back and took cover while two more armored vehicles could respond and be deployed. Anthony could be heard yelling from inside the residence and claiming he was loading up more rounds. At 0027 hrs a reverse 911 call was made to the immediate area, telling residents to shelter in place.

Anthony resumed contact with negotiators through text messages. Anthony claimed he had an explosive device and threatened to blow up officers.



A copy of the text message conversation between Anthony and negotiators.

At 0211 hrs, SWAT officers deployed CS gas into the home in hopes of it working to get Anthony to surrender. This again had no effect and Anthony did not surrender. The two armored vehicles were parked in front of the residence and contact was made with Anthony and SWAT officers who were in the armored vehicle. Anthony refused to negotiate and find a resolution and claimed he was writing letters and also that he needed time to think. Anthony never agreed that he would surrender and made further claims of possession of a bomb and having “thousands of rounds” of ammunition. A camera that was recording from the armored vehicle recorded this exchange and also captured a moment where Anthony can be seen inside the window of the southwest bedroom, holding a gun to his head while yelling out to towards the SWAT officers. This all took place over a couple of hours and into 0430 hrs.

Gas was again deployed into the residence but it again did not have the intended effect. Due to the house being on higher ground than the street, Anthony was at a huge tactical advantage and could use the brick walls and high windows to fire out of without getting close enough to expose himself.

SWAT Command made a decision to use the MRAP armored vehicle to breach the southwest bedroom wall. At 0536 hrs, the vehicle pushed the wall forward but it was unable to totally breach and expose the inside of the room. As this was happening, Anthony began shooting the MRAP armored vehicle, striking it multiple times. The MRAP pulled back and parked in the front of the house.

At 0557 hrs, shots started being fired again by Anthony at the MRAP armored vehicle that was parked in front of the house. There was also the armored Suburban that was maneuvering to get set up on the northeast of the residence to protect the rear. Two SWAT officers fired into the residence from the Suburban. Three different SWAT Marksman also fired during this barrage of gun fire (This will be further detailed in both officers' interviews)

Tactical Decision

SWAT outfitted an explosive device to the arm of an armored vehicle and drove it up to the front of the residence. The device was positioned and then detonated into the front of the house causing a large hole into a bedroom where Anthony had been seen firing out of. Debris filled the room along with insulation from the attic.



The shooting stopped at this point. SWAT officers approached the residence and attempted to locate Anthony. Contact was made with Anthony who was under debris in this bedroom. Anthony still refused to surrender. A muffled gunshot was heard coming from inside the room soon after contact was made. SWAT officers carefully made entry and found Anthony deceased with a gunshot wound to his head.



The HTF Command Post was established on 4500 S west of the subject address. Myself and Investigator Steve Zaccardi were in the mobile command post as it was just getting to dawn. Multiple gunshots began being heard and we exited the command post. Further shots were fired and bullets could be heard going through trees above our heads. Metal could be heard being hit as well.

Search Warrant

I spoke with Sgt Thomason of the South Ogden Police about the warrant that they had obtained on the original case. It was determined that I would seek another warrant in the evidence collection for this case. I obtained a search warrant signed by Judge Valencia of the Ogden 2nd District Court.

CSI began to 3D image scan the inside of the residence. Layton CSI responded and assisted in 3D scanning the outer perimeter of the scene.

The explosive device had caused significant damage to the residence, the sheet rocked ceiling had shattered and collapsed down into the room with all the insulation that was in the attic. The CS gas that was used by the SWAT team had also contaminated the scene. Gas masks were being used by CSI to enter and remain inside the house.

Once the 3D scans were completed on the inside of the residence. The OME Investigator Neil Major responded and collected the body of Anthony Markham from inside the residence. Anthony had what appeared to be a contact wound to his forehead due to the markings and tearing of the skin

around the wound. There did not appear to be an exit wound and there were no other visible markings on Anthony's body. The OME transport team removed Markham's body from the crime scene and transported him to the Utah State Medical Examiner's Office in Taylorsville.



A black 9mm handgun was located nearby where Markham's body was located. It was photographed and collected. The gun had a malfunction that was obvious when it was examined. A casing had "stove piped" and was caught in the ejection port of the slide. This usually occurs when a fired gun does not have enough pressure against it when it is fired. The casing from the fired round does not properly eject due to this and can get caught in the ejection port and not exit the weapon. This is also a common trend with suicides where a person points the gun at an angle away from their hand or pulls the trigger with the thumb.

A closer examination of the 9mm handgun showed that there was flesh and skin "blowback" into the barrel of the gun which would happen if used in contact to flesh.

There was a magazine with bullets in it under Markham's body when it was rolled over. A gas mask was also located near Markham's body. These items were collected after they were photographed in place. The house was then secured and a patrolman from South Ogden Police stood guard over the scene overnight. Fans that were provided by the fire department were utilized in an attempt to get the CS gas to dissipate.

07-01-21

I requested assistance from members of the Weber Morgan Homicide Task Force in searching the interior of the residence. Detectives from the Task Force responded and donned hazmat suits and gas masks while searching through the debris and insulation of the southwest bedroom where Markham had been located.

The loose insulation was sucked up using a leaf blower that was turned to suction mode. It was then brought out to the street and placed on a tarp that was laid out in the roadway. Detectives then combed through this insulation in an attempt to find evidence. (36) 9mm fired bullet casings were found in the debris of the southwest bedroom along with bags and boxes of unfired bullets.

A further search of the house was done. In the northwest bedroom there were multiple different caliber of fired bullet casings found. There were two .223 casings, six .22 casings, and four 9mm bullet casings. There was also one 9mm bullet casing found in the hallway connecting the two western facing bedrooms.

The following was located inside and around the residence and taken as evidence;

- Item #1- Blue box of Ammunition from southwest bedroom (99 rifle cartridges)
- Item #2- black handgun, Girsan Regard 6, 9mm luger with magazine. One casing and 7 cartridges. S/W Bedroom.
- Item #3- Strike Eagle rifle scope box empty. S/W Bedroom.
- Item #4- Knife in sheath. S/W Bedroom.
- Item #5- Gas mask. S/W Bedroom.
- Item #6- magazine, empty. S/W Bedroom.
- Item #7- Blue box of ammunition. (100 rifle cartridges) S/W Bedroom.
- Item #8- 5 cartridges and magazine with 11 cartridges (Win 9mm luger) S/W Bedroom.
- Item #9- Loose cartridges (Win 9mm luger) S/W Bedroom.
- Item #10- Bags cartridges. S/W Bedroom.
- Item #11- Casings, Win 9mm luger. S/W Bedroom.
- Item #12- Night vision goggles. S/W Bedroom.
- Item #13- 33 Win 9mm luger casings, S/W Bedroom.
- Item #14- Magazine and cartridges from under body in S/W Bedroom.
- Item #15- Body of Anthony Markham, S/W bedroom.
- Item #16- Ruger .22 Charger.22cr serial #4 . N/W bedroom.
- Item #17- Ruger AR-556 serial N/W bedroom.
- Item #18- 76 cartridges from S/W bedroom.

Item #19- 3 bullet jackets from S/W bedroom.
 Item #20- Cell phone from S/W bedroom.
 Item #21- 4 plastic bags w/cartridges and casings. S/W bedroom.
 Item #22- 1 box of ammunition from S/W bedroom.
 Item #23- 4 Win 9mm luger from N/W bedroom.
 Item #24- 2 NATO cross LC13 from N/W bedroom.
 Item #25- 6 .22 casings from N/W bedroom.
 Item #26- 1 misc cartridge from N/W bedroom.
 Item #27- 1 misc gun accessories from N/W bedroom.
 Item #28- 11 NATO Cross cartridges from hallway.
 Item #30- 1 WIN 9mm luger casing from hallway.
 Item #31- 1 misc ammunition from N/W bedroom.
 Item #32- 7 Magazines from N/W bedroom.
 Item #33- 1 Winchester SXP shotgun serial
 Item #34- Camo gun case for shotgun w/ magazines, shells, misc gun supplies.
 Item #35- 1 knife from gun case.
 Item #36- CZ 75 B Omega 9mm serial # magazine, cartridges, and misc cleaning supplies. N/W bedroom.
 Item #37- Cardboard from window in N/W bedroom.
 Item #38- Shotgun hull from front yard.
 Item #39- Shotgun hull from front yard.
 Item #40- Shotgun hull from front yard.
 Item #41- Shotgun hull from front yard.
 Item #42- Shotgun hull from front yard.
 Item #43- Shotgun hull from front yard.
 Item #44- Shotgun hull from front yard.
 Item #45- Blue box of ammo from Southwest bedroom (99 rifle cartridges)
 Item #46- One handgun, Girsan Regard 6, 9mm Luger w/magazine. 1 casing and 7 cartridges.
 Item #47- One Strike Eagle Rifle empty scope box.
 Item #48- Knife in sheath.
 Item #49- Gas mask found in southwest bedroom.
 Item #50- One empty magazine, southwest bedroom.
 Item #51- One blue box of ammo from southwest bedroom (100 cartridges).
 Item #52- Five cartridges and magazine with 11 cartridges (Win 9mm)
 Item #53- Five loose cartridges. Southwest bedroom
 Item #54- Two bags of loose cartridges, southwest bedroom.
 Item #55- Three Win 9mm casings, southwest bedroom.
 Item #56- Night vision glasses.

All items taken as evidence were photographed on scene in the location they were found. They were then transported to the secure CSI lab to be processed and packaged. They were then admitted into Weber County Sheriff's Office Evidence.

All damaged and destroyed debris from the residence was shoveled into a dumpster that was provided by South Ogden City. Other items of personal property were placed back into the residence.

The house was secured by a private company that responded to the scene and boarded up the doors and windows. The rear entry door was undamaged and was locked. The keys to this door were turned over to the neighbor at Heidi Markham's request.

I made contact with the FOP representatives of the SWAT officers involved and made appointments for them to come to the Weber County Attorney's Office for interviews.

The following is the officer's interviews.

Detective Travis Copier



13 years Ogden City PD
12 years SWAT
Marksman

Springfield Rifle Serial number

Detective Travis Copier of the Ogden City Police came to the Weber County Attorney's Office and met with me, his FOP representation was present. Det Copier is currently assigned to the Major Crimes Bureau with Ogden City Police. I asked Det Copier to tell me about the incident in question. Det Copier told me that he had been paged out at around 1930- 2000 hrs to respond to South Ogden as a part of the Ogden Metro SWAT Team.

Det Copier said he was briefed that the father of the household had committed an aggravated assault and had pointed a firearm at the rest of the family and injured his son who was at the hospital. Det Copier said that when he arrived and got into position as a Marksman, negotiations had started with Anthony Markham and a peaceful resolution was being sought.

Det Copier said that when negotiations did not work, CS gas was to be deployed into the room that Anthony was believed to be in. Det Copier set up as lethal coverage to the team that was attempting to deploy the gas. Once the gas canisters were fired into the window, Det Copier said that Anthony started firing bullets out of the bedroom window. Det Copier could see debris flying out of the window and could hear the gun firing and believed Anthony was shooting at SWAT officers who had deployed the gas.

Det Copier said he fired a group of rounds into the bricks around the window at this time and said he believed he had to stop Anthony from seriously hurting or killing fellow officers and also people who live in the area where he was firing. Det Copier also commented how surprising it was to have someone firing at the team he was covering. Det Copier also said that he could not see Anthony but fired to get him to stop shooting.

Det Copier explained that he was set up by a tree to the north of the residence and there were multiple times during this standoff that Anthony started firing out the window. Det Copier said he could hear bullets flying through the tree limbs in the area and feared officers and the public were at risk of being killed. Det Copier said every time Anthony started firing, he fired into the area of the window to get him to stop shooting. Det Copier said he was then pulled off the position and was taken to the police department and the officer involved incident protocol was activated.

I asked Det Copier to describe the area around this location. Det Copier told me that this was a residential area with houses closely surrounding the target residence. I asked if he was aware of any evacuations of these surrounding houses. Det Copier said he knew local residents had been instructed to shelter in place but knew they were inside their houses right by where he was located. I then asked about hearing bullets flying through trees in the area. Det Copier explained how bullets can be heard "zip" past overhead and how he heard bullets fly over his head at times. Det Copier then told me of a park in the immediate area to the north.

I asked Det Copier about how he mentioned putting rounds into the house to stop Anthony from shooting further. Det Copier said that he put the rounds purposely into the window and was concerned about over penetrating but considered the bricks around the house would catch his bullets. Det Copier said his shots were fired with the purpose of getting Anthony to stop shooting.

This ended the interview of Det Copier.

Officer Erick Gonnuscio



10 years Roy City PD
5 years SWAT

Colt AR-15 .223 serial number

On July 6th, Officer Erick Gonnuscio came to the Weber County Attorney's Office and met with me. His FOP representative was present during this interview. I asked Officer Gonnuscio to explain to me his role in the SWAT call out from June 30th.

Officer Gonnuscio explained to me that about 2130 hrs he received the "call out" and responded to the scene. Officer Gonnuscio arrived late to the scene but was briefed by other SWAT officers that the male suspect had barricaded himself in his own house after an aggravated assault domestic violence incident.

Officer Gonnuscio joined a team of SWAT officers that were assigned to watch the rear of the residence. He explained that there was not a lot of cover to safely position themselves so they used a detached garage from the neighbor's house to the north as cover. Officer Gonnuscio used his night vision to cover the rear of the residence. He said this lasted a couple of hours.

As this was happening, there was information being provided through the radio frequency that negotiation were being made with the suspect hoping to end this peacefully but the suspect was not coming out. Officer Gonnuscio said there was a decision to deploy gas into the room in the house where they believed the suspect was. Officer Gonnuscio said the information over the radio was that the suspect was in the bedroom that had the air conditioner and was the second window from the left.

Officer Gonnuscio said he heard the armored vehicle drive up to the front of the house and heard the gas canister being deployed. Officer Gonnuscio said he then heard gunshot ring out as the suspect started shooting. Officer Gonnuscio explained that he was at an angle where he could see debris flying out away from the house and could see that the suspect was shooting out at SWAT officers. It was decided at this point that better coverage of the rear of the residence and backyard was needed.

A ladder was found and Officer Gonnuscio and two other officers climbed up on top of the garage roof and used the pitch as cover to better watch the rear of the house. Officer Gonnuscio used his night vision again and was the main cover of the backyard. They stayed there for four to five hours. During that time Officer Gonnuscio said there were a couple of other times that the suspect fired at officers as they approached using an armored vehicle. He described being able to hear shots and metal being hit.

Officer Gonnuscio said the sun started to come up and it was getting light. They decided the light was exposing them on the roof and it was time to move to a better position and moved down to around the garage. After closer inspection, the garage was just made of wood and was not true cover to stop a bullet. The armored Suburban vehicle was then brought up to the north side of the subject house and they climbed inside to cover the rear of the house.

It was decided that they needed to re-position the Suburban to better cover the rear of the house and needed to turn the vehicle around. As they started reversing they exposed themselves to the front of the house to flip around. As this maneuver was happening, shots started being fired out of the window with the air conditioner attached to it. Officer Gonnuscio described that he could see a "flash" from gunfire out of this window and believed it was being directed at them.

Officer Gonnuscio said he started thinking of the direction that the suspect was firing and knew it was at an angle that could put other people at risk. Officer Gonnuscio described that the command post was at that angle and neighbors who were asked to shelter in place were at risk of these bullets and was just hoping they were hitting the Suburban or the MRAP that was parked in the front yard behind them. Officer Gonnuscio then said he had thought that he was "hoping" the Suburban would stop bullets due to its age. Officer Gonnuscio said he recalled thinking that he needed to stop this

person from shooting at them because he believed either the bullets would pierce the armor or they would miss and hit an innocent civilian in the area.

Officer Gonnuscio said he had his rifle out of the port on the side of the Suburban and aimed for an opening between the air conditioning unit and the window. Officer Gonnuscio explained that he was calculating that if he did not hit the suspect that there would be no over penetrating with his bullets.

Officer Gonnuscio recalled firing four times and recalled hearing Officer Lewis firing next to him. Officer Gonnuscio said he re-evaluated at this point to see if he needed to fire again but the shooting had stopped from inside the residence so he did not fire again. After waiting for a moment to see if there was further engagement, they then moved the Suburban into position to cover the rear of the home again.

Once they were in position, they were told there was going to be an explosive breach. Officer Gonnuscio said they had just gotten backed in when there was an explosion. They stayed in this position and watched the rear until they were swapped out and relieved. They were then taken back to the command post until they were eventually moved to the OPD station.

I asked Officer Gonnuscio to describe this area where the subject house was. Officer Gonnuscio said it was in the middle of a residential area with house all around it. The subject house was on a curved road that was on higher ground than the street and the houses to the west. The house was also constructed of brick all the way up and past the windows.

I asked Officer Gonnuscio if he felt that when the suspect started firing at them when they were in the Suburban that his intentions were to harm them. Officer Gonnuscio said he believed that throughout the entire incident that the suspect's intentions were to kill somebody.

I asked further questions about the surrounding neighborhood to Officer Gonnuscio and he confirmed that he knew citizens in the area were being put at risk of flying bullets and to the west of this residence was a school and other residences. Officer Gonnuscio made the comment that there was many different people that were in the direction the bullets were being fired.

I asked Officer Gonnuscio if he believed that if he didn't take immediate action that he believed someone would be hurt or killed. Officer Gonnuscio said yes and explained that he needed to take action to either stop the threat or stop the shooting.

The interview was ended at this point.

Detective Rylee Marble



8 years Ogden City PD
3 years SWAT
Marksman

Ruger Serial number 1800-07935

Detective Rylee Marble of the Ogden City Police Department came to the Weber County Attorney's Office and met with me. His FOP representative was present. Detective Marble has been with OPD for 8 years and is assigned as a detective. Detective Marble has 3 years as a member of SWAT.

I asked Detective Marble about his recollection of the events at the SWAT call out in South Ogden. Det Marble said he arrived on scene at about 2215 hrs, he was deployed as a marksman with Officer Josh Davis west of the residence to watch the "white" side of the residence. I stopped Det Marble and confirmed that "white" is referring to the front of the residence. Det Marble then explained that the windows are listed from left to right as one-one, one-two, and so on. Window "one -two" was where the movement of the suspect had been observed.

Det Marble said it was decided after negotiations failed that gas was going to be deployed into the house. The armored Suburban was used to transport SWAT officers to the front of the house. As the

deployed the gas, the suspect started shooting out the window. Det Marble said he could hear bullets go over his head as he and Officer Davis were laying on the lawn of the house directly across the street to the west. Det Marble said they were approximately 40 yards away.

Det Marble said these bullets struck the house in the yard he was laying in. Det Marble said he and Officer Davis low crawled further to the west and downhill from the street in an attempt to get cover. Det Marble said they utilized a ballistic shield also for cover as they laid in this yard.

Det Marble said for the next few hours, negotiations continued and gas was again deployed into the house. An armored "Bear Cat" and an armored "MRAP" were both deployed and used to deploy gas and transport SWAT officers. Det Marble said at one point the MRAP was moving back and shots began to be fired out of window "one-one". Det Marble said they sounded like rifle fire and was concerned over those types of round defeating the armor and also missing the MRAP and coming at him and Officer Davis. Det Marble fired one round with his rifle into the window where he could see the bullets being fired out of. Det Marble said the shooting stopped and he and Officer Davis repositioned themselves and there was no further engagement.

I asked Det Marble about where he aimed this round that he fired and why. Det Marble said he could not see the suspect but could see the bullets coming out the window. Det Marble was concerned with over penetration of the .308 round so he fired into the bricks next to the window hoping it would be effective but would not over penetrate.

Det Marble believed that he needed to fire in the protection of himself and other SWAT team members who were being fired at by the suspect. Det Marble stated that he believed the suspect was trying to "kill as many of us as he could".

Det Marble and I talked further about the surrounding area of this residence and how it was a highly populated residential area. Det Marble said he saw rounds fired from the suspect hitting the residence to the west and also how the rounds the suspect was firing at the MRAP could easily miss and fly west into the neighborhood. This was putting the citizens of the area at risk because there was a shelter in place order and people were in those homes.

I asked Det Marble about the elevation of the subject house and he confirmed it was higher than the street and houses to the west. The front of the house was brick all the way up to the roof which gave the suspect a tactical advantage.

Investigator Zaccardi asked Det Marble about the caliber of weapon he was using and he confirmed it was a .308. There was also questions about repositioning by him and Officer Davis after the first shots were fired by the suspect.

The interview was ended at this point.

Detective Jenna Robins



4 years Ogden City PD
2 years SWAT

Springfield AR-15 .223 serial number

Detective Jenna Robins came to the Weber County Attorney's Office and met with me. Her FOP representation was present. Detective Robins is still sometimes known by her maiden name, Lewis, and was referred to as that by Officer Gonnuscio in his statement. Det Robins works for the Ogden City Police Department and currently assigned in the major crimes investigative unit. She had been a member of the SWAT team for the last 2 years.

I asked Det Robins to tell me her memory of what occurred during the SWAT operation on June 30th. Det Robins said she got called out to come to South Ogden on a Swat call out and was given the

address and safe route in. After getting the equipment out and readied, the "Bravo" squad which she is a part of, were assigned to the "black, green" side of the house. Det Robins said the team used a garage on the north side of the subject house as cover and concealment while they watched the "black, green" side of the house.

Det Robins said that the command of the SWAT team made all the decisions to gas the house and that was not a part of her role. Her role was to cover the "black, green" side of the house.

Det Robins said the sun was starting to come up and they lost their tactical advantage of the roof the garage and returned to being set up around it. Det Robins said the "black" side was not a good view from this position so someone came up with a plan to get the armored Suburban and use it to be able to see the "black and green" side. (At this time I interrupted and confirmed that "black" meant rear of the house and "green" was referring to the north side of the house)

Det Robins said that Officer Gonnuscio got in first and went to the rear of the Suburban. She then got in next and took the middle port position. SWAT Officer Winkler was driving.

Det Robins said the Suburban was pointing the wrong way and needed to be turned around, so they proceeded at attempt to flip around and the reverse the vehicle into the northeast side of the subject house. Det Robins said because of the limited space, it turned into a "six point turn" on the front lawn of the subject house.

Det Robins said that during this maneuver, the suspect started shooting at the suburban. She further described that she could see debris fly from a window in the house as he was firing out the "one-two window". Officer Robins said she could hear bullets hitting armor and took aim and then fired her rifle at the window. Officer Robins said they Suburban then was moved back to the "black" and "green" side of the house.

I asked Det Robins what time she arrived on the scene. She told me it was about 2200 hrs. I then ran through what she had told me about how as it got light outside, it was decided that the team would get into the armored Suburban and use it as cover. The Suburban needed to be turned around and that is when the gunshots could be heard and seen coming from inside the residence. Det Robins confirmed this and said she could see the shots being fired from "right one-two" window. Det Robins also added it was the window with the air conditioner and the second window from the north.

I asked Det Robins her knowledge of the armored Suburban and if it had ever been struck by a bullet. Det Robins did not have any knowledge of how old the Suburban was said "it was supposed to" stop any bullets if fired upon.

I then inquired about the surrounding area and Det Robins said it was a large residential area and was confident that there was a school and Church's near from the landscape of South Ogden. The asked if the subject residence was higher than the street and surrounding area. Det Robins was not sure.

I asked Det Robins if she believed the Suburban was being fired at when the shots began to be fired out of the house. Det Robbins said yes and even told the driver, Officer Winkler to get in the backseat. I asked Det Robins if she did that because she felt Officer Winkler could be in danger of being killed and therefore fired back. Det Robins said yes.

I then asked where they had moved after the shots were fired. Det Robins said they backed up along the north side of the residence and then parked where they could see the rear of the residence. Det Robins said right after they got into position, there was a loud boom from the front of the house. They stayed in that position until they were relieved by another team. Det Robins said the Suburban was left in place and they walked back to the command post through backyard to the north east of the subject residence.

I asked Det Robins how many times she recalled firing her weapon, Det Robins said she believed it was "at least four times" but she said it could have been more.

Investigator Zaccardi followed up with a few questions about if Det Robins was aware of people in the houses that surrounded the subject house. Det Robins said she knew there were people in the house to the north but that was all.

Det Robins had a question of time frame of the investigation which was answered. At that time the interview was ended.

Officer TJ Scott



5 years Ogden City PD
3 years SWAT

Springfield AR-15 .223 serial number

Officer TJ Scott came to the Weber County Attorney's Office and met with me. His FOP representative was present. Officer Scott works for the Ogden City Police Department and is currently assigned to the uniform patrol division.

I asked Officer Scott to tell me his perspective about the SWAT incident in South Ogden On June 30th. Officer Scott explained that he was paged out and had to go retrieve the armored Suburban vehicle which made him arrive later than other SWAT officers and he was waiting to be deployed to a certain area.

Officer Scott said the negotiators were talking with the suspect who was inside his house and at that time they had been unsuccessful in getting him to surrender peacefully. It was decided that gas would be deployed into the subject residence. Officer Scott was a part of the team that would be firing gas canisters into the house using the armored Suburban vehicle to approach the residence. Officer Scott described that he was in the passenger seat of the Suburban and was assigned to deploy a less lethal foam baton rounds. Officer Scott said the Suburban transported them up next to the house and SWAT officers fired two canisters of gas into the window with the air conditioning unit attached to it. Officer Scott said that as soon as the canisters went through the window, gunshots started being fired from inside the house. They believed they were being fired upon and loaded all SWAT officers back up and retreated back to the command post.

Once back at the command post, Officer Scott said he learned that shots had been fired by the suspect from inside the house and Det Copier had actually fired back from his marksman position.

Officer Scott was then directed to assist Det Copier in his position and operate in tandem. Officer Scott joined Det Copier next to a tree north of the subject house. Officer Scott said he got into position and propped his body camera up against the tree and turned it on to record.

Officer Scott stayed in this position for a few hours until he took a bathroom break. Officer Scott returned to this same position and more gas was being deployed into the subject house. It was ultimately ineffective and the subject refused to surrender. Officer Scott said it was then decided that the MRAP would be used to attempt to breach the brick wall on the front side the house under the window where the air conditioner was attached.

Officer Scott said the armored Suburban was moved to the North West corner of the house to provide cover. Officer Scott said as soon as the Suburban was in place, the suspect fired shots from inside the house. Officer Scott said it sounded like rifle rounds were being fired from the suspect. Officer Scott said he believed the Suburban and MRAP were the target of this burst of gunfire. Officer Scott said he fired his rifle into the air conditioning unit that was still hanging from the window. He explained that this was "suppressive fire" to get the suspect to "put his head down" long enough to get the two vehicles filled with SWAT officers out of the area.

Officer Scott said that after a few more hours, it was decided that an explosive device be deployed into the house using the arm of the Bear Cat armored vehicle. The Suburban was moved back to the northwest corner of the house and the MRAP was also still in position in front of the house.

Officer Scott said the suspect started shooting again and struck the MRAP. According to radio traffic a bullet had struck the window and impacted. Officer Scott also said these bullets that were being fired were in direct line towards where he and Det Copier were positioned near the tree.

Officer Scott at this point changed his line of target from the air conditioning unit to the body of the window hoping to stop the suspect. Officer Scott said that he then noticed the curtains move in the "white, one-one" window (northwest) and could see shots were being now fired out of that window. Officer Scott said he then turned his attention to this window and fired into this window. Officer Scott said the shooting stopped and he believed that he had hit the suspect.

Officer Scott said that soon after this, the explosive device was set off into the wall of the residence which ended all shooting. Officer Scott stayed in his position until he was relieved and went to the police station.

I asked Officer Scott if he heard any of the bullet rounds go past his position. Officer Scott said he had on his ear protection and did not hear any of the bullets pass by.

I asked what kind of setting is this house. Officer Scott said it was a highly populated residential area with houses all around. I inquired if he was aware of the occupants of the surrounding residents. Officer Scott said he was aware of the nearby house and how they were told to shelter in place. I asked Officer Scott if he was in fear for the local residents and if they could be killed by stray bullets. Officer Scott said he was fearful and understands how far bullets can fly and penetrate.

I inquired how armored the SWAT vehicles were and if he was concerned how they were being targeted. Officer Scott told me that repeated bullet strikes could wear down the integrity of the armor. Officer Scott also said the Suburban is very old and dated. This could present integrity issues if the armor was fired upon.

I asked Officer Scott if he fired his weapon in defense of not only himself but for the SWAT officers in those vehicles and also the surrounding citizens who were in danger. Officer Scott said yes.

The interview was ended at this point.

Officer Devin Taylor



8 years Ogden City PD

5 years SWAT

Officer Devin Taylor came to the Weber County Attorney's Office on July 6th and met with me. His FOP representative was present. Officer Taylor is an Ogden City Police officer and is assigned in the uniform patrol division.

I asked Officer Taylor to tell me his recollection of the events at the SWAT incident in South Ogden on June 30th. Officer Taylor said he received a notification from SWAT Commander Ward, directing him to respond to the location in South Ogden.

Once he arrived, Taylor said he retrieved his equipment and assisted others in getting their equipment on. He then learned that the suspect had committed an aggravated assault on family members in the home and had threatened them with a gun. Officer Taylor said South Ogden Police were drafting a search warrant for the access to the house.

Officer Taylor was tasked with holding a perimeter of the house. During this time, Officer Taylor said he was updated with information about negotiations being made with the suspect and how the suspect was making threats to shoot at officers. There was also threats to make officers kills him. Officer Taylor also added that he could hear the suspect screaming and yelling from inside the house saying, "We are going to have a shootout" and "I'm going to make you kills me".

After about two of three hours of this standoff, Officer Taylor said it was decided by command that gas would be deployed inside the house. Officer Taylor described how the armored Suburban approached the house and fired gas canisters into the house when the suspect started firing bullets out of the second bedroom from the left, and had the air conditioner attached to it. Officer Taylor said he was aware that SWAT officers had fired back at this point.

Officer Taylor said it was quiet for a moment and negotiations picked back up with the suspect but ultimately were not productive. Officer Taylor said he could hear the suspect still yelling and moving stuff around inside the house. Officer Taylor suspected he was further barricading himself. The suspect kept saying, "We are going to have a shootout" and "I'm going to make you kill me". Officer Taylor then told me that the suspect also added that he had a gasmask, a rifle, and a "1,000 rounds" of ammunition, and was "loading up" his magazines.

Officer Taylor said he was switched out from the perimeter posting to assist in deploying gas and shutting off utilities of the home in hopes the suspect would be uncomfortable and surrender. Officer Taylor said more shots were fired by the suspect and he seemed to focus on the MRAP armored vehicle. Officer Taylor believed that it was because the MRAP is tall and was visible to the suspect who was deep in the room and was firing from a distance to the window.

Officer Taylor then described how the MRAP was used to make a hole in the side of the house under the window where the air conditioning unit was. The gas was not being effective and vision was needed for the inside of the house. The suspect fired more shots at the MRAP as it turned away from the house.

Officer Taylor told me that he returned to the command post and Commander Ward and he discussed explosive breaching techniques to gain more vision into the home. As the y were discussing this, shots started ringing out and the suspect began firing again. Officer Taylor said it was starting to get light outside at this point and the gunfire sounded like the suspect was now firing a rifle due to the rapid fire.

At this point, Officer Taylor expressed that they were losing control of the situation and bullets were now being sprayed through a neighborhood and it was putting citizen's lives in danger along with SWAT officers.

The discussion then turned to options that they had tactically and how the brick exterior of the house was putting them at a disadvantage. It was decided that an explosive breaching device would be used to possibly incapacitate the suspect and also open the wall and expose the inside of the room where the suspect had been firing out of. Officer Taylor said this was to stop the suspect from shooting at them and all over the neighborhood. Officer Taylor said this all took place while gunshots were being exchanged between the suspect and SWAT officers.

Officer Taylor said he used charges and "det cord" to shape a device using duct tape to affix it to the arm of the armored "Bear Cat" vehicle. Officer Taylor climbed into the passenger seat of the Bear Cat and they started driving toward the subject house. Officer Taylor said shots were being fired out of the window with the air conditioner at that moment they were driving up to the house. The shots were being fired at the armored SWAT Suburban.

The Bear Cat positioned itself right up to the house and pushed the extended metal arm through a hole in the exterior wall that had been made earlier by the MRAP. Officer Taylor said the charge was now on the inside of the wall and he detonated the device. Officer Taylor said the explosion knocked some of the outer wall down and damaged the interior. The shooting stopped and it was unknown what had happened with the suspect.

Officer Taylor said debris and insulation that fell inside this room caused everything to slow down and a careful search for the suspect began. Officer Taylor was pulled off the scene at this point and he went to the OPD station.

I then asked Officer Taylor about the height of the house and if it was higher than the street level. Officer Taylor said it was and described how the windows were very high and was problematic tactically due to no one being able to see the suspect when he was firing due to the suspect most likely being deep in the room while shooting. I inquired to Officer Taylor how far rifle bullets will fly through the air. Officer Taylor said it could be "miles" they could travel. I asked Officer Taylor what the backdrop to the west of this residence was like. Officer Taylor said it was a residential area and also a school was positioned to the west and they had summer school in session that morning.

I asked Officer Taylor about the actions that were taken that morning and if he believed that if they did not take those actions, that someone would have been hurt or killed. Officer Taylor said, "It was almost a guarantee. There was no other way for it to end without someone's going to get shot, hurt, killed."

The interview was ended at this point.

Autopsy

Detective Shultz of the South Ogden Police and Team Leader of the Weber Morgan Homicide Task Force was present at the autopsy of Anthony Markham at the State Medical Examiner's Office. Dr

Lozana performed the autopsy and determined that Anthony Markham died of a gunshot wound to the forehead. This wound determined to be a close contact wound due to the tearing and “starring” of the skin at the wound. Due to the fact that Anthony Markham was not in close contact with any of the surrounding officers when he was found hiding under the debris of the room and sound of the muffled gunshot that came from inside the house, Anthony’s death is listed as a suicide. There was no other trauma to Anthony Markham body.

The property found on Anthony Markham’s body was transported back to Weber County from the Medical Examiner’s Office and turned over to CSI.

The final autopsy report will be forwarded to me when it is complete and will be added to this investigation.

Examination of the Evidence

Below are photographs of the 9mm Girsan Regard 6 that was located near Anthony Markham’s body. The top photo shows a close up of the barrel where flesh and blood was found.



Photographs of the gas mask and night vision glasses found.



Below are photographs of the .22 rifle and AR 556 that are believed to have been used by Markham to fire at SWAT officers.





Ammunition and other firearms collected





Anthony Markham



Criminal History

1988- Disorderly Conduct and Interfering with an arrest- Ogden City Police- Dismissed
1988- Assault on a police officer and Interfering with an arrest- Ogden City- Dismissed
2005- Theft, theft by receiving stolen property, and obstructing justice- Davis County- Declined
2012- DV Assault- Davis County Sheriff- Dismissed
2013- Aggravated assault- Morgan County- Convicted Misdemeanor A
2018- Assault- South Ogden City- Dismissed

Other Law Enforcement Contact

2016- Roy City Police responded to a Burger King at _____ after Anthony Markham threatened to assault the manager. Cited for disorderly conduct and trespassed from the property.
2016- Roy City Police issued a trespassing order on Anthony Markham after he got into a verbal altercation with an employee at the 7-11 located at _____

2021- South Ogden Police responded to _____ after neighbors could hear DV related sounds coming from residence. Officer made contact and all family members claimed it was a verbal only argument.

Conclusion

On June 30th 2021, Police Officers from South Ogden City had determined that Anthony Markham had assaulted members of his family while inside their residence of _____ in South Ogden City. Anthony Markham also produced a handgun and threatened to kill these same members during this assault.

South Ogden Officers attempted to make contact with Anthony but he refused to open the door at the residence and also refused to answer his phone and speak with them.

Ogden Metro SWAT was summoned to the scene. A search warrant was obtained to enter the premises and effect an arrest on Anthony Markham along with collecting evidence of the aggravated assault. Contact was made with Anthony by phone with SWAT negotiators but Anthony refused to surrender. Gas was deployed into the house by SWAT officers at this point hoping to get Anthony to exit the residence. As the gas canisters went through the southwest bedroom window, shots were fired by Anthony out of this same window. These shots were in the direction of the SWAT officers but ultimately went over their heads and struck the residence across the street. These bullets ripped into the living portion of the residence.

Detective Travis Copier, who is a marksmen on the SWAT team, was positioned to the north of the subject residence. Det Copier fired one round into the southwest window of the subject house as protection of the SWAT officers who were exposed and being fired at by Anthony Markham. This stopped all shooting for several hours.

Negotiations were again attempted but no resolution was found and Anthony refused to surrender and made several threats. Anthony claimed he had a bomb and intended to harm SWAT officers. Anthony also said he had a gas mask and thousands of rounds of bullets.

CS gas was deployed into the residence in hopes it would defeat the mask Anthony claimed he was using. This also had no effect. Hours went by and negotiations had broken down. As gas was being deployed, shots started being fired out of the northeast bedroom window at the MRAP. Det Marble was positioned to the west as a marksman with the SWAT team. He fired one round into the brick wall just off of the window.

As it started getting close to dawn and getting light outside, SWAT officers who were covering the back of the house began to grow concerned of the cover they had and decide to use an armored Suburban but needed to reposition it. This vehicle was parked on the north side of the residence and the intended maneuver put the vehicle in the northwest corner of the residence as it attempted to turn around and reverse back to the northeast corner. As this was happening, shots started being fired out of

the southwest window with the air-conditioning unit attached to it. Detective Robins and Officer Gonnuscio who were inside the Suburban returned fire.

Officer TJ Scott and Detective Copier were positioned to the north of the residence as marksmen. They both fired multiple shots during the barrage of gunfire that was coming out of the southwest bedroom at the Suburban.

Detective Copier- In his statement, Detective Copier said he could hear and see gunshots being fired from inside the residence by Anthony Markham. Detective Copier stated that he believed that his and other SWAT officer's lives were in danger of being seriously hurt or killed by these bullets. Detective Copier also was aware of the residential surrounding area and believed that those residents were also in danger of these bullets being fired indiscriminately. Detective Copier said he fired his rifle because he believed if he did not take immediate action then lives would be in danger.

Detective Marble- Detective Marble said he could see and hear bullets coming out of a bedroom window of the subject residence. Detective Marble could hear the bullets striking the metal of the armored vehicle that was positioned in the direct line of fire from his position. Detective Marble feared that a miss from Anthony Markham would send a bullet in his direction putting him and another officer's lives at risk of being seriously injured or killed. Detective Marble fired one shot from his rifle in defense of himself and others.

Officer Gonnuscio- Officer Gonnuscio stated that he believed that Anthony Markham was firing at the vehicle that he was inside of and feared the rounds could penetrate inside. Officer Gonnuscio also feared for the residents in the area that could be struck by bullets that were flying in the air. Officer Gonnuscio stated he fired multiple rounds into the subject residence in defense of his life and the lives of others.

Detective Robins- In Detective Robins statement, she believed that Anthony Markham was firing at the armored Suburban that she was inside of and that she returned fire fearing the life of the driver of the Suburban was in danger. Detective Robins fired her weapon due to her belief that another SWAT officer's life was in danger and she needed to take immediate action.

Officer Scott- Officer Scott said in his statement that he fired his rifle after seeing and hearing bullets being fired from inside the subject residence and believed they were going to strike a SWAT officer or a citizen in the area. Officer Scott said he fired his weapon in defense of other lives being put in immediate danger of being seriously hurt or killed.

Officer Taylor- Officer Taylor said he was present the entire incident and felt that drastic action was needed to stop the bullets from being fired into the residential area. Officer Taylor was asked to fashion an explosive breaching device onto the metal arm that extended from the front of the armored Bear Cat vehicle. This was intended to breach the brick wall that Anthony Markham was using as cover in the southwest bedroom. Officer Taylor rode inside the Bear Cat and deployed the detonation cord when it was placed just inside the wall of the residence. Officer Taylor stated he believed along with command staff of the SWAT team that this measure needed to be taken due to the danger of the bullets being fired by Anthony Markham and if he was not stopped, someone was going to get hurt or killed.

Anthony Markham- It was determined through evidence found at the scene that Anthony Markham fired forty one (41) 9mm bullets, two (2) .223 bullets, and six (6) .22 caliber bullets from inside his residence. There were bullet strikes into the armor of the MRAP vehicle used by the SWAT team where some of these bullets struck. There were also bullet holes where rounds struck nearby houses and penetrated inside. There were also bullet fragments found in the grass of the surrounding houses properties.

Anthony Markham was found dead inside his residence with a single gunshot wound to the head. It has been confirmed by the Utah State Medical Examiner's Office, that this was a self-inflicted wound. The bullet was recovered from Anthony Markham skull and compared to the weapon found near his body. It has been determined that this bullet was fired by the same gun collected.

There is video evidence that Anthony Markham first assaulted his son during a domestic violence situation and then committed an aggravated assault when he pulled out a handgun and threatened to kill everyone inside the residence. South Ogden Police obtained a search warrant to go inside this residence after Anthony refused contact. Further evidence shows that Anthony Markham fired bullets from multiple firearms while inside his residence in the direction of SWAT officers and sheltered citizens putting them all at risk of being harmed or killed. The six officers who used deadly force expressed they believed the force used was necessary due to their lives or the lives of others were in immediate danger of being seriously hurt or killed.

All of these factors need to be taken into consideration when determining if the use of deadly force is justified.

Investigator Steve Haney

***Weber County Attorney's Office
Force Investigations/Homicide Task Force***