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December 19, 2024

SBI Special Agent-in-Charge Chuck Vines

Via: Email

Re: Investigation of the Death of Hayden Elias Brook, Age 29, on April 13, 2024

Dear SAC Vines,

After a thorough review of all the facts and evidence presented in the Investigative Report compiled by Special Agent Radford, it is my conclusion that the responding Henderson County Sheriff Deputies were legally justified in firing their service weapons at the decedent, Hayden Brook, after he fled from them in a minivan and wrecked his vehicle. Immediately following the wreck, the responding deputies approached Brook, who was in the driver's seat of the wrecked minivan, while issuing commands for Brook to put his hands in the air. A shot from the van rang out, and deputies, believing their own lives and the lives of their fellow deputies were in imminent danger of serious body injury or death, fired multiple rounds at the decedent. Although several of these rounds struck the decedent and had the potential to be fatal, the Medical Examiner's autopsy revealed that the first shot the deputies heard was a fatal self-inflicted contact shot to the decedent's head.

With the Medical Examiner's determination that the decedent self-inflicted a fatal wound to his head, the following is a brief explanation supporting my decision that the deputies' actions were justified.

Autopsy Report Summary of Findings: The autopsy report promulgated by the Wake Forest Baptist Medical Center dated 11/25/2024 determined the cause of death to be:

"...contact, exiting gunshot wound of the head. The entrance was located on the right temple, with a surrounding muzzle stamp. The projectile went through the brain at the level of the basal ganglia and exited the left temple." The Medical Examiner also described and documented numerous other gunshot wounds to the decedent's body but ultimately concluded that the initial self-inflicted shot was fatal, and the other wounds had no substantive impact regarding survivability.

Decision: On the evening of April 13, 2024, several Henderson County Sheriff Deputies responded to a 911 call where a female reported being assaulted and threatened with a gun by a male she was sharing a campsite with at the North Mills River Campground. Deputies located the reporting female at the campground and observed injuries to her head and arms. The female victim reported being headbutted and threatened with a gun by an individual. While the victim was providing deputies with a description of Brook and of Brook's minivan, the described minivan drove past the campsite where the interview was taking place. Deputies immediately responded by getting into their vehicles and falling behind Brook's minivan while simultaneously activating their blue lights and sirens. The decedent failed to stop

his vehicle, and a vehicle pursuit ensued. The decedent accelerated his vehicle on a mountain road with numerous twists and turns before eventually losing control and crashing into an embankment and utility pole. Deputies immediately exited their respective vehicles with their guns drawn and began approaching the badly damaged minivan while yelling commands for Brook to put his hands in the air where they could see them. Deputies then heard a shot from within the minivan. Each approaching deputy perceived a lethal threat to their lives and the lives of their fellow deputies and fired varying numbers of rounds at Brook. After discharging their firearms, the deputies made a cautious approach to the vehicle and observed Brook with a gun in his hand. Deputies immediately backed away from the vehicle until they could procure a ballistic shield from one of the deputy's vehicles. Deputies then made a second approach to the wrecked minivan, where they found Brook unresponsive. Brook was immediately removed from the vehicle, and life-saving measures were rendered. Emergency Medical Services arrived shortly thereafter and determined Brook had succumbed to his wounds.

Please close out your agency's case file on this matter with no further action required. I ask that you return all evidence seized as a part of this investigation to the Henderson County Sheriff's Office or the rightful owner of the property. Do not hesitate to contact me if you have any questions.

Sincerely,

R. Andrew Murray

District Attorney, Prosecutorial District 42

Cc: Henderson County Sheriff Lowell Griffin