



Incident Report

The City of
OKLAHOMA CITY
Police

Incident Number 2022-0060356	CAD Incident # 202208-0060177
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Narrative Information

RE: Homicide of Robert "Bobby" Swartz

Subject: Interview with Benjamin Plank

*****SYNOPSIS OF INTERVIEW*****

Below is the output of transcribing the recorded interview. Although the transcription has been reviewed and found to be largely accurate, in some cases it may be incomplete or inaccurate due to inaudible passages or transcription errors. The transcription is provided to aid in understanding the interview but is not meant as an exact record of it. For complete details, see the actual audio/video recording.

THE FOLLOWING WAS DVD RECORDED:

On 08/22/22, Det. Michael and I met with Benjamin Plank at Police Headquarters. Plank was brought into the Homicide Interview Room. Plank was in handcuffs. He requested a Diet Dr. Pepper before we began.

Det. Gregory 06:21 PM/1539

So you are Ben?

Ben Plank 06:21 PM / 15:40

Yep. Unfortunately today. Yes, unfortunately today. Yeah. Well, I don't know about that. I should get a lawyer, but it doesn't really matter. I'll just stop straight up. So you guys probably already pretty much figured out a lot of it, right? I mean

Det. Gregory 06:21PM
Piecing some stuff together.

Ben Plank 06:21 PM / 1610

All right. Um, man, I'm sorry, dude. I, I didn't want to do it, man. They're uh, anyway, whatever you want, ask me, man, I'll go from there. I like it. It is what it is like. I'm sorry. I did it. It's the why? That is the important thing here. I think I'm not trying to justify anything that I did. Thank you, sir. You're awesome. Is, is there any way I can get these off? Yeah. Sweet. Let me go get it. All right. You're like I said, man, I I'm just gonna spill it. Okay.

Det. Gregory 06:21

So, well, um, we'll get those (Handuffs) off. Okay.

Ben Plank 06:21

And I appreciate it. I, I hate causing trouble, dude. I, I literally love everybody, man, but there's uh, like a pedophile deal going on in this country and uh, that needs to be addressed and nobody seems to address it. My mom's a pedophile. Thank you, sir. (Handcuff's taken off.) My sister pedophile, uh, her fiance is a pedophile and I know he's having sexual relations with my niece and now they have a, uh, he's almost one now. And, uh, they were in the other room playing with his Wiener.

I know what they were doing. And uh, it is what it is. So I've been on the road for about 10 years driving a truck. Well, I'd swap between my mom's house. You're recording, right?

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Det. Gregory 06:21

"Yeah"

Ben Plank 06:22 PM / 1707

I just, I don't wanna repeat it, but, but I will, if I have to. Okay. That's my train of thought. So, um, yeah, I've been on the road for about 10 years. Mm-hmm <affirmative> and it's just my family treats me like total, total shit. Well putting little pieces together, uh, here and there. Like they're pedophiles, you know?

Det. Gregory 06:22 /1707

And so no one likes pedophiles.

Ben Plank 06:22 / 1707

I hope not. Nope. I fucking hope not. And um, I hope I didn't do the wrong thing today, but I mean, I mean, basically I wrote no Pedo zone on the garage.

Det. Gregory 06:22 PM / 1707

I did see a picture.

Ben Plank 06:23 PM 1754

Did you? And my mom's a pedophile. Well, she quit coming over. That's weird. Huh? And I was trying to tell the officers today, I guess we'll skip forward a little bit. Um, I, I think I wrote that on there, like a month ago. I just, I can't even remember exactly. It's been a while. I just add a few little things I thought was funny or whatever. And as soon as I put that on the garage, uh, like she hasn't been there, so it's pretty obvious. Right. Okay. And uh, I mean, I just want her to be my mom, dude. I want my dad to be my dad. Right. Just like normal shit and yeah, everybody, I just reconnected with my dad, so I might jump all over, but um, thank you I'm a sucker.

Det. Gregory 06:24 PM / 1843

Hey, well I'm gonna get your name and stuff while you're okay. Okay. And uh, last name is plank, right? Blank? Yes, sir. That's P L a N K. Right. And your first name is Ben.

Ben Plank 06:24 PM / 18:57

Benjamin, if you want put that in the middle

Det. Gregory 06:24 PM / 19:00

And that's Harrison. Harrison, H a R R?

Ben Plank 06:24 PM / 19:03

Yep. Harrison.

Det. Gregory 06:24 PM / 19:04

And your date of birth?

Ben Plank 06:24 PM / 19:06

8/21/87.

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Det. Gregory 06:24 PM / 19:10
Okay. And what's your, uh, what's your address?

Ben Plank 06:24 PM / 19:13
It was 2221 Southwest 78th is where I was livin.

Det. Gregory 06:24 PM / 19:17
Okay. All right. What's uh, what's a phone number for you?

Ben Plank 06:24 PM / 19:22
Uh, I'm not sure where my phone is now, but 405 496-8033.

Det. Gregory 06:25 PM / 19:30
How long have you had that one?

Ben Plank 06:25 PM / 19:33
The number for a little over, maybe a, almost two months.

Det. Gregory 06:25 PM / 19:37
Two months. Okay.

Ben Plank 06:25 PM / 19:38
Somewhere in there. I got a number. I just cut basically everybody off of the one phone and like, um, I don't know, man, like if you could get a hold of her phone records or something, I'm telling you, there's some fucking crazy shit going on in my family. Like, I don't know how you

Det. Gregory 06:25 PM / 19:54
Know. Well, I've, I've got her, I've got her phone,

Ben Plank 06:25 PM
So oh, you do?

Det. Gregory 06:25 PM / 19:58
Yep.

Ben Plank 06:25 PM / 19:58
Wow. Yeah. What did you find?

Det. Gregory 06:25 PM
Well, I don't know yet. I'm just downloaded, you know.

Ben Plank 06:25 PM / 20:02
I mean, I don't, I mean, I don't know if she's has pictures or whatever, but I guarantee you there's fucking text in there. That's absolutely fucking nuts.

Det. Gregory 06:25 PM / 20:11
I will take a, take a look. See? You know that you brought that to my attention.

Ben Plank 06:25 PM / 20:16
Yeah. Like I they've been trying to kill me, dude. There's a conspiracy against me and people have been trying to kill me and uh, I'm just kind of fed up with it. So my mom's trying to kick me out over nothing. I just want her to be my mom, man. I take care of her house. I take care of, you know, everything I can, like, I try to be a good son and like, I get treated like shit. Well it turns out she's a pedophile. That's why she treat me so bad and I'm not right. (Det. Gregory says Mm-hmm <affirmative>) so it just doesn't work when they want to do their little thing. Right. And it's my family. I want my family to be, be happy. Right. (Det. Gregory: Mm-hmm <affirmative>) they don't want me to be happy. Sorry. If I'm not looking over there. I'm uh, I'm kind of blind. (Saying this as to why he wasn't looking at Det. Michael).

Ben Plank 06:26 PM / 20:52
Almost looks like you got blue hair there



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Det. Gregory

He's not pretty enough to look at that's okay.

Det. Michael

You're not missing anything.

Ben Plank:

That's good. Um, I like that. Yeah. Y'all y'all are nice guys. I like it.

Det. Gregory

Well one of us is.

Ben Plank

<laugh> always he, the bad guy. <laugh> son, a bitch.

Det. Gregory:

All right. So I got your phone number. Uh, you work anywhere.

Ben Plank:

Uh, I'm actually not working right now. Uh, I've been kind of just going around, helping out to be honest, like, um, just enjoying my life, like, uh, just hanging out with neighbors, helping 'em out with whatever they need. Like a new thing I was doing. I got actually bought an air pump from the neighbor cuz we went out in the boat and we had to cut the wires. Cause the thing wasn't working well, I bought it from 'em. Well, I've been trying to go around to just air people's tires up and stuff like stuff. I just tried to do nice things for people which go. I think I put, uh, some Lucas oil or Lucas, uh, carburetor cleaner in one of your bait cars. If I'm not mistaken. Cause I was trying to help a lady and she tried to set me up not too long ago, like a few days ago Like last Friday, it's just, it's so weird, man. Like all this stuff is I know it sounds crazy, but dude, I know my family's out to get me and then we'll jump ahead to this. I was trying to talk to these guys. I told 'em man. I said, Hey, give me like 30 minutes or, or an hour. I'll leave. I'll be gone. They're like, well we can't we're staying. Well, my mom had put some freaking, uh, mental thing or whatever where the cops it is. There's just so much, dude. There's so much. She freaking tried to get me. Uh, she got a VP against me saying she was scared of me. I didn't even read the thing. It was, it would just pissed me off. So I didn't even read the file filing or whatever the court filing. So I didn't even read it, but uh, lost my train of thought. I'm sorry. There's a lot going on, dude.

Yeah, I lost it. But uh, fuck. Yeah. I mean, uh, I had a feeling this was gonna happen where I get a brain fart, freaking. Uh, do you remember where it was? They, they jab me with some shit I'm on morphine. Like I'm not thinking perfectly clearly, but uh, pretty clear. You know what I mean? Like uh, okay. But anyway. Yeah, I mean, uh, I was talking to the cops, they're outside the door. They're trying to get, you know, find a way in or whatever I'm I'm explaining to them what I just told you, my mom's a pedophile. Why haven't they checked into that? Right. I've had it up for like a month or whatever it was. They act like it doesn't exist. You know what I'm saying? They're coming after me to kick me out on a bullshit order that my mom rushed through the court.

Ben Plank 06:29 23:42

She actually filed two orders and it was just rush. I can't believe how quick it was rushed through. There's something, some issue there maybe I'm wrong. I bet you there's a big issue there along the same lines of what I'm talking about. They flock together apparently. So if you know what I mean? Uh, the Pedo's. So I'm assuming they're Pedo's too, you know, uh, her lawyer and uh, whoever jammed it through, I'm assuming they are, you know, uh, I hate to just throw it around all willynilly right. But um, I was telling them what I was telling you. And they started trying to kick in the door and that's when I opened fire. I told 'em I freaking, uh, fear for my life. They were kicking down the door, uh, the back door and I kept, I, I was screaming, no stop, whatever. Like I feared for my life.

Ben Plank 06:30 PM / 24:32

And uh, there's no reason. Like I said, why don't they go investigate that? They're so worried about me. I know y'all got your orders and stuff. Like I get it. Right. That's a lot bigger deal than trying to kick me out of my mom's house. You know, they're like, that's basically working for the pedophiles. Right. And I was trying to explain this to 'em. I know it might be a little bit of a stretch, but uh, I was trying to explain this to 'em they're kicking the door down, dude. I fear for my life. My mom filed a, a restraining order against me, uh, basically to, to fucking take away my guns and shit and the cops. Another night when I was reconnecting with my dad, uh, must have been the ninth cuz they threw me in the freaking, uh, the police arrested me on the 10th of April.

Ben Plank 06:30 PM / 25:21

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They said they made up all this shit. They said I was cocking guns on him. They said, I cocked all my guns and was like aiming at 'em. They came up with like, I don't know how many lies. Right. They, they put the cuffs too tight. They, my, my thumb was broke. They threw me in my thumb. This is, this is uh, the 10th or the ninth. And uh, basically like, it's torture if you asked me and I'm trying to just talk to him, like we're talking, you know, I'm a little bit razzled up cuz like, I mean, my dad just got in a little fight and uh, they're aiming guns at me telling me to get out of the garage. You know? Like what the fuck? So, and then some lady said I pointed guns at her. No I fucking didn't it's bad. And it's coming after me. That's all I know. And I probably see why cuz I'm stand, trying to stand up. Right. And I never, I never wanted to hurt anybody. I did. Can y'all tell me the one guy. I think he's dead. The other guy. Is he okay? And there's a lady. Is she okay?

Det. Gregory 06:31 PM / 26:28

Well no one's really okay. You know what I'm saying?

Ben Plank 06:31 PM / 26:30

I mean, are they alive? Can you gimme an update please? Because I, I didn't want to do it, man. I just, like I said, I said, man, uh, they're busy kicking me out of the, out of the house that says no Peto zone on it. Like y'all need like nobody talk. Nobody even asked me anything about any of this. It's like is trying to get swept right under the rug. You know what I mean? They're gonna sweep me with it. I mean, I'm not trying to complain because I knew what I was getting into. As far as doing that on the door, somebody's got a freaking stand up, dude. That's all, you know, I explained to 'em man, because I've okay. I've got guns at my mom's house. I've gotta safe. Now if they kick me out and I'm not supposed to have those guns, cuz some bullshit fucking court order, I'm going to jail. They already got me for reckless driving. The, I guess the highway patrol I got ran over. It was uh, wait, did I say April? It was April. Uh, I think it was April 10th when I got ran over and then it was uh, the other date I got mixed up. Uh, it was August 10th is August 10th on April. The other date I told you about. Yeah. Um, I'm trying to piece all this together.

Ben Plank 06:33 PM / 27:56

I mean, have you got, have you got any questions or you want me to elaborate or I mean.

Det. Gregory 06:33PM

I'd like, um, I'm letting you talk.

Ben Plank 06:33 PM

Yeah. I mean they tried to kick the door down, man. I told 'em I feared for my life. I literally did because of what happened. Um, a few weeks earlier, a week and a half, they threw me in the psych ward, uh, and freaking uh, Southwest medical center. And uh, wouldn't tell me, nobody would tell me nothing. Everybody basically lied on me. The cops tried to, they told at least 20 different lies, uh, that I could hear. I mean, it was like, at least y'all hooked me up with something. It's like, dude, they just keep trying to get me to talk to like, uh, make myself guilty. What do I'm not thinking of the word? You know what I mean?

Ben Plank 06:34 PM / 28:49

Uh, I didn't want to do it, man. They tried to kick my door down. There's no, I told 'em I there's no way I can trust them, cuz. Well what happened last time? And I know it was the police and the Sheriff's, but are they really that different? You know what I'm saying? They're not, they're not. And uh, I tried to talk to 'em about this stuff and explain to 'em like, Hey, why don't you go check that out and come back, I'll be here. You know, I did plan on defending myself. I did plan on defending myself initially. Right. And then they didn't show up. I said, well fuck it. I'm not gonna do it. Right. And then they're kicking the door down. So that's it pretty much if you got any other questions. I prayed for him. I, I think the one guy's dead, man.

Like it's not fucking cool, man. It's not fucking cool. I mean the one thing I found about these pedophile people is like, especially with my mom is when you ask, they almost act like cops in a way, because sorry to say, because it doesn't matter what you say, they're gonna do what they're gonna do. No matter what, you know what I mean? Under any circumstance, it's just, that's it, you know, they're gonna do whatever they're ordered to do. And I'm trying to explain to 'em Hey, I'm not a bad guy. Like look at the freaking garage, you know, mm-hmm <affirmative>

Det. Gregory 06:35 PM / 30:12

I gotcha.

Ben Plank 06:35

And they were kicking my door down and they were, yeah, they were kicking it down. So

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Det. Gregory 06:35 PM / 30:19

Let me ask you this. You got any kind of mental health problems?

Ben Plank 06:35 PM / 30:23

No, sir.

Det. Gregory 06:35 PM / 30:24

You've never been, uh, uh, diagnosed as having anything.

Ben Plank 06:35 PM / 30:27

No, sir.

Det. Gregory 06:36 PM / 30:30

You said you went to Southwest medical, did they diagnose?

Ben Plank 06:36 PM / 30:34

Nope. They put me through the maths team and I was actually some of the most pleasurable experience of my entire shitty experience there after being tortured and thrown in the back on my thumb of the cop car. Dude, they I'm telling you dude,

Det. Gregory 06:36 PM / 30:47

What's

Ben Plank 06:36 PM / 30:47

Your fucking wow dude.

Det. Gregory 06:36 PM / 30:49

What's your highest level of education?

Ben Plank 06:36 PM / 30:51

Uh I'm like, sorry, gonna adjust. It's uh, I'm a few hours short of a freaking associates. It's like four hours short wasn't for me.

Det. Gregory 06:36

Okay. And um, now as far as like any like real drugs, alcohol you on,

Ben Plank 06:36 PM / 31:16

I mean, uh,

Det. Gregory 06:36 PM / 31:17

Yeah, like dope on the streets.

Ben Plank 06:36 PM / 31:18

I mean, I really like weed and I really like alcohol and I don't. Really abuse them or anything, but I'm just gonna be straight up with you. Like, uh, I did a little bit of speed, you know?

Det. Gregory 06:37 PM / 31:30

When did you do speed?

Ben Plank 06:37 PM / 31:31

Uh, oh, see, now I'm trying to think of a lie, right? Uh, I mean, it was, it was this morning, so okay. And it had nothing to do with this at all. It had nothing to do with, I know it sounds crazy. I know it didn't have anything to do with this

Det. Gregory 06:37 PM / 31:48

But right now you don't feel like there's the drugs are impairing you or anything?

Ben Plank 06:37 PM / 31:53

No, I mean, uh, I feel kind of a little slowed down because they jam me with some morphine from my arm that's oh yeah. So when the whole thing ended, they uh, snap my arm in half and then yeah, it, yeah, they, I haven't even looked at my face yet.

Det. Gregory 06:37 PM / 32:13

Well, you said I'm gonna, I'm gonna ask you some questions. Okay. But you know, I gotta read you this sure thing. Okay.

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Ben Plank
Miranda.

Det. Gregory 06:37
There you go.

Ben Plank 06:37 PM
I already know it, but you can read it for me.

Det. Gregory 06:37 PM / 32:21
Yeah. I got to. Okay. Before I ask you any questions, you understand, you must understand your rights. You have the right to remain silent. You understand that?

Ben Plank 06:38 PM / 32:30
Yeah. I mean, I, I already told you the whole day, but we're gonna do it again

Det. Gregory 06:38 PM / 32:33
So, well, I, I just, I want be upfront with you. You know what I'm saying?

Ben Plank 06:38 PM
I appreciate that.

Det. Gregory 06:38 PM
Anything you say maybe gets you in a court of law. You understand that? Mm-hmm <affirmative> that? Yes or no?

Ben Plank 06:38
Yes, sir. Okay.

Ben Plank 06:38 PM / 32:45
See, it never helps though. Does it?

Det. Gregory 06:38 PM / 32:47
The, what,

Ben Plank 06:38 PM / 32:47
What you say doesn't ever help does it?

Det. Gregory 06:38 PM / 32:50
Uh, I actually disagree. I've had it help, uh, a lot. You'd be surprised.

Ben Plank 06:38 PM / 32:55
Is it like 50, 50 or mm,

Det. Gregory 06:38 PM / 32:58
I don't know about that

Ben Plank 06:38 PM / 32:58
199.

Det. Gregory 06:38 PM / 33:00
<laugh> You have the right to talk to an attorney and have one with you during questioning. You understand that?

Ben Plank 06:38 PM / 33:07
Mm-hmm (affirmative) Yes. Yes Sir.

Det. Gregory 06:38 PM / 33:07
Okay. If you cannot afford an attorney, one will be appointed for you before any questioning. If you wish you understand that.

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Ben Plank 06:38 PM / 33:15

Yes, sir. You got one hiding around here somewhere or

Det. Gregory 06:38 PM / 33:19

<laugh> not hiding. If you decide to answer questions without an attorney present, you still have the right to stop answering question time. You understand that?

Ben Plank 06:38 PM / 33:27

Ten four. Yeah. Oh man. I was my train of thought.

Det. Gregory 06:38 PM / 33:29

What you said you could obviously read and write. If you got associates, I'm gonna have you read this out loud to me. Okay.

Ben Plank 06:39 PM / 33:36

I read the statement of my rights and understand what my right are at this time. I'm willing to answer questions without an attorney present. I voluntarily knowingly and intelligently waive my rights intelligently. Geez, Louis. Well, see here's the deal, man. It doesn't matter what I signed. I still don't waive my rights. You know what I mean? I don't care what this thing says. I don't care what any paper says. You can't wave away your rights. So we have a fundamental issue here. If you ask me.

Det. Gregory 06:39 PM / 34:04

But you understand all that

Ben Plank 06:39 PM / 34:07

Mm-hmm. Yes sir. Absolutely.

Det. Gregory 06:39 PM / 34:07

So would you be willing to sign it?

Ben Plank 06:39 PM / 34:12

I mean, uh, like I'm saying I'm not gonna sign away my rights. It's just that simple.

Det. Gregory 06:39 PM / 34:16

But you agree,

Ben Plank 06:39 PM / 34:16

Even if I sign that it wouldn't, you, it doesn't matter. You can't give away your, you can't just sign away your rights.

Det. Gregory 06:39 PM / 34:22

I fully. Understand. How about this? Would you be willing to answer questions now without an attorney?

Ben Plank 06:39 PM / 34:26

Yeah. I'll answer you.

Det. Gregory 06:39 PM / 34:27

But you understood everything else.

Ben Plank 06:39 PM

Oh yeah, yeah, yeah. I did. Absolutely.

Det. Gregory 06:39 PM

So, uh, going back mm-hmm

Ben Plank 06:40 PM / 34:33

<affirmative> can, can you tell me if, if, if anyone, like, I think the one dude's dead. Well, that's why I'm talking to you. Right?

Det. Michael 06:40 PM

What makes you think he's dead?

Ben Plank 06:40PM

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I saw him laying there, dude. It was, it was, I mean it brutal, dude. It's fucking brutal. Like I don't, I don't want any of this shit. I really don't. I really don't. I mean like I like, honestly, like I've liked the cops for a long, long time. And then now we see all this stuff happening and like what they've done to me, there's no way I could trust them. And then on top of them not doing any, they've been over like two or three or times, like, why are they acting like it doesn't exist? You know what I'm saying? And then they're coming up, try kicking my door down. You know what I mean?

Det. Gregory 06:40 PM / 35:19
 Let's go back.

Ben Plank 06:40 PM / 35:20
 Excuse me. Okay. Sure.

Det. Gregory 06:40 PM / 35:21
 Okay. So what I understand is you're you locked your mom out into July.

Ben Plank 06:40 PM / 35:27
 I locked her out.

Det. Gregory 06:40 PM / 35:28
 Well, that's what I heard.

Ben Plank 06:41 PM / 35:31
 Eh, I mean like she, okay. Technically thank you, sir. (Det. Michael opens up Plank's water bottle for him" It's awesome. Uh, even though he is he's the, the mean one So, okay. It was the night before I locked her out. Right. Um, freaking I had wrote the no Ped o zone, whatever, if I'm not mistaken

Det. Gregory 06:41 PM / 35:59
 The night before

Ben Plank 6:41 PM / 36:01

I believe, yes. Maybe I'm mistaken. Maybe it was after. Fuck. Maybe I'll remember. Um, but I had called her out for doing what she's doing and uh, she gulp, big gulp dude. I mean, I caught her like it, you know, when people are lying, right. and at, oh, it was just gulp and asked her, how should I enforce the no Pedo zone

? She wouldn't tell me. So what I did, I unplugged the garage door deal. And then I locked the top bolt she came back after work and then, uh, tried to get in. And uh, I mean, she only tried to get in for like, I don't know, 10 or 15 minutes, like if you're really trying to get in and it's your house, like, wouldn't you try a little harder, you know what I'm saying? It's like the reason she didn't try so hard is cuz what wason the garage door, you know? Okay.

Det. Gregory
 6:42 PM / 37:02
 So that was so you did lock her out

Ben Plank
 6:42 PM / 37:05

Initially technically. Yes. But here's the thing I'm willing to talk to her. She just ran off and filed a VP of a VPO or whatever. Mm-hmm <affirmative> on some bullshit and then filed another thing where I owed her like three months rent or whatever I got, they fucking ran me over my motorcycle, the highway patrol,



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like the April 10th, nine, 10th. Somebody ran me over from behind on my motorcycle and I think it has something to all this shit. They never finished a collision report. Still. It's been, it's a, there's a conspiracy against me, dude.
Like I know there is. And may, maybe I earned it, but

Det. Gregory
6:43 PM / 37:42
Did you get an eviction notice?

Ben Plank
6:43 PM / 37:44
It was actually, uh, there was a few of them. Yeah, I think. Yeah. Yeah, I did. Um, I'm just wondering how they rushed it through the court so quick. Cuz it was like a seven day deal. That's pretty to me, that's pretty curious. Isn't it? That's quick for a court.

Det. Gregory
6:43 PM / 38:07
They do. They can go pretty fast,

Ben Plank
6:43 PM / 38:10
But she goes and lies to the judge, gets the F uh, gets the, I don't even know if she has the V... I guess she does have it. Cuz they served me the paper for VPO.

Det. Gregory
6:43 PM / 38:19
So you, you got served with the VPO

Ben Plank
6:43 PM / 38:21
Man. I've been getting served left and right. Like I'm freaking Gordon. Ramsey's stuck on my Fucking butt or something. Okay. Or in my pocket. Excuse me.

Det. Gregory
6:43 PM / 38:29
What? Uh, so then today knock at the door or how did you know the deputies were there?

Ben Plank
6:44 PM / 38:37
Well, I saw two police earlier. And uh, I was thinking that they were gonna try to get in or whatever and they didn't. And



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Det. Gregory

6:44 PM / 38:44

Then did they talk to you?

Ben Plank

6:44 PM / 38:46

No they didn't. And then, uh, and then the sheriffs came. Was it maybe like maybe 11 o'clock I can't. I can't remember. It's been a fucking crazy damn day dude.

Det. Gregory

6:44 PM / 39:00

So the first officers came knocked.

Ben Plank.

They did.

Det. Gregory

They left.

Ben Plank

6:44 PM / 39:03

Didn't knock. They didn't, they didn't knock as far as I know. No. Um, no they didn't, but my uncle David who's also, I'm gonna call him a pedophile as well. David Burnett. Um, he came over and got my Mom's tables or something out of the driveway. I had a two tab, two, three tables set up in the driveway with crosses. I was gonna give to whoever came up and try to talk him out of it.

Det. Gregory

6:44 PM / 39:26

And David came over and got 'em

Ben Plank

6:44 PM / 39:28

David came over and just jacked it. So. Okay. He's a thief I guess.

Det. Gregory

6:45 PM / 39:32

So you just giving away?

Ben Plank

6:45 PM / 39:34

Well, when he came up I was gonna have, I was, I was, I had him right there for him, like four crosses and I was gonna talk to him about Jesus and I did a little bit.

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Like on the maybe the, this will be the garage now. She's like, what, what does that say, guys?

You know what I'm saying? It's like, I know people follow orders, man. Right. But it's like, I'm telling y'all this shit. Why do you think I put that there? You, you know what I'm saying? I'm not saying they deserved to die or whatever. I didn't wanna shoot 'em I didn't wanna do it. They're kicking in my freaking door dude. I told the lady I feared for my life and I did a lot and I, I kept, I , I screamed. Stop, stop, stop, stop.

Det. Gregory

6:45 PM / 40:16

Let me, let me, let me back you up so I can better understand you.

Ben Plank

6:45 PM / 40:18

Sir. Yes, sir.

Det. Gregory

You're doing good. So the first officers came, didn't talk to you. They left and then the deputies show up.

Ben Plank

6:45 PM / 40:26

David came before the officers did.

Took the tables. It was about 10 o'clock ish. And then he took the tables with the crosses. And then he took off and then it wasn't even five minutes later, the two cops showed up. That's fucking service I called the cops. Uh, about a month ago, long story short lady needed help. I'll leave it at that. And uh, it was like, they were mad to even talk to me and didn't care. Never showed up.

Det. Gregory

6:46 PM / 41:02

But David was there 10 minutes later, cops show up.

Ben Plank 6:46 PM / 41:06

It was five minutes.

6:46 PM / 41:06

Okay. But then they left. You never talked with those officers. I

Ben Plank

6:46 PM / 41:09

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Never talked to them.

Det. Gregory
6:46 PM / 41:11
Mm-kay.

Ben Plank
Never

Det. Gregory
And they were with who? Those two cops.

Ben Plank
6:46 PM / 41:15
I, I just saw, uh, I saw, uh, SUV and I saw a, like a charger or whatever. Like,

Det. Gregory
6:46 PM / 41:22
Were they, uh, like a city OCPD cop?

Ben Plank
6:46 PM / 41:25
Yeah. It was black and whites.

Det. Gregory 06:46 PM
Okay. Okay. Then they left and then the deputies show up.

Ben Plank
6:47 PM / 41:32
Yeah. See, I, I thought it was over with right. And I, you know, basically just said, well, I guess we're gonna, you know, have a, have a good day. Right. Like, and uh, and then they showed up and knocked and I was talking, the sheriff said I was talking to him through the door and like, oh, this what I gonna say is like, the cops are like that, you know what's because did I say that? Cuz whatever you say to 'em, it doesn't matter. They're they're gonna get you. Right.

Det. Gregory
6:47 PM / 42:00
Like, and this is the deputies you're talking about now. Right?

Ben Plank

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6:47 PM / 42:02

The deputies. Yeah.

Det Gregory

6:47 PM / 42:03

So the, when they knock and you talk to 'em through the door, is that the front door?

Ben Plank

6:47 PM / 42:07

It was the front door.

Det. Gregory

6:47 PM / 42:08

Okay. And what are they saying?

Ben Plank

6:47 PM / 42:10

They're just trying to basically, uh, get me out of there and they're promising me all this stuff.

They are gonna help me and all this stuff. And I heard that it was

Det. Gregory

6:47 PM / 42:20

Tell, tell me, tell me more about what they were trying to say. I, I, I, I can't write that fast.

Ben Plank

6:47 PM / 42:26

I'm I'm not very good at like specifically remembering every little word or whatever, but they were basically just telling me that I, uh, that I needed to come out and I was trying to explain and I explained to 'em what I've explained to you and

Det. Gregory

6:48 PM / 42:38

Did they promised to help you. Did I?

Ben Plank

6:48 PM / 42:41

Yeah. Yeah. They're saying they're gonna help, but I had the same shit two weeks ago. They're like, oh, we're gonna help you. And I'm just talking to them and they never help me. They're like trying to, they threw me on my thumb.

Det. Gregory

6:48 PM / 42:50

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So they're trying to get you out. Did they talk about the eviction or all that? Or what did they,

Ben Plank

6:48 PM / 42:56

Yeah, I mean, uh, they showed me the court order and everything and uh, I'm telling 'em that like, I'm not worried. Just what I said with you. I'm not worried about the paper. I'm worried about the freaking no Pedo zone. You know what I'm saying? Why don't they freaking, uh, like I'm saying, like I told 'em give me well I asked em for an hour. They said they'd give me 30. But if they come in there, I, I'm not supposed to have guns, I guess on sorry. I'm yelling on some bullshit. My mom did. I'm fucked. Right?

They're trying, it's a conspiracy to totally fuck me.

Det. Gregory

6:48 PM / 43:27

So you're talking to both officers or just, or both deputies or just one Deputy.

Ben Plank

6:49 PM / 43:32

There was one with a mustache. I talked to you with a little bit, then the one without, um, I didn't really talk to him and the lady I talked to the most and she was trying to distract me while they were kicking in the door.

Det. Gregory

6:49 PM / 43:43

And that was a little later on.

Ben Plank

6:49 PM / 43:45

Yeah. It, it escalated pretty quick. I mean, I freaking, I told him, man, gimme an hour. Cuz I got a lot of stuff still. I told him I'd leave it. Wasn't good enough, man. It wasn't good enough.

Det. Gregory

6:49 PM / 43:56

So the lady's talking to you at the front door, still.

Ben Plank

6:49 PM / 43:59

Through the front door.

Det. Gregory

6:49 PM / 43:59

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You got this like a screen or how you got, how you talking?

Ben Plank

6:49 PM / 44:02

Just through the front door. There's like a little plexiglass window.

Det. Gregory 6:49 PM / 44:05

So the lady was talking to, she was that deputy as well. (Ben Plank -Mm-hmm <affirmative>) okay. And did, so then you heard the deputies in the back

Ben Plank

6:49 PM / 44:15

Right behind me. My right facing the door, talking to the lady through the door. Well, behind me to. My right is the patio door where they were kicking it in.

Det. Gregory

6:49 PM / 44:26

Okay. And then what did you do?

Ben Plank

6:49 PM / 44:28

I shot

Det. Gregory

6:49 PM / 44:30

With what gun?

Ben Plank

6:50 PM / 44:30

With an AR-15.

Det. Gregory

6:50 PM / 44:36

Did you shoot through the door or...

Ben Plank 6:50 PM / 44:38

Through the window? It's like a glass window

Ben Plank

6:50 PM / 44:40

Through the back window?

Ben Plank

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6:50 PM / 44:41

Yep.

Det. Gregory

6:50 PM / 44:43

How many times you shoot?

Ben Plank

6:50 PM / 44:46

Honestly, I don't even know. Like, uh, it all happened really quick. I freaking, I guess they shot back something and I slipped on glass and hit and hit my butt and I was trying to regain my footing.

It probably like I could, I could take a guess. It was like, it was, it happened quick. Like I didn't have much time to think because they're kicking my door down, dude.

Det. Gregory

6:50 PM / 45:14

So you shot through the window?

Ben Plank

6:50 PM / 45:16

Well, he's kicking the, he's kicking it in. They're kicking it in.

Det. Gregory

6:50 PM / 45:21

And then that's when you shot?

Ben Plank 06:50 PM

Yes.

Det. Gregory 06:50 PM

Okay. And then, so you shot both of 'em or one or could you,

Ben Plank

6:50 PM / 45:28

I think I shot the one.

Det. Gregory

6:50 PM / 45:30

What did he look like?

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Ben Plank

6:51 PM / 45:32

Um, he was the one without the mustache, the white gentleman and then the other, oh, it happened so quick, man. Like I was trying to defend myself, dude.

Det. Gregory

6:51 PM / 45:44

I'm listening to you. I'm trying to write this down.

Ben Plank

6:51 PM / 45:46

I'm sorry. Like I didn't want to do it like,

Det. Gregory

6:51 PM / 45:49

So you, you shot through the window

Ben Plank

6:51 PM / 45:53

As they were. They told me they were gonna kick it in and they started kicking it in and that's when I shot.

Det. Gregory

6:51 PM / 45:59

So they hadn't even actually kicked it in yet.

Ben Plank

6:51 PM / 46:02

Dude, they were kicking it in, I mean

Det. Gregory

6:51 PM / 46:03

It, oh you heard it?

Ben Plank

6:51 PM / 46:05

I mean, it was, they were kicking it in dude. I mean, what do you mean to say like right before they kick it in or like if you're kicking it in, they're kicking it in. You know what I mean.

Det. Gregory

6:51 PM / 46:15

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Well, you know, like a, a lot of doors, if you kicked I've kicked in doors before (Ben Plank -mm-hmm <affirmative>) so if you kicked it, it'd go right on open. So was it right before they kicked it or they, they,

Ben Plank

6:51 PM / 46:25

They were, they were kicking the glass, trying to break the glass and they were about to get through it if that's what you're looking for. Okay. They were right there. All right. I mean, you know, they told me we're kicking it in. It was, it was really close. It was, it was really close.

Det. Gregory

6:52 PM / 46:40

So when they, so you start shooting from that point

Ben Plank

6:52 PM / 46:42

Because all the, how did all the glass come inside? That's what I want to know because they kicked it in. I probably shot right when they kicked it in. Like,
All the glass came in and I slipped all over it. The glass wouldn't if you know, the glass would go out when I'm shooting out. Right,

Det. Gregory

6:52 PM / 46:58

Right. But they were returning fire. Right.

Ben Plank

6:52 PM / 47:03

Um, at that point, I don't know if they did at that point.

Det. Gregory

6:52 PM / 47:08

Okay. Did, after you got

Ben Plank

6:52 PM / 47:10

Up, I swear to God to interrupt you. I'm sorry. I feel like I got shot three times and it didn't even hurt me. And I know that sounds really crazy. I'm very well aware. I don't know. Like I, I feel like I got shot three times and it nothing, it didn't hurt me until they got me on the ground and ripped me up.

Det. Gregory

6:52 PM / 47:29

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So then you got up off the glass.

Ben Plank

6:53 PM / 47:33

So I got up, uh, God fucking damn, bro. Fuck.

I never wanted to do this man. Like, this is not my idea of, of having a, anywhere close of having a good time. So I shot the one guy. It was probably three or four or five times. I don't know. It was quick. And then I didn't, I don't think they returned fire at that point. Um, cuz they, they couldn't see me, but he was so I'm at the glass window in the back. The patio table is in between me and him and he is laying on the ground and he looked like he was dead. And so at this point I know the other ones are gonna try to kill me. So I'm trying to cover my ass and not get shot and freaking, uh, I went to the front door and I, I think I shot a couple at the lady and missed. I know it happened so freaking quick dude. And then I anyway, go ahead.

Det. Gregory

6:54 PM / 48:42

Well I, and maybe this will help you with my questions. So you picked yourself up off the glass. Did you go back over to an opening and shoot some more?

Ben Plank

6:54 PM / 48:53

Yeah, I did. It was, uh, under the, uh, it was in the tornado shelter. I sh

Det. Gregory

6:54 PM / 48:59

You got one in the garage

Ben Plank

6:54 PM / 49:01

At some point. I, uh, I thought I shot some through the front window. Maybe I didn't. Am I imagining something here? It happened really, really quick. Yeah. I went down, I, I think I took a couple shots at the lady and uh, I missed and then I got up, um, out of the storm shelter, freaking, uh, excuse me. Uh, I thought I shot a couple off the front window, but I maybe not, but uh, I opened the door and I know there's two other people trying to get me and I don't know.

She must have ran off or something. I don't know. I hope I didn't hit her. It was, I might have skipped one into her, but I don't think I hit her.

And uh, did I hit her?

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Det. Gregory
6:55 PM / 49:55
Uh, she's alive.

Ben Plank
6:55 PM / 49:57
Did I hit her though?

Det. Gregory
6:55 PM / 49:58
I have not talked to her. I don't

Ben Plank
6:55 PM / 50:00
You don't know if she is hit.

Det. Gregory
6:55 PM / 50:01
I don't know.

Ben Plank
6:55 PM / 50:03
I don't think I hit her. Thank God. Um, I think I barely missed. And then, uh, I come around the corner. There's a dude aiming right at me. I opened fire on him. I thought he freaking shot me. I swear, but I don't know. And I probably hit him two or three times. It happened. It just all this

Det. Gregory
6:55 PM / 50:26
Was that at the front?

Ben Plank
6:55 PM / 50:28
Yes I okay. I'm facing south. We'll call you south.

Det. Gregory
6:56 PM / 50:33
Okay.

Ben Plank
6:56 PM / 50:34
Run out the door, make a left. He's around the corner. Over here in the backyard.

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Det. Gregory
6:56 PM / 50:42
Okay.

Ben Plank
6:56 PM / 50:43
And uh, he's aiming right at me. I let her rip.

Det. Gregory
6:56 PM / 50:46
And that was in the backyard

Ben Plank
6:56 PM / 50:47
Or he was in the backyard right behind the gate. And I was, I actually shot the corner of the house maybe twice trying to not get fricking hit, but anyway. And then

Det. Gregory
6:56 PM / 51:00
Is this all with your, a AR?

Ben Plank
6:56 PM / 51:03
Yeah. With the, uh, with the yeah.

Det. Gregory
6:56 PM / 51:07
Double clip.

6:56 PM / 51:08
The black one. Yes. And see, my mom's been stealing my shit. Like she stole my other double mag and stuff. Like she's never fucking dude. Like she tries, she's trying to get me caught up on this. Like I said, she's a pedophile. Just trying to get me caught up on this bullshit. And they're working with cops and shit.

Det. Gregory
6:56 PM / 51:27
This right here.

Ben Plank
6:56 PM / 51:28

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They're working with cops guys. Y'all already know

Det. Gregory

6:57 PM / 51:31

This is your back door. We're over here, right?

Det. Gregory

6:57 PM / 51:34

(Drawing) Um, this is your garage. Okay.

Ben Plank

6:57 PM / 51:35

Maybe I should draw it.

Det. Gregory

6:57 PM / 51:37

Let's have you draw it.

Ben Plank

6:57 PM / 51:37

You fucked up.

Det. Gregory

6:57 PM / 51:38

<laugh> sorry. Yeah, I absolutely fucked up. How about you draw that?

Ben Plank

6:57 PM / 51:40

I fucked up too. So really bad. Um, I hope I didn't, but obviously that's okay.

Det. Gregory

6:57 PM / 51:47

Draw the...

Ben Plank

6:57 PM / 51:49

Just draw a square.

I don't think I can use my right arm. We'll just call. We'll do the square. Make it easy.

Det. Gregory

6:57 PM / 52:01

Okay.

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Ben Plank

6:57 PM / 52:06

So north that's the back door about right? Here's the back door. Are you maybe to just mark it off or

Det. Gregory

6:57 PM / 52:16

No, I I'm following you. Okay. And then

Ben Plank

6:57 PM / 52:18

The front door is about it's it? This is a rough, this is a rough draft.

Det. Gregory

6:57 PM / 52:24

Wait, this isn't the scale. <laugh>

Ben Plank 6:57 PM / 52:27

Front back.

I, I don't mean to laugh, man. This is not laughing shit, dude. I, I wanted nothing to do with this at all. Um, okay. What else you need?

Det. Gregory

6:58 PM / 52:37

Okay. Where did you, where can you put an X where the deputies were when you first shot right there,

Ben Plank

6:58 PM / 52:49

Kicking in the door. Like I said, they must have kicked it in now.

Det. Gregory

6:58 PM / 52:52

Where was you when you shot? How far was you in the living room? I don't,

Ben Plank

6:58 PM / 52:56

Yeah, I was in the living room.

Det. Gregory

How many?

Ben Plank

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I wasn't that far away.

Det. Gregory

6:58 PM / 52:58

So you were probably what?

Ben Plank

Not very far.

Det. Gregory

Would you say feet wide?

Ben Plank

6:58 PM / 53:03

Six, seven feet. It wasn't that far dude.

Det. Gregory

6:58 PM / 53:05

So six.

Ben Plank

6:58 PM / 53:06

I told 'em to stop, man. I, I dude, they're trying to fucking get me, dude. I know, I know a lot of this sounds a little crazy and, and I'll admit it right

Det. Gregory

6:58 PM / 53:15

Now. You shot the guy without the mustache. Is that right?

Ben Plank

6:58 PM / 53:19

He was the first one.

Det. Gregory

6:58 PM / 53:21

Okay. So then you, you fell, did you shoot

Ben Plank

6:58 PM / 53:25

Glass.

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Det. Gregory

6:58 PM / 53:26

Yeah. Did you shoot more out the back?

Ben Plank

6:58 PM / 53:28

I think I did.

Det. Gregory

6:58 PM / 53:30

So you picked yourself up?

Ben Plank

6:59 PM / 53:31

Yeah, I think I might have popped. I know I popped one off at least extra and I think I hit a, a chair.

Det. Gregory

6:59 PM / 53:38

Did you shoot him while he was on the ground?

Ben Plank

6:59 PM / 53:41

I don't know if I did or not. I probably did. I think I hit the, I think I just hit the chair though. I think I just hit the chair and it pinged off.

Det. Gregory

6:59 PM / 53:59

Okay. And

Ben Plank

6:59 PM / 53:59

I'm sorry guys. Fucking

Det. Gregory

6:59 PM / 54:01

So no more after that. And then you'd go to the front.

Ben Plank

6:59 PM / 54:06

My ribs broke too. Fuck. Uh, yeah. Um, maybe I see there's I thought I shot some at the front

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window and then ran into the garage, but I don't know if I shot any at the front window or not.

I'm I'm misremembering I, I think I did.

Det. Michael

06:59 PM

Are there any windows in the garage?

Ben Plank

No, just the, well, yeah, but, uh, it's kind of covered, but, uh,

Det. Michael

Could you have shot out of the garage window?

Ben Plank

I shot from basically under the door. About three,

Two or three shots.

Det. Gregory

Under the door of...

Ben Plank

The garage.

Det. Gregory

06:59 PM

So is that out, you got into the, um, tornado shelter (Plank mm-hmm <affirmative>) and shot was so how

Ben Plank

I shot at her.

Det. Gregory

So how open was the garage door?

Ben Plank

7:00 PM / 54:52

It was for my cat. Okay. About that much

Det. Gregory

7:00 PM / 54:55

Six inches or so.

Ben Plank 7:00 PM / 54:56

Fucking love that cat.

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Det. Michael

0700 PM

Did you ever shoot a pistol at all during any of this?

Ben Plank

Nope.

Det. Michael

Never.

Ben Plank

Nope. I, uh, I didn't even have that much ammo. Uh, yeah. I mean, I didn't even have that much ammo.

Det. Gregory

7:00 PM / 55:10

You remember shooting the cop cars?

Ben Plank

7:00 PM / 55:12

Oh yeah, I did. Yeah, I did. Absolutely.

Det. Gregory

7:00 PM / 55:14

Was that from the garage?

Ben Plank

7:00 PM / 55:16

It must. Yeah, it must have no, no, no, no, no. That was when I drove by. It was a drive by.

Det. Gregory

7:00 PM / 55:22

So you drove by and shot

Ben Plank

7:00 PM / 55:23

The cop cars? Yep.

Det. Gregory

7:00 PM / 55:24

Okay. And it haven't got to that part yet. So I was kind of shot through the front window. Then

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you go to the garage, you get into the shelter.

Ben Plank

7:01 PM / 55:33

It might have been the other way around, like I said, if there was bullets shot off the front window, which I think there was, but maybe there, can you tell me that it'll help me? Because if, if I, I think I might have maybe I thought about it and didn't do it and then ran in there. See what I'm saying?

Det. Gregory

7:01 PM / 55:51

Well, there's a windows busted out front. So

Ben Plank

7:01 PM / 55:53

On the front door?

Det. Gregory

7:01 PM / 55:55

Not the front door.

Ben Plank

7:01 PM / 55:56

Is it the garage side door?

Det. Gregory

7:01 PM / 55:57

The garage window.

Ben Plank

7:01 PM / 55:58

Yeah. You know, I think I did shoot from inside a couple times

Det. Gregory

7:01 PM / 56:04

Inside the garage.

Ben Plank

7:01 PM / 56:04

Yeah. At the cars. And then I shot at him again when I left.

Det. Gregory



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7:01 PM / 56:08

Okay.

Ben Plank

7:01 PM / 56:09

So then does that make sense? Yeah. To, y'all see, I'm trying, I'm not trying to

Bullshit you.

Det. Gregory

7:01 PM / 56:12

So you were, was you when you shot at the, uh, female officer, do you remember where you were? When?

Ben Plank

7:01 PM / 56:18

I was in the, the shelter I shot, I shot, I thought it was two or three shots at her.

Det. Gregory

7:01 PM / 56:24

Okay. After that you get outta the shelter and what do you do?

Ben Plank

7:01 PM / 56:28

Um, I'm trying to not get shot. I'm worried about getting fucking shot and uh, obviously I'm just waiting to get fucking shot basically, but I'm trying to get out of there. Just, just watching out as good as I can. I go back into the house and then, uh, I kind of peeked out the door.

Det. Gregory

7:02 PM / 56:53

Okay.

Ben Plank

7:02 PM / 56:53

See, some of the stuff is a little bit fuzzy.

Det. Gregory

7:02 PM / 56:54

Is this where the other officer it's around this point? That the other officer...

Ben Plank

7:02 PM / 56:59

See, she ran off. I missed her. I come back. Uh, I think I might have, I don't know if I pop,

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maybe I cop popped a couple out, out of the front, but I can't remember. I don't think I did for sure. But then I like grabbed my, oh, let me think. Cause uh, this happened, like I went in and out twice. So after I shot at her, I went out looking for the other guy and I peeked around the corner on the east side of the house square. Uh, you know, I already basically showed you. So

Det. Gregory
7:03 PM / 57:37
You come outside the south?
Yeah. That's south. Oh,

Ben Plank
7:03 PM / 57:42
(Mentions glasses). There you go. Yeah, come out. And then I go around he's right there.

Det. Gregory
7:03 PM / 57:46
So then you exchanging, gun fire?

Ben Plank
7:03 PM / 57:48
Yep. Yep. And then I run back inside and cuz I forgot my bag and I had to get my bag and then I'm looking for her to make sure she ain't gonna shoot me in the back. And then I just popped a couple the car cars when I y again,

Det. Gregory
7:03 PM / 58:01
I thought you chased him back around.

Ben Plank
7:03 PM / 58:03
Didn't chase him. I didn't chase him. I was barely around the corner. So you, he was aiming right at me, dude. Dead fucking red.

Det. Gregory 7:03 PM / 58:09
Where did you shoot him? Put an X. So I can,
Okay. Yeah. Put an X where you, you shot, you know, you shot him. You said you put two. (Ben draws. On the paper what asked.)

Ben Plank
7:03 PM / 58:17
Sorry. I can't see. Very good. Um, so the back gates right here at the house. Mm-



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hmm <affirmative> wait, wait, am I this east it's east. I'm sorry. Did I? Yeah. Did I say that?

Here's the gate he's about right here.

Det. Gregory

7:04 PM / 58:36

And about the length of the house, you shot him.

Ben Plank

07:04 PM

Pretty much. Unfortunately. Yes.

Det. Gregory

7:04 PM / 58:47

So you were shooting. Were you any shots right here? Exchanged when you come back or you just go?

Ben Plank

7:04 PM / 58:54

No. I, I ran back in and grab my bag and I threw it in the truck or I threw it in the boat

Det. Gregory

7:04 PM / 58:59

Before you shot him?

Ben Plank 7:04 PM / 59:01

No, he was after. Because I, I ran out to, to make sure he wasn't gonna sneak up on me and that's when we exchanged. And then, uh, I ran back in and grabbed my bag. I swear. He, I swear he hit me dude and it knocked me back. I swear. But that's crazy. I know.

Det. Gregory

7:04 PM / 59:20

And you put two or or three in him?

Ben Plank

7:04 PM / 59:24

That's what I think. Okay. It was, it happened really quick. I got knocked down again.

Det. Gregory

7:04 PM / 59:28

Then you went back in, got your bag. What's in the bag?

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Ben Plank

7:05 PM / 59:32

Uh, mags, ammo, PI, uh, probably three or four pistols. That's it's all. Uh, mine. They're all. Well
, they were all legit. The cops, like I said, they, uh, they've been setting this thing up, dude.
They're trying to fuck me.

Det. Gregory

7:05 PM / 59:46

What's this? What color bag is it?

Ben Plank

7:05 PM / 59:49

A red one.

Det. Gregory

7:05 PM / 59:50

Okay. And you tossed it where?

Ben Plank

7:05 PM / 59:54

I think it was the front of the boat, which I kind of, like I said, I, I didn't, uh, I was planning on
initially, like I was saying, freaking, I got crosses out there talking to 'em and shit. They didn't
show up. I was like, well, I guess I, if you know, they were gonna try to get me out. Like, you
know, maybe I, know, I, I was thinking about defending myself if they were trying to get me out,
but I was trying freaking, uh, just talk to 'em right and tell 'em what was going on. Th that was
the convers. That was basically, this whole thing is to start a conversation with people in
freaking places of power and shit that maybe can do something about all this shit. I mean, we
can act like it doesn't go on. They, like I said, the Sheriff's been over in my house two or three
times, the cops keep freaking come over. Like,
and it all started after I got ran over from behind on my motorcycle wreck, basically it's all just
been downhill for me from there. And uh, Geico committed insurance fraud against me. It's
bad, man. It, it, it's a giant conspiracy if you ask me. And I know that sounds crazy.

Det. Gregory

7:06 PM / 01:01:00

No, no, I'm just, I'm trying to follow along. Okay. And like I say, I'll be looking at her phone
and

Ben Plank

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7:06 PM / 01:01:04

I Jump. I'm sorry,

Det. Gregory

7:06 PM / 01:01:06

So after you get your bag, do you, do you shoot anymore once before you get in your truck?

Ben Plank

7:06 PM / 01:01:14

Nope. I hopped in.

Det. Gregory

7:06 PM / 01:01:16

And you said you shot at the car?

Ben Plank

7:06 PM / 01:01:18

The cars again? Yeah, I think did see I'm I think I shot them the first time. And then this, I know I shot them when I took off.

Det. Gregory

7:06 PM / 01:01:27

When you drove off and you went, you go east.

Ben Plank

7:07 PM / 01:01:30

I went west

Det. Gregory

7:07 PM / 01:01:32

West toward May.

Ben Plank

7:07 PM / 01:01:34

Yep. I got, I kind of did some circles and like I said, I didn't really know what to do, man. Like, you know, I didn't have any of the shit really fucking planned out, you know? I mean, I had a bag ready. That's about it.

Det. Gregory 7:07 PM / 01:01:49

Bag Ready. So you had that bag. Did you already put those magazine and ammo and everything like that?

Ben Plank

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7:07 PM / 01:01:54

Yeah, I basically put all my stuff in there. So, uh, I mean, it'd be freaking handy anyway. And uh,

Det. Gregory

7:07 PM / 01:01:59

You did that, that today?

Ben Plank

7:07 PM / 01:02:02

Uh, I wanted, yeah. Started doing it. Y uh, yesterday.

Det. Gregory

7:07 PM / 01:02:10

So you were expecting,

Ben Plank

7:07 PM / 01:02:12

I mean, like I said, I was gonna talk to him, dude. Like I said, the cops not even two weeks before freaking tortured me, basically threw me in the psych ward for no reason. Wouldn't tell me what was going on. Wouldn't let me out, jab me twice in my legs, dude. I feared for my life so much when they freaking, uh, cuffed me and like did all that shit to me and strapped me to a bed, had a broken rib.

They're strapping me to a bed. And by my back, I know they're not the same exact ones or whatever, but it's the same fucking shit different day. If you ask me, I'm trying to tell 'em what's going on. It's just like, they're trying to act like I'm fucking crazy.

Det. Gregory

7:08 PM / 01:02:54

When you drove off, you said you did some circles, obviously.

Ben Plank

Maybe not technically circles, but kind of drove

Det. Gregory

07:08 PM

Zigzag or something.

Ben Plank

7:08 PM / 01:03:05

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Yeah I didn't know what to do. Like I didn't plan all this out.

Det. Gregory

7:08 PM / 01:03:07

But you come across some officers who try to pull you over.

Ben Plank

7:08 PM / 01:03:13

Um.The first time I encountered them was over by like Walker

Maybe. Wait, see,Like I said, I didn't Plan this out. Like, I really didn't like,

Det. Gregory

Do you remember taking some shots at the officers that were on the highway?

Ben Plank

Yeah, I did.

Det. Gregory

Do you remember where you were?

Ben Plank

07:08 PM

I mean, I was on, it was 40.

Det. Gregory

On I 40

Ben Plank

mm-hmm <affirmative> did I hit him?

Det. Gregory

No.

Ben Plank

07:08 PM

I didn't. That's a fucking miracle. I thought I fucking hit him.

I thought I fucking hit him, dude. Fuck.

Det. Gregory

7:09 PM / 01:04:07

And that was the guy on the highway officer on the highway?

Ben Plank

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07:09 PM

Yeah, on the ramp going right into the side of his front door, then I went down maybe half a mile or a mile and a half and they fucking, I swear they fucking shot me, Dude. Like I swear they did!

Det. Gregory

7:09 PM / 01:04:27

So you remember shooting an officer's door?

Ben Plank

Yeah.

Det. Gregory

Where was that? Officer was...

7:10 PM / 01:04:33

See? I could have sworn that's where I got hit with the fucking bullet, but Call me fucking nuts, dude.

Det. Gregory

So was, where was the officer when you shot at him? Was he in back of you side?

Ben Plank

To the side.

Det. Gregory

Was he parked or was he traveling?

Ben Plank

He was parked. It was about this angle. Maybe like a, what was that like a 20 degree angle? I don't know.

Det. Gregory

So he shot with your AR?

Ben Plank

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Yep.

Det. Gregory

Is it the same? It was the same one. You used?

Ben Plank

Same. That was the only one I used.

Det. Gregory

The only gun you used was the AR

Ben Plank

mm-hmm <affirmative>. Yep.

Det. Gregory

Okay. What, uh, kind of AR is that one that you used?

Ben Plank

7:10 PM / 01:05:15

Uh, it's like a, a, it's like a military training rifle. I think

Det. Gregory

7:10 PM / 01:05:20

What's the brand of it?

Ben Plank

The brand. Fuck. It's been a while. I wanna say it's a Colt. If I'm not mistaken.

Det. Gregory

Is it the one you laid on the ground when you gave up?

Ben Plank

7:11 PM / 01:05:32

Yes. Yes. It's a Colt. Isn't it? Pretty sure I could be wrong. Fuck. I forgot.

Det. Gregory

How many times did you shoot at that officer?

Ben Plank

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7:11 PM / 01:05:41

The one on the side of the

Det. Gregory 7:11 PM / 01:05:42

Side of the road,

Ben Plank

7:11 PM / 01:05:43

Just once. And then they lit, they lit me up pretty good. A little further down the road. And that's when I thought I got hit my leg. I, I mean, something hit me for sure. But it just didn't make sense, uh, shooting. Like I thought I got hit three times. Like, it sounds crazy, but like the first time through the window, like you were saying, well, they were splashing glass back probably. Uh, I thought I got hit dude. And then went over, down the corner with the, the other guy. I thought I got hit. Like, I, I, I thought I got hit, like, it didn't hurt or nothing, but I'm like on my butt outta nowhere.

Det. Gregory

7:11 PM / 01:06:21

But you only remember shooting at an officer in a car the one time during the, we call it the chase.

Ben Plank

7:11 PM / 01:06:28

Uh, it was one, it was one time. I was really low on ammo. And then basically when he shot me in the leg, um, I was, I kind of had enough, uh, the shooting that tends to happen a lot, you know? Um, like I didn't even want to do it anyway. Like I'm saying, and there's fucking like a hundred cop cars behind me. It's just like, man, you know, I'm not, I really don't want to hurt anybody, but they're trying to fucking hurt me.

Det. Gregory

7:12 PM / 01:06:54

Why did you go to Tinker?

Ben Plank

7:12 PM / 01:06:57

That was the only thing I could think of. Like I said, I, I didn't, I really didn't plan this out. I mean, you know, I was ready to freaking talk to 'em. I did have some gas cans on the front or whatever. Like, you know, if it came to that or whatever, like I was prepared to defend myself

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and like, I'm trying to explain to them,

Det. Gregory

7:12 PM / 01:07:14

You had gas can where back up.

Ben Plank

7:12 PM / 01:07:17

I put like a, a cross in the middle of the driveway and then I put a do not pass sign and I had so me gas, a little, uh, gas. I put a little gas in cans. I was thinking if, if I didn't end up having to shoot, I would try to like, I wasn't trying to burn anything. I was trying to just at least make it cool. Cause I didn't want to do any of that shit. Right.

Det. Gregory

7:13 PM / 01:07:41

So you're thinking about shooting the gas?

Ben Plank

7:13 PM / 01:07:42

Pretty much. So I don't even know if it'll work. Like I figured if I'm gonna be shooting my gun, if I have to, I might as well shoot a can of like a little can of gas. Right?

Det. Gregory

7:13 PM / 01:07:53

Did you have anything, other things kind of planned out there around the house besides out in the Driveway besides the gas cans?

Ben Plank

7:13 PM / 01:07:58

I mean, I had some ladders. Yeah. Up just in case. If I had to, like I'm saying, dude, uh, somebody's gotta stand up to some fucking people. And I was hoping it was you guys,

Det. Gregory

7:13 PM / 01:08:08

But you were gonna go up the ladder?

Ben Plank

7:13 PM / 01:08:10

I was just prepared to defend myself. That's all. If I had to, like, it was literally, uh, uh, the day before I freaking, uh, put some ladders up, made sure they were good. Like, like I said, dude,

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they're not worried about what's on the garage. They're like, that doesn't make sense to me, dude. You know what I mean?

Det. Michael

7:13 PM / 01:08:28

Did you ever try to call and make a police report about that?

Ben Plank 7:14 PM / 01:08:31

They're the pedos bro. They don't do shit. Where's my evidence at, like I said, you gotta go talk to Adeline. She's the key in her phone. My mom, you know how mom told me? Uh, I mean she threatened my life. I don't, I don't know how many times she threatened her my life the day before.

Basically she kicked herself out. If you ask me, she threatened my life. I got people like, uh, hacking in on the fucking, uh, Xbox and shit. Dude told me they're gonna kill me and shit. And it's like, you're connected. It's connected.

Det. Gregory

07:14 PM

Why did you think it was necessary to kill the deputies?

Ben Plank

7:14 PM / 01:09:10

It wasn't, I didn't want to kill 'em

Det. Gregory

7:14 PM / 01:09:14

What did you think was gonna happen when you put bullets in them?

Ben Plank

7:14 PM / 01:09:15

Well, let me, let me ask you a question, sir. Is there any time to that ever justifies shooting?

Det. Gregory

Can be.

Ben Plank

Well, if they're not protecting the children, um, and they're out to get you and run you over and fucking basically steal all your shit. There's too. It's too long of a string of abuses basically.

And we could go

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through all of it. I probably can't even remember it. There's no way I can trust these

guys. I'm not trying to kill 'em. I'm trying to defend myself.

Det. Gregory

From what?

Ben Plank

From them. They're all dude. They're all working against me. My mom and her freaking, uh, pedophile brother. They calling the cops.

Two cops show up in five minutes. I call, they don't even fucking show up, but I, I say a freaking woman needs help, you know, I'm not saying that like, I want, I didn't want to freaking kill him. I wanted to defend myself.

Det. Michael

7:15 PM / 01:10:22

Can I ask you a question? About your speed. Um, how, how long, when, how long ago did you start using speed? Um, not just to day, but

Ben Plank

7:16 PM / 01:10:31

Honestly it's like an off and on kind of thing. Like I'm not even, I don't even have to have it. I just wanted to be ready in case something fucking happened. That's all.

Det. Michael

7:16 PM / 01:10:40

So that's why you took it this morning?

Ben Plank

7:16 PM / 01:10:42

Basically. Yeah, pretty much. Yeah.

Det. Michael

Cause what does it, what does it do for you? Just get you, get you more alert.

Ben Plank

7:16 PM / 01:10:48

Just kind of, yeah, pretty much. I mean it honestly, uh, it doesn't do as much as it probably should, to me just smoking it. Like I don't do any crazy needles or anything. Like I fucking hate

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needles, but uh, I mean, do y'all take, uh, what is it Adderall or anything? Like it's the same shit.

So I would like to get a prescription of Adderall to be honest, honest with you. Yeah. Um, it'd be way better than that.

Det. Michael

7:16 PM / 01:11:18

So, you know, but how, how so have you been taking it on and off for like years? A year, months?

Ben Plank

7:16 PM / 01:11:24

Uh, maybe like close to 10 years I think. Okay. Close. I'm trying to think. Is it that long? I'm trying to think.

See. Yeah. About nine years.

Det. Michael

7:17 PM / 01:11:51

Okay. Was it when you were driving?

Ben Plank

7:17 PM / 01:11:54

Um, sometimes.

Det. Michael

7:17 PM / 01:11:57

Okay.

Det. Michael

7:17 PM / 01:11:59

Um, do you think like the conspiracy thing where, where everybody's kind of out to get you and stuff has that, how long has that been going on? When did that start?

Ben Plank

7:17 PM / 01:12:09

Ever since they ran me over in my motorcycle.

Det. Michael

7:17 PM / 01:12:12

Okay. And that was in April, April 10th?

Ben Plank

7:17 PM / 01:12:14

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Yep. Okay. It's just too obvious.

Det. Michael

7:17 PM / 01:12:16

Who, who ran you over?

Ben Plank

7:17 PM / 01:12:19

I would love to know that myself it's

Det. Michael

7:17 PM / 01:12:20

So you got rear-ended on your motorcycle and they,

Ben Plank

7:17 PM / 01:12:22

They scam me. Geico is involved in a scam against me. Okay. If an insurance company is gonna scam you, dude.

Det. Michael

7:18 PM / 01:12:31

Okay.

Ben Plank

7:18 PM / 01:12:32

You know what I'm saying? Like I know it's crazy, but dude, what do you want me to think? What am I supposed to think? You know what I'm saying? Tell me what, tell me what to think. And they still, they steal my guns, lie on me of the incident. I told you, throw me in a freaking hospital. Won't tell me anything. Won't let me call my lawyer nothing. And you know, here, they're knocking on the door and I'm telling him like, check this shit out. Like why haven't y'all checked that out. You know what I mean? If I'm a fucking cop, right? Say I'm a cop for a day. I drive around, I see a no Pedo zone sign on the fucking door. I probably get a freaking investigate. Right. Is that not do not do that? Is it just me?

Det. Michael

7:18 PM / 01:13:21

Usually when people have something like that happen where they want to let the police know something's going on,

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Ben Plank

7:18 PM / 01:13:27

They call 'em and tell 'em right.

Det. Michael

A report.

Ben Plank

But they're involved though. That's the thing.

They're involved and the sheriffs. I'm sure they are too. Like I said, you know,

Det. Gregory

7:19 PM / 01:13:38

I'll be back.

Ben Plank

Is there any way I get a cigarette or uh, maybe, or find one or, oh, you know how things are anymore? We can't yeah. Get cigarettes. Oh shit. Yeah.

Det. Michael

7:19 PM / 01:13:49

If the, that takes you, wherever you go from here, uh, has cigarettes. They might, they

Ben Plank

7:19 PM / 01:13:55

Might what's up, man. Like, I didn't want to cause dude, every day's been getting like pretty much better and better and better for me. Like that's kind of what I wanted it, you know, wanted it to be and actually putting forth the effort and everything. And like, dude, my mom's a pedophile bro. Like, and they're basically trying to ruin my life. It's here. We are now like, just fuck, dude. Like I know how crazy this is, man. Like I hope y'all are good investigators. That's all it's deep.

Yeah. It's pretty deep.

Det. Michael

I said we've we've got her phone. So

Ben Plank

7:19 PM / 01:14:29



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Yeah. She's threatened to kill me. Like she's to my face before the, it was like the, when I put that Pedro sign up. Yeah. So like I'm saying it they're working with, I know apparently the police, they show up in five minutes, two cop cars in five minutes, dude, what are they doing? Waiting around the corner. You know what I'm saying?

Det. Michael

Sometimes you just get lucky in the car.

Ben Plank

7:20 PM / 01:14:49

I guess, I guess. But you add all the other stuff up together, man. I did not want to kill that guy, dude. I did. I don't wanna kill anybody. I want, I'd give you a freaking hug right now. Like I'm sorry. It came to this it's it is what it is like, fuck dude, I'm trying to tell 'em give me an hour. Gimme 30 minutes. They said they gimme 30 minutes, but I know they're full of shit. As soon as I step my foot out that fucking door biam, I'm not dumb. They're lying. And you know what they'll do when they arrest me shit like this. Yeah. Whether I did that or not what I did shit like maybe they wouldn't have gone so far. Right. They tried to gauge my fucking eye out, dude. This is what I'm talking about. Hey, they have every right to be angry. Right. I'd be angry too. But it's like, I tried to explain to 'em man, what are y'all doing? Go investigate that fucking shit. You know

Det. Michael

7:21 PM / 01:15:47

What, uh, let me ask you about your guns. That (mm-hmm <affirmative> Plank) the bag of guns. Is that all the guns that were in your safe?

Ben Plank

7:21 PM / 01:15:54

There's a 22 in there still? Uh it's actually my niece Adeline's uh, cuz her mom is a pedophile and doesn't want her to have it. I guess it was a gift I gave to her a long time ago and taught her how to shoot and everything.

Det. Michael

7:21 PM / 01:16:06

Okay. So just a 22 left in the safe was the safe unlocked.

Ben Plank

7:21 PM / 01:16:10

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Yep. It was wide open. Okay. So they're gonna steal. They're gonna steal all my shit. I know

They are no, they already stole my guns.

Det. Michael

7:21 PM / 01:16:17

We don't steal 'em they'll go in the property room.

Ben Plank

7:21 PM / 01:16:20

Well or will they that's the question?

Det. Michael

7:21 PM / 01:16:22

No, they will.

Ben Plank

7:21 PM / 01:16:24

I doubt it.

Det. Michael

7:21 PM / 01:16:25

They will.

Ben Plank

7:21 PM / 01:16:27

Will these guns, I'm talking about the other guns,

Det. Michael

7:21 PM / 01:16:29

The guns in the safe,

Ben Plank

7:22 PM / 01:16:31

The guns. The cops stole

Det. Michael 7:22 PM / 01:16:32

In the bag. What are you talking about?

Ben Plank

7:22 PM / 01:16:33

Okay. See, there's a lot to this man. Um, the cop stole my guns and threw me in the

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psych ward and wouldn't tell me what I was in there for and all that. That's when they stole a 4043, uh, model Smith and Wesson, they stole a uh, 3 0 3 British. They stole a eight millimeter Hugo Mouser and then they stole my shotgun. I think it's a 435 Mossberg. Why the fuck are they taking my shit? And then throwing me in the, the psych ward. Won't tell me what the fuck won't let me call a lawyer.

Det. Michael

7:22 PM / 01:17:03

Who? Uh, who threw you in there? What agency was it?

Ben Plank

7:22 PM / 01:17:05

The police city. Police? Yeah. OKCPD yep.

Det. Michael

7:22 PM / 01:17:07

Okay. I can find out where those guns are.

Ben Plank

7:22 PM / 01:17:08

Dude. Please, please. But it might not matter now. You know what I'm saying?

Det. Michael

Like, well, if they put

you in, in say in Southwest, you said, then there's gonna be a report on it.

Ben Plank

So dude, they were lying like about what happened like a bunch of times. Yeah. And then like they just kept trying to make shit up. I was sitting there listening to him the whole time. Well, they had me freaking strapped all weird to the freaking uh, bed, you know? So

Det. Gregory

7:23 PM / 01:17:37

You, you kept saying you were, you've said it a few times and you were sorry.

Ben Plank

7:23 PM / 01:17:41

Yeah. I'm sorry that I had to do what I had to do.

Det. Gregory

7:23 PM / 01:17:44

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You're not sorry that

Ben Plank

7:23 PM / 01:17:46

Am I supposed to let them kick it in and arrest me or okay. You tell me what I should have done. I'm not saying I absolutely had to do that, but I was fearing for my life. I feared for my life . I told the lady give me an hour. They said they gave me 30 minutes and they wouldn't have, but

Det. Gregory

7:23 PM / 01:18:04

What would you have done in an hour?

Ben Plank

7:23 PM / 01:18:06

Got my shit out and got the fuck out. I would've left. I was trying to leave,

Det. Gregory

7:23 PM / 01:18:12

But this is the option that you chose?

Ben Plank

7:23 PM / 01:18:17

They wouldn't let me leave, dude. They were trying to kick in the door. They weren't gonna let me leave. They, they can say whatever they want. They weren't gonna, they weren't gonna let me leave. They were gonna arrest me, dude. I'm not stupid.

Det. Gregory

7:23 PM / 01:18:26

So you just didn't want be arrested?

7:23 PM / 01:18:28

No, I feared for my life because last time I got arrested, they threw me on my broke. Look, take look It's a little different this time. Take a look. This is why I don't wanna get arrested. Take a look.

(Ben was showing his arm.)

Det. Gregory

7:24 PM / 01:18:45

I'm not seeing the life part.

Ben Plank

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7:24 PM / 01:18:47

What do you mean?

Det. Gregory

7:24 PM / 01:18:48

You said you were feared for your life. Yeah, but you pointed to your thumb?

Ben Plank

7:24 PM / 01:18:52

Because the cops do shit like this and they set me up. Yeah. I feared for my life. Absolutely. I sure did. I sure do.

Det. Gregory

7:24 PM / 01:18:58

Have you ever had swabs taken

Ben Plank

7:24 PM / 01:19:01

Swabs of what?

Det. Gregory

7:24 PM / 01:19:02

Just DNA swabs.

Ben Plank

7:24 PM / 01:19:03

I'm sure I have. Do you need some?

Det. Gregory

7:24 PM / 01:19:05

Yes please.

Ben Plank

7:24 PM / 01:19:06

All you don't need a glove, do you?

Det. Gregory

7:24 PM / 01:19:09

Oh yeah.

Ben Plank

7:24 PM / 01:19:10

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Are you gonna swab it?

Det. Gregory
7:24 PM / 01:19:11
Yeah, I swab it.

Ben Plank
7:24 PM / 01:19:16
Am I a doctor? Are you?

Det. Gregory
7:24 PM / 01:19:19
I played one doctor.

Ben Plank
7:24 PM / 01:19:20
I just love how that like that's like the first question. Every time is like, oh you're not a doctor or whatever. You know? It's like you, ain't gotta be a doctor to figure this shit out. Kidding me.

Det. Gregory
7:25 PM / 01:19:30
All right. This is a, this is a warrant for your, for that. I get you a copy of it or whatever.
Its just saying that we can get your spit, your saliva.

Ben Plank
7:25 PM / 01:19:56
I didn't want to do this guys. Like I'm saying there's only so much. You can fucking take dude.
And I'm trying to explain to him, like try to explain something to a fucking cop. Good luck. You know what I mean? I mean like, this is what they do. This is what they fucking do, dude.
Everybody knows that everyone's been seeing this shit

Ben Plank
7:25 PM / 01:20:16
Were you gonna do it? Where.

Det. Gregory
7:25 PM / 01:20:17
No, your mouth. Now. This ain like a card test or anything. No, those, those are some booger. You got it.

Ben Plank
7:25 PM / 01:20:27
Like I said, I did not want to hurt, dude. I love everybody. Believe it or not. These fuckers.

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They're trying to get me, bro. What do you want me to do? So if someone runs you over in your motorcycle, like I said in the, in the same situation, dude, I mean, how much, how much can you put up with? And they're kicking my door down. I guess I told 'em give me gimme an hour. I'll be outta here, come back.

I'll be gone. I promise. Nope, Nope. They said 30 minutes. They said 30 minutes and we're not leaving. And I said, well, I'm not like no deal. Like he said, I gotta get guns outta my safe and you know, shit. Like my mom already fucked me on some fucking bullshit. They're gonna get me either way, dude. And then it is shit like this that they do to me. Like I said, that's why, I'm sorry. I didn't want do any of this. I didn't really plan on having to shoot anybody. But I was prepared if I, if I had to,

(Det. Gregory took four DNA Buccal Swabs from Plank's person. There were later submitted to OCPD serology for comparison to evidence.)

Det. Gregory 7:27 PM / 01:21:37

You said you, you was wasn't planning, but you got stuff kind of ready. You said you got your bag ready? Right. Ladder back. Right in the ladder and the gas thing. What else did you have besides like gas ready to go?

Ben Plank

7:27 PM / 01:21:53

Um, I mean, like I said, I don't even think it would've lit on fire. To be honest with you. Even if I tried, I, I was just thinking, thinking some goofy shit, man. I had a, had a tic tac toe set up.

Det. Gregory 7:27 PM / 01:22:06

I saw that. What, what was that about?

Ben Plank 7:27 PM / 01:22:08

I was cleaning the garage and I just put it out there. And that was it.

Det. Gregory 7:27 PM / 01:22:13

Nothing booby trapped on it or anything? Just a tic-tac toe.

Ben Plank 7:27 PM / 01:22:17

That's it tic-tac throw. Technically.

Det. Michael 7:27 PM / 01:22:19

What about the garage door?

Ben Plank 7:27 PM / 01:22:21



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What about it?

Det. Michael 7:27 PM / 01:22:22

Was that part of the setup? Getting ready, getting ready? The crack in the garage door?

Ben Plank 7:27 PM / 01:22:25 My cat goes out that door all the time.

Det. Michael

Correct.

Ben Plank

So she needs actually, uh, cut a hole in the, uh, inside door so she can jump through (mm-hmm <affirmative>Det. Michael) and go, you know, go whenever she pleases

Det. Gregory 7:28 PM / 01:22:39

Tornado shelter, the door was already open. When did you open that door? Was that today or when did you have that open?

Ben Plank 7:28 PM / 01:22:47

I go down there and I, uh, I smoke, uh, in there sometimes and uh, sing music and stuff has really good acoustic.

7:28 PM / 01:22:55

Okay.

Ben Plank 7:28 PM / 01:22:56

So it's open a lot basically unless I'm in there moving around. I mean, uh, yeah, I like, uh, freaking had to oil it and it doesn't like to stay closed anyway. It's kind of, the latch is a little bit messed up, but uh, yeah, it's open a lot. I go down there quite a bit, actually. It's been pretty cool the last couple days, so makes it a little easier to get down there. But I mean

Det. Michael

7:28 PM / 01:23:24

Is that, is that something that you had occurred to you that you could use had?

If a situation, come up. Okay.

Ben Plank

If I had to. If I had to.

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Det. Michael

7:29 PM / 01:23:32

So its something you had thought of before that would be a good spot to be in, uh, a good advantage point for you?

Ben Plank 7:29 PM / 01:23:38

Yeah. I mean, uh, yeah, I mean, I guess, right. Like if I wanted to shoot 'em I would've been waiting there the whole time. Right. They're trying to kick my fucking door and dude, they did. I know it. Isn't it freaking, uh, yeah, it's a great spot. Uh, like I said, I didn't want to have to use it if I wanted to kill 'em I would've been waiting right there. It just done, done away with it. Right.

Det. Gregory 7:29 PM / 01:24:10

Do you ever think about, uh, have you ever thought about killing somebody before?

Ben Plank 7:29 PM / 01:24:17

No, not at all. Thought about ripping. Uh, Jamie, my, uh, I guess he's a, brother-in-law his beard off that's about it. Cause he is a pedophile fucking my niece.

Det. Gregory 7:30 PM / 01:24:38

So again, you're just, you're sorry that you felt like you had to do this.

Ben Plank 7:30 PM / 01:24:45

I'm sorry. Yeah. I mean you can put it that way if you want. I mean, yeah. Like, uh, once they kicked the door in dude, like I basically shot as they were kicking, as they kicked the door in, like it was lickitysplit, dude. They're coming in. Like I'm telling 'em stop. Like, look, give me, gimme some time.

I'll get the fuck outta here. Come back. I won't be here.

Det. Michael 7:30 PM / 01:25:03

You were talking to them through the door. They explained why they were there though. Yeah. Okay. And that they had eviction papers.

Ben Plank 7:30 PM / 01:25:08

Right. And I was explaining to them what I was trying to explain how there's a lot more important shit to than fucking with me. And that's what all this is is fuck with me. My mom, she started all this whole shit, like I said, but it's a little fucking deal club. I guess

Det. Michael 7:30 PM / 01:25:24

You did lock your mom out of the house though. And it's her house, correct?

Ben Plank 7:30 PM / 01:25:27

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Oh, okay. Well, okay. So I locked her out, like unplugging the freaking garage door and locking a top bolt. That's what I did,

Det. Michael 7:31 PM / 01:25:40

But she's not like strong enough to go kick the door in or anything. She's she's older lady. She's not the best shape.

Ben Plank 7:31 PM / 01:25:46

Right.

Det. Michael 7:31 PM / 01:25:47

So she's not gonna come kick her own door in.

Ben Plank 7:31 PM / 01:25:49

And she tried, she tried to come in one time, one time. But for about 20 minutes, one time.

Det. Michael 7:31 PM / 01:25:57

Could have called if you wanted her back and, and like you said, this is her house, right?

You could.

Ben Plank 7:31 PM / 01:26:02

It's not about her house. It's about the kids, bro. Its about the kids.

Det. Michael 7:31 PM / 01:26:05

Could have called back and said, mom, just come home. I'm just, I'm just trying to teach you a lesson or let's talk about this Pedo.

Ben Plank 7:31 PM / 01:26:10

No, she threatened my life. That's why I did what I did. She threatened my life.

Det. Gregory 7:31 PM / 01:26:15

Did the officers ever threaten your life?

Ben Plank 7:31 PM / 01:26:22

I mean, uh, I, I would say yes because like I said, I feared for my life when they're kicking my door down.

Det. Gregory 7:31 PM / 01:26:29

I'm saying, did they verbally say we're gonna kill you?

Ben Plank 7:32 PM / 01:26:32

No, no, no. Oh no. They're just lying. Trying to get me to do what they want me to do basically.

Not ever do anything that ask of them. Like they always do. Like I'm saying man, talking to my mom, it's like, I called her out on all this shit. She's got nothing to fucking say. You know what I

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mean?

Det. Gregory 7:32 PM / 01:26:52

Do you realize what you did was wrong?

Ben Plank 7:32 PM / 01:26:57

It's like, dude, I'm not gonna say it was wrong. I'm not gonna say it was completely wrong. I feel bad for having to do it. But like I said, they kicked my door in, dude. What do you want me to do? I told 'em man, like gimme an hour. I'll be outta here. Everything's fine. Like, cause I didn't, like I said, if I planned on, I would've been sitting down there.

Det. Michael 7:32 PM / 01:27:21

If they told you they had a court order signed by a judge, you removed from your mom's house?

Ben Plank 7:32 PM / 01:27:27

Yes. Yes.

Det. Michael 7:32 PM / 01:27:29

Okay. So they weren't just there kicking

Ben Plank 7:33 PM / 01:27:31

No, not will. And my mom called not willy nilly dude. Okay. Well, like I said, the reason they're there is a bullshit reason to begin with. They backdated their paperwork and the court system.

Somehow she, she didn't give me proper notice to kick me out. Anyway, you don't give

someone seven days notice and kick 'em out. How, how do you do that? Or how do you get that pushed in seven days. And then it's like a few days after that you're out. That doesn't make

sense. There's some fucking Shenan ganary

going on, dude. And it's all started with my mom being a fucking pedophile. Excuse my

language. Sorry

Det. Gregory 7:33 PM / 01:28:12

Okay. Uh, we got somebody coming over, uh, gonna take some pictures of, you know, all that.

Ben Plank 7:33 PM / 01:28:19

So, oh see. So you don't want to know that part of the story, do you or it doesn't matter.

Det. Gregory 7:33 PM / 01:28:23

What part of the story?

Ben Plank 7:33 PM / 01:28:24

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This, this (Ben points to his arm.)

Det. Michael 7:33 PM / 01:28:27

That's probably a different department. Do you tell us about it if you want?

Ben Plank 7:33 PM / 01:28:30

Fair enough. I'm sorry guys. I'm sorry that I had to do what I had to do. I mean like a, they were gonna arrest me no matter what, dude, they're gonna arrest me no matter what

Det. Gregory 7:34 PM / 01:28:42

Did they say they were gonna arrest you.

Ben Plank 7:34 PM / 01:28:43

They're fucking liars, dude. They, they lie. That's all they do is fucking lie, dude.

Det. Gregory 7:34 PM / 01:28:48

But did they say they were gonna arrest you?

Ben Plank 7:34 PM / 01:28:49

No, but I knew that they were, especially if I had guns that were basically getting taken away from me illegally anyway, on some bullshit fucking shit. My mom did. I was gonna go to jail, dude. I told them, gimme an hour.

Det. Michael

You also said, give me an hour and I'll leave. What were you gonna do? If they had let you leave?

Ben Plank

Just start chunking shit in my boat and get the fuck out. That was it. Get what I could like I can't get everything anyway. Like my motorcycle, wreck's still there. Like I said, man, they, these fuckers ruin my fucking life. Dude. These pedophile motherfuckers ruin my fucking life. That's what it is. You know, they're working with the cops. They're working with the sheriffs. I'm sure. Call me fucking crazy. Y'all figure it out.

Det. Gregory

This is your copy here. (Warrant given for swabs.)

Ben Plank

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All right. Take it easy guys.

Det. Michael

All right. We'll see in a little bit,

like I said, we're gonna have somebody take some pictures of, okay.

(Detectives both leave the room).

Ben Plank – (Now alone in room.)

It's fucked up. Yeah. It's fucked up. So I was trying to freaking bargain with, with them or whatever. Like, you know, let me get my stuff. Gimme an hour. And I'll be outta here. Nope.

Like go 30 minutes. And like, Why are you kicking the fucking door down? They were gonna arrest me no matter what, dude. I'm not fucking retarded. What's so fucking giant conspiracy dude. They run me over my motorcycle. Don't do a collision report. That's fucking weird. Well, I'm supposed to trust you guys when you say, oh well

We're not gonna arrest you, dude. That's all they do is fucking lie. Tell me I'm wrong. My

experience throwing me on my fucking broken thumb. The first time break up, snap, my arm in fucking half. This is what I'm talking about, dude. This is exactly what the fuck I'm talking about. It's a little different this time. That dude,

7:36 PM / 01:31:25

Fuck,

7:36 PM / 01:31:27

They were gonna fuck me dude. And I'm fucked. Anyway, like I said,

7:37 PM / 01:31:34

Fuck

7:37 PM / 01:31:35

This fucking world's so fucking gay dude. Dude, who serves paperwork work? It was, I had three days to get out, dude. How do you rush that shit in so quick? They gimme three days to get out what the

fuck dude. She can go lie and do whatever she wants with her paperwork and the courts and fucking lawyer, whatever she go lie and no big deal, dude. No big deal. If I'm a cop and I'm serving a fucking

like I, they can't put fucking shit together, dude, you gotta be kidding me. They don't want to that's that's the fucking problem. They don't fucking want to wonder why I didn't want to have

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to do it, man.

Like they know damn well. They fucking know damn. Well dude, you walk past that fucking sign. You don't even fucking, they know, damn well, what the fuck was going on?

7:38 PM / 01:33:12

Fucking

7:38 PM / 01:33:12

Joke. This is a fucking joke, dude. This is why nobody stands up to anybody. You're not allowed to. They fucking kick your door and try to fucking do whatever they're gonna do. You know, like I told'em give me an hour, dude. I would just start grabbing everything and throw it out. So like y'all the ones escalating fucking everything like beyond anything that's reasonable Y'all are a fucking unreasonable as fuck. Why? Well, huh? I wonder. Hmm. Hmm. Ignore the no pedo sign. Fucking God, dude, you guys are a fucking joke, bro. Like

7:40 PM / 01:34:34

Fucking God,

7:40 PM / 01:34:37

Whatever dude, whatever

7:40 PM / 01:34:40

Fucking, whatever

7:40 PM / 01:34:47

I didn't want to do. I didn't want to have to do what I did. I've never been to court in my freaking life. And then I get ran over on my motorcycle scammed by the insurance company. Just fucking like this whole thing is a fucking damn conspiracy dude. I'm not stupid. You need to check her actual talking phone records where she I'm sure that wouldn't be that hard. I didn't steal her house from her dude. It's not about the house she tried to get in for like 20 minutes. One day, that was it. And she ran. She ran and fucking fought all this shit on me and lied Tony man, these fuckers do whatever they want. And nobody fucking even tries to, to stop them. She looked the other way. They know what the fuck I'm talking about. No, I would've rather took the dude out in my boat, but he's kicking my fucking door in, dude. They weren't gonna let me leave. You can say that they were dude, they weren't

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gonna let me fucking leave. They weren't look what they did. Look what they, this is why this is

why like you're

telling me to trust him. Right? You trust this shit. I don't

Ben Plank Continues Alone in Room. 7:42 PM / 01:37:05

Anybody trust this. Kick my fucking door in, dude. Give me a dude, go take a lunch break and come back. I'll be fucking, I was gonna be fucking gone, dude. They always fucking escalate and force this the shit dude. It's them. They're the ones forcing this shit because they won't do the right thing. And then they fucking lie about what happens every fucking time. Try to gouge my eye out. That that's fucking fancy. Isn't it they're dirty fucking dirty dude. And that was like quit resisting while they're fucking keeping, dude, they train on how to fucking make it look like you're resisting dude.

7:43 PM / 01:38:16

Jesus Christ.

7:44 PM / 01:38:38

I'm always the bad guy. No matter what I do. And now I guess I am the bad guy. Huh? Dude. They're ruining people's fucking lives. They're ruining our, like your kids' lives and shit. Tell me where I'm wrong because you're one of them like I'm wrong? Cuz y'all are one of them. Huh? Well, everyone else

isn't and everyone else sees exactly what the fuck is going on. So now they were gonna arrest me.

Like I said, my mom fucking, uh, threw some shit up to court, the VPO and all that shit, dude, this is a giant fucking set up guys. Well, here we are set up, dude. What kind of fucking cop ignores a fucking like no Pedozone sign. And doesn't even ask a question. You already know what's going on. Like how much are we supposed to put up with? It's like, we're always bad. No matter what. And they're always like God's they can do whatever they want. Lie. Steal your guns, cheat and steal. Dude.

7:46 PM / 01:41:09

My God, bro.

Lt. Mike Brenton 7:46 PM / 01:41:16

Hey, this is our CSI. So you gonna photograph you, go ahead and stand up for me.

Is the break on the upper part of your arm or the lower part?

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Ben Plank

Dude. They, they fucking snapped it in half. This is what they do when they get ahold of me.

Lt. Mike Brenton

When you got arrested, at Tinker.

Ben Plank

Yeah. I mean, uh, before, uh, I could go on, dude. They've been struggling with me. So bro, it's a fucking, my mom. I'm telling you it's a fucking conspiracy going on against me, dude.

Anyway, go ahead. What, what do I need to do?

CSI Jenna Pickle 7:47 PM / 01:41:57

I'll just have you look straight at me okay?

Ben Plank 7:47 PM / 01:41:57

Okay. I got rear ended uh, April 10th and uh, Geico scammed me and the collision report still. Isn't done. It's been over five months. There's some shit going on against me, bro.

Lt. Brenton

What agency took that report?

Ben Plank

I'm sorry.

Lt. Brenton

What agency took that report look straight at for me?

Ben Plank

Sorry. It would be the highway patrol. They charged me with reckless, even though I got rear ended from behind off my bike and this is all tied together is what I'm getting at. Oh yeah, it's gotta be in. I wrote no Pedo zone on my mom's garage and then the next day, uh, she just quit.

Whatever. Okay. She quit trying to get in. Like she didn't even try that hard, you know?

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CSI Pickle 7:48 PM / 01:42:49
Can you put your left arm down?

7:48 PM / 01:42:52
Trying to hold his pants that fall down?

Lt. Brenton
7:48 PM / 01:42:56
Just hold it tie at your side. So your pants don't fall down. There you go.

Ben Plank 7:48 PM / 01:43:03
And she threatened my life. That's right. It was, she threatened my life the day after I put that sign up.

CSI Pickle 7:48 PM / 01:43:13
Okay. Have you face the wall?

Ben Plank 7:48 PM / 01:43:21
She literally threatened my life right to my face. And then she filed this paperwork to evict me.

CSI Pickle 7:49 PM / 01:43:30
Other side. (Taking Pictures)

Ben Plank 7:49 PM / 01:43:32
She knows. Damn well. Like I want you for the freaking collision report, right? She's out to get me for sure. And apparently there's people working with them, uh, that are Leo's (?).

CSI Pickle 7:49 PM / 01:43:51
Okay. Have you face me? Can you put your left hand out or your pants may fall down. There you go. I'll just have you put it just straight out like this.

Ben Plank 7:49 PM / 01:44:02
See my arm feels like it's up here, but it's right there.

CSI Pickle 7:49 PM / 01:44:04
You put it flat out. There you go. Nope. Leave it. Leave it just like that.

Ben Plank 7:49 PM / 01:44:11
It's a lot of pictures.

CSI Pickle 7:49 PM / 01:44:16
Okay. Like this. Okay. Like this. Okay. I'm gonna try to do the same thing with this hand as

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much as I can. So can you kind of, can you face it at all? Okay. That's okay.

Det. Gregory 7:50 PM / 01:44:41
Hey Jenna.

CSI Pickle 7:50 PM / 01:44:42
Hey,

Det. Gregory 7:50 PM / 01:44:47
Think back and we've got some pistol casings in the garage. You sure you did shoot a pistol? Mm-hmm <affirmative>

Ben Plank 7:50 PM / 01:45:00
Did I? Maybe I shot it. If the front window's out. Maybe that's what I
used, but

Det. Gregory
So it's possible you used a pistol?

Ben Plank
I think I did. Yeah. I think I did dude. Everything happened. So F they're fine done with the
pictures thing happened. So freaking quick, dude.

CSI Pickle 7:50 PM / 01:45:19
Can you turn your right hand out at all?

7:50 PM / 01:45:23
Can you lift it away from your body at all? Nothing. Okay.

Ben Plank 7:50 PM / 01:45:27
I, I don't know if you can hear it crack. Well, this is why I didn't want them to get their hands on me. Look, proof's in the fucking pu
dding, right?

CSI Pickle 7:51 PM / 01:45:37
Alrighty. I'm gonna go grab some

Ben Plank 7:51 PM / 01:45:39
Dude. They freaking use compliance tech techniques or whatever to freaking like, fuck you up right in front of the camera. Like th
ey're like, oh, quit, resisting. Fucking, almost killed me and blew my heart out

Det. Gregory
Ben, I just wanna make sure. So you think you did use a pistol?

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Ben Plank

Yeah, I did. I'm pretty sure. At one point I did.

Det. Gregory

How many times you think he shot? Cause we're finding in the garage is the deal.

Lt. Brenton

I, was it at some other time you used the pistol shooting when nobody was there?

Ben Plank

No. No, I, I don't do that. I, I, I'm very careful with my guns. Believe it or not. And uh, pretty safe with them. I mean, uh, where did, where did you find the pistol? Can you tell me that?

Det. Gregory

Well, there was a Glock on top of fridge. Okay.

Ben Plank 7:51 PM / 01:46:22

Uh, it was a freezer, but uh. That makes sense. I don't know why I would've.

Det. Gregory

Is it, did you shoot?

Ben Plank

Was it fully loaded? Because see, I don't, I don't put, uh, I don't fill my mags all the way up.

Det. Gregory

Well, that's gonna be hard for us to tell. Yeah. Um, but you don't load 'em all away.

Ben Plank

Well, you can tell by the bullets that I have in there and then the casing. Right.

Det. Gregory

Well, I mean, if you think you shot in there, do you think you used that Glock? You said you had some, had some pistols.



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Ben Plank

I don't think I did. I don't think I did. I don't know why pistol rounds would be there. I don't think I'm trying to remember if I ever even used the pistol. I don't think I did. I'm trying to remember when I would've.

Det. Gregory

So maybe, maybe not.

Ben Plank

I don't think so. Okay. I don't think I did. I don't think I did.

CSI Pickle 7:52 PM / 01:47:15

Okay. I'm gonna have you stand back up against the wall. Okay. I'll have you just look at me.

I'm gonna start. I'm gonna photograph your injury. So I'm gonna go from your face down.

Okay.

I'm just gonna hold this up against your face,

Ben Plank 7:53 PM / 01:47:35

Man. Y'all get some freaking pictures. Don't you? Yeah,

CSI Pickle

7:53 PM / 01:47:37

We do. We take a lot

Ben Plank

7:53 PM / 01:47:38

Crazy. I was a cameraman one time for a Mexican wedding. And I had to, I ended up having to do the thing cuz uh, it was a video

CSI Pickle 7:53 PM / 01:47:56

You're too tall.

Ben Plank 7:53 PM / 01:47:57

Sorry.

CSI Pickle 7:53 PM / 01:47:58

You're fine.

Ben Plank 7:53 PM / 01:48:00

It was a Mexican wedding. I was helping my neighbor out and uh, they're throwing a little party

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for him and freaking uh, uh I'm man. I'm not trying to, so they freaking got me, uh, a little

doped up right now. Keep losing the track of thought and I, uh, really need something to eat too

. I've had that's probably

why too.

CSI Pickle 7:53 PM / 01:48:22

Okay. I need y'all hold still for me. Okay.

Ben Plank 7:54 PM / 01:48:39

They tried to gouge my eye out and uh, it looks there's uh, something stuck in here now. And it

might have been from that gouge, but I don't know. Yeah. They tried to gouge my eye out while

I was on the ground where no one could see, they had their hand, like their finger, like this not cool.

Ben Plank 7:54 PM / 01:49:07

Like I haven't had any trouble really with the law until I got ran over by my motorcycle. You

know what I mean? It's what the fuck. Now it's just nonstop. And I was telling him, there's no

way I could trust him after what happened last time. And like, just give me gimme an hour and

freaking I'll get my shit out.

And like I knew they were gonna arrest me cuz my mom's been just lying to the court and filing

shit through her lawyer just lies and shit. And like, I guess here we are now. I mean, ever since

I called her up for being a pedophile here we are now. I mean, it's not just her. That's one. I can

tell you that. I mean, I hate to just sling the word around, but like I'm not sling it that much, but

Ben Plank 7:55 PM / 01:50:13

Like I would've rather invited him on the boat when they're off duty. Like it's this is just fucking

nuts, dude. The whole thing is absolutely fucking crazy.

Lt. Brenton

Does that boat work?

Ben Plank

Oh yeah.

Lt. Brenton

Yeah. Where do you take it?

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Ben Plank

I like to go to Draper with it. Go out to, I called it Heram bay island, but uh, Draper. Wasn't it. Oh, I'm sorry. What'd you say, sir?

Lt. Brenton

Draper is kind of low. Isn't it, man. Id be scared to take a boat out there.

Ben Plank

It ain't that low. Nah, dude, it ain't low. It ain't that low.

Basically. There's one spot out there. You've been out there. Yeah. Well the little island is, and then there's another shore. If you cut between there that's that's where you wanna watch out for cuz you will bottom out and you bust your motor off, but or

Lt. Brenton

You just out there messing around?

Ben Plank

Pretty much. Just kind of messing around. Like I'll just go out there and uh, chill, dude. I love it. I absolutely love it. Like I was trying to escape out there today, but I didn't make it cause I didn't really have it planned out. Like,

CSI Pickle 7:56 PM / 01:51:14

Okay, I'm gonna have you stand up again for me. Right.

Ben Plank 7:56 PM / 01:51:20

And then you heard that didn't you? Yeah, it shattered. And then they carried me by it. That was really nice.

Lt. Brenton

Did you get x-rays?

Ben Plank

Yeah, I was. I tried to see 'em but I guess they didn't get around to let me see him. But yeah, I dunno if they saw him dude. It's like I said, I didn't want to do any of this shit, man. Like, like I,

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them give me an hour or get all my shit. Cuz my mom had it all set up to fuck me is what it is. She had it all set up. Like there she goes, okay. This is what happens when they get ahold of me and now I got this and I'm totally fucked on top of all this other stuff I'm telling you, they're ruining my fucking life dude.

Ben Plank 7:57 PM / 01:52:20

Like what takes five months to do a collision report?

Lt. Brenton

Do you have a case number?

Ben Plank

Not on me, but you could look. I mean, like I said, man, they've been fucking me, man.

Lt. Brenton

They give you a case number. Right? Don't turn she's turned. I'm sorry.

Ben Plank

My, my lawyer's been fucking me.

Lt. Brenton

Like who's your lawyer?

Ben Plank

It was Garrett Holland. I guess he relieved himself of duty. He freaking told me, uh, uh, basically when the collision report comes out, we're waiting for that. (Mmhmm <affirmative>

Lt. Brenton) and I told him basically my phone. I don't have a phone and it wasn't even couple days after that he sends me an email that I didn't give him his money and that he's relieving himself of being my lawyer.

Lt. Brenton

How long ago was that?

Ben Plank 7:58 PM / 01:53:02

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Like the 14th. And this is, I was supposed to be in court today. 14th of this month? Yeah. I was supposed to be in court today for two different things. I think? Uh, for the collision report, they, they charged me with reckless. Oh, when I got rearended and then they freaking uh, yeah, so I get reared. They charged me with reckless and then uh, Geico scams. Me too.

Lt. Brenton

What, what are they accusing you of? That was reckless. You don't know what the, they

Ben Plank

Wouldn't tell dude right in front of the report, dude, like dude, there's some serious shit going on, dude.

Lt. Brenton

Where was the wreck?

Ben Plank

Right on 240 in between Pen and Western going uh, eastbound,

CSI Pickle 7:59 PM / 01:53:37

Go ahead. Oh, wait, turn to your side. Either one, either one. Okay. I'm gonna do this.

Lt. Brenton 7:59 PM / 01:53:43

Westbound 240 between Pen and Western. You said?

Ben Plank

Yeah, there's a little hill. I don't think, I don't know, man. I might have made it over the hill or I
I'm not even sure.

Lt. Brenton

Were you accused of not being sober?

Ben Plank

No, I wasn't. Uh, there's no other charges with that and I was actually I wait, am, am I, did you say that backwards?

Lt. Brenton

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Oh, I asked if you were accused at that time of not being sober.

Ben Plank

Oh, okay. Um, no, no I wasn't. So they did my blood and everything and uh, yeah, it was basically, I was just, uh, riding with who I thought was a buddy of mine. Just gonna see him off, you know, and turn back around and go back home. I wanted to get more, one more little ride in.

Ben Plank 7:59 PM / 01:54:27

And I, I think he's involved in the shit too, cuz like I fucking asked him. I said, dude,

Lt. Brenton

Is he on your bike with you?

Ben Plank

No, he is. He is a Harley, had a CPR 600 and I asked him, I said, dude, is he? He is like, oh, what happened? Whatever. Like, dude, like I got blasted. I was like did a car pass between us too? He couldn't tell me.

CSI Pickle 8:00 PM / 01:54:44

Okay. Face me.

Ben Plank 8:00 PM / 01:54:46

Isn't that weird.

CSI Pickle 8:00 PM / 01:54:47

Do you have anything on your legs? Any injuries on your legs

Ben Plank 8:00 PM / 01:54:51

The one officer, um, opened fire on me when I drove by.

CSI Pickle 8:00 PM / 01:54:58

Yeah, that's fine. Can you pull the leg up? That

8:00 PM / 01:55:01

Was it.

CSI Pickle

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8:00 PM / 01:55:02

Can you pull the blue leg up on your pants there?

Ben Plank 8:00 PM / 01:55:04

This is this well, they did this. This is road rash from the wreck and my life is dude.

They've been ruining my fucking life, bro.

CSI Pickle 8:00 PM / 01:55:15

I need you to just hold still.

Ben Plank 8:00 PM / 01:55:16

I'm sorry. I just wanna make sure there's nothing else cuz uh, I don't have my glasses on either, so I can't see that's new.

CSI Pickle 8:00 PM / 01:55:22

Okay. Well I'm gonna start with hand.

Ben Plank 8:00 PM / 01:55:25

I don't want to like get stuff that isn't new. You know what I mean? I'm not trying to play it up or anything. Hopefully we can get this figured out at least a little bit. I mean, I, I know I'm in, in so me pretty fucking seriously fucking trouble

CSI Pickle 8:01 PM / 01:55:43

Other Leg.

Ben Plank 8:01 PM / 01:55:45

Oh, is that, is that a scuff?

CSI Pickle 8:01 PM / 01:55:50

Is that a, that looks old. That's like blood blister kind of is what that looks like

Ben Plank 8:01 PM / 01:55:53

Ah, that just happened that wasn't there. Maybe they dropped me on uh, my heel or something. When they set me down, they're pretty abusive. I'm not gonna lie. And I was trying to explain to them that, uh, give me, you know, like give me an hour and I'll get the fuck outta here. And I can't. I told 'em, there's no way I can trust y'all cuz I was explaining all the shit going on. You know? It's just like, there's no understanding at all. Like I'm just supposed to freaking just do whatever they say and let 'em fuck me up. Like maybe this wouldn't have happened, but this same shit happened.

Last time they got ahold of me. They didn't tell me why they arrested me. Wouldn't let me call lawyer, threw me in the fucking psych ward, trying to take my guns and shit. I just dude, like at

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what

point do I just, you know, say, fuck dude, you know, is it like, where's the point at? And that's not even what I did. I didn't think they were gonna show up. And then they showed up and then, uh, I asked them for an hour and I was gonna just fucking scoot.

Lt. Brenton

Seems like there could have been a better outcome.

CSI Pickle 8:02 PM / 01:56:58

Are there any other injuries that you could think of that I did not photograph

Ben Plank 8:02 PM / 01:57:02

This knee.

8:02 PM / 01:57:04

I got that. Oh did you? Yeah. Yeah. I got

Ben Plank 8:02 PM / 01:57:06

As far as I know. Um, I don't have my glasses on some. Well, if you lift them up, I'll tell you. I can't see. Very good. Uh, as far as I know, uh, I think you got,

CSI Pickle 8:02 PM / 01:57:21

When was your wreck?

Ben Plank 8:02 PM / 01:57:22

April 10th. April 10th. Okay. Maybe April 9th. It was.

CSI Pickle 8:02 PM / 01:57:26

And you're saying that

Ben Plank 8:02 PM / 01:57:27

10th. This is from uh, the motorcycle. That is too. Um, that's not that's new. You've kind of tell like I've had road rash, like I said,

Lt. Brenton

So you're not all the foot and everything.

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Ben Plank

Yeah. I'm just trying to differentiate. But uh, yeah.

CSI Pickle 8:03 PM / 01:57:45

Anything else you can think of?

Ben Plank 8:03 PM / 01:57:48

It's not too hard to figure out. I don't think.

CSI Pickle 8:03 PM / 01:57:50

Yeah. Yeah. Some of those look old.

Ben Plank 8:03 PM / 01:57:52

Yeah. Some I've been getting kinda eaten up with mosquitoes a little bit too, but okay.

CSI Pickle 8:03 PM / 01:57:56

All that's all I need.

Ben Plank alone 8:03 PM / 01:57:56

Yes sir. Dude. How the fuck? Like how did I not get hit? I swear. I got hit dude. Fucking swear. I know

this all sounds fucking nuts cuz it is. I don't want to do that, man. I know if like I've got guns. I gotta get outta the house. If I walk out there with one dude, what are they gonna do? Same shit . Right dude

. Did they? Don't deescalate shit. Do they not even close? She was trying to distract me while they broke in the back. Like what the fuck, dude, man, I hope we get this all figured out. This is fucking nuts, dude.

The whole thing. they just wanna sweep it under the rug. Well, good luck now. I guess we'll get to the bottom of it. Hopefully like, I don't know. I'm just trying to piece shit together. I was ready in case, but man, like I was gonna leave and get all my shit and just throw it in the boat. Whatever. I mean, I've got a storage now it's gonna be gone now. Now my storage gonna be gone. Fuck. They probably broke into it. Cause they got my key. I got went over there and checked it.

Actually. I wish I wouldn't have shot the cars, but dude, what the fuck? Like what the fuck? He's like where are you? Fucking kicking my door down. So worried about kicking my door down. You worried about investigating some fucking Pedo motherfuckers. Why do you think that's on there telling you?

This is why I feared for my life. A shit like this. Exactly. The about fucking, uh, like I said, dude,

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they,they did this to me a few weeks ago and here we are again. Y'all don't listen. They don't listen. Do they? It doesn't matter. It's just, I'm their little fucking slave. That's all just like everybody else.

8:07 PM / 02:02:22
Jesus fucking

8:07 PM / 02:02:28
This thing is fucked. They fucking snapped it backwards is what they did. I got a piss.

8:08 PM / 02:03:06
It's gotta take a

8:08 PM / 02:03:15
Hey man. Ok if I take a piss. (To Lt. Brenton off screen)

8:08 PM / 02:03:17
Yeah. All right. (Taken to restroom)

Ben Plank alone again 8:12 PM / 02:06:37
I'm telling him, dude, I'm sitting there telling the sheriff. I'm like, dude, don't can't you read the fucking sign? Like, oh what does it even mean? Like you don't know what a fucking pedo dude. It better be on their fucking body cams. Like you don't know what a fucking pedophile is telling you, bro. Dude, what, what kind of cop doesn't freaking like even ask a question, right? Hopefully all this will get figured out. I never wanted to hurt anybody, dude. They were gonna fucking hurt me. They're jamming everything through the courts. That's amazing. They can't do a fucking collision report though. That's too hard for 'em but they can jam paperwork through the courts in like in like two fucking seconds. It's fucking It's fucking bullshit. I didn't wanna do what I did. You kicking the fucking door down, dude, working for pedophiles. Bare minimum. If they're not they're working for 'em and I was explaining that to 'em. Nope. Wouldn't gimme, I was literally gonna leave dude. Gimme an hour. Like it it'd take me about that long. Like to get as much as I could and just chunk it in the fucking boat.

Ben Plank alone 8:13 PM / 02:08:23
Like she lies to the judge and gets a VPO dude. I never threatened her dude. She threatened me a bunch of times



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8:14 PM / 02:08:31

Fucking way.

8:14 PM / 02:08:36

This is why I didn't want to get fucking arrested. This is exactly why I didn't deserve it. They said that they were freaking, oh dude, I'm telling you, man, they're full of shit, dude. That's all they do is lie. Shit. They'll lie to the freaking judge right to the judge's face. That's what these fucks do. It's not every one of them, but maybe so the Sheriff's office shows up to serve paperwork. Right? But can't fucking see telling you man they're full of fucking shit is what they are. Then the first time they got ahold of me, dude, 25 30 lies. And all's they do is take the, take the cops word for it. No matter what

8:15 PM / 02:09:41

<affirmative>

Ben Plank still alone. 8:15 PM / 02:09:51

This is what happens when you don't address problems and try to fuck people. Really. I'm just supposed to let them keep fucking me over dude. They stole my wallet. They stole my guns. They threw me in the fucking psych ward. Well dude, what the fuck. I'm just gonna go along with this shit. It's fucking ridiculous, man. This, this world is fucking ridiculous way too many. Like every fucking cop, the whole fucking state, Hey dude, I had parasites. The fucking doctor won't even fucking help.

It's like, I know it is not totally related, but like it's so much shit, dude. They fucking steal my wallet and my keys twice. Like what the fuck? And they want me to freaking trust them when they're kicking my door in, they were gonna arrest me. They knew they, it was all set up. They had it set up. They did. Well, I guess it's a Peto zone now. Huh? Well, we tried didn't we can, you do. As soon as they opened that door, they were gonna fucking like, fuck me up. I'm not stupid. Look, they kicked it in.

Dude. Why? For what? A piece of paper told you, you could fucking kick it in and you don't listen to shit. Like dude,

Ben Plank alone 8:19 PM / 02:13:57

It's not cool guys. I mean, I'm not saying that anybody deserved what they got, but it's like, fuck man, what am I supposed to do? Like everyone is trying to ruin my fucking life. The like all the people that are supposed to be there to help you are trying to ruin my fucking life. Fucking ruin my credit. Like that's why when I dent my car, it's like kind of a relief. Like I'm the fucking one. At least like finally that fucks something up and not everybody else in my life. So they swab

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my DNA. Like what are they gonna do? Putting my DNA on something now like I'm telling you, they're gonna set me up, dude.

Watch it'll be another set up. Just like it always fucking is. Watch, watch. They're gonna make so much stuff up, dude. They always do. They always do. Dude. I want to freaking be home with my cat.

Like I don't want to do anything like bad. I want to fricking give you a high five or a freaking hug.

8:21 PM / 02:15:50

Jesus fucking

8:21 PM / 02:15:52

Jesus dude

8:21 PM / 02:15:53

Like

8:21 PM / 02:15:55

Kicking my fucking door. I'm telling you guys I'm fearing for my life. Cuz you guys are scaring the fuck outta me. Like what happened last time they they're kicking in the door trying to fucking,

8:21 PM / 02:16:06

Oh my God.

8:21 PM / 02:16:09

Maybe I did use the other rifle. Like I said, they fucking drug me dude. Maybe I did. Yeah, I did.

8:21 PM / 02:16:28

Fuck.

Ben Plank continues 8:22 PM / 02:16:31

I did use the other one. Didn't I I did dude, like I said, it happened. They're kicking the fucking door down. I'm trying to talk to 'em. They're kicking my fucking door down. I'm telling 'em I'm scared for

my fucking life dude. For good reason. Right? Look, look at this. Did I can't remember exactly.

I'm not even gonna lie. I can't remember exactly it happened, dude. It happened so quick. I'm sitting there

trying to talk to that lady and she's fucking, uh, just being a distraction while they kicking the fucking door.

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What the fuck is that? Why are you kicking in the door? That's why I'm saying, oh, we just want to talk. We just want to talk fucking kicking in the fucking door. Okay. And see I'm an honest person. So what's what's what's gonna happen. It's gonna freaking be used against me cuz it, it doesn't help. I want to be truthful. I want to tell the truth. I want to be a good, like I'm the nice one of the nicest motherfuckers you'll ever meet in your entire fucking life. Unless you fucking crossed me like that dude, like I'm oh, let's just talk. Right? You're kicking in my fucking door while we're just having a little chat.

Ben Plank continues talking alone 8:24 PM / 02:18:34

Fucking dude. Don't tell me I didn't want to do it. I wanted to leave. I wanted them to gimme like an hour or whatever. There's no reason that they have to fucking sit there, dude. Like I'm saying, they're trying to fuck me. I know they are trying to fucking catch me up. My mom knows I have guns in there.

Like like, well she got 'em taken away now. Good job. There you go. It's all a big fucking I'm telling you fucking conspiracy dude. Like usual. Has anyone ever had a, an insurance company commit fucking insurance fraud against him? Well, I have. And that's what started this whole fucking thing off. They were gonna fuck me either way. I guarantee you. They were, they might have done this to me either way. You like it. It's it's anytime they get ahold of me, dude, they fucking torture me. I told 'em I'd leave. Give me an hour. They're like, oh, we'll give you 30 minutes and we'll stay in here. And it was like that's right. I did shoot the other rifle first. I sure did. I sure did. I remember? Yep. The scope rifle shot first.

8:27 PM / 02:21:38

I was trying to talk to him through the garage. They wouldn't talk to me through the garage. What do I have to say? Hey, like 10 fucking times. And if I was planning on, I don't know, dude, it doesn't even matter. Like I said, it does anything I say is used against me. It doesn't help.

8:27 PM / 02:22:02

Fuck.

8:27 PM / 02:22:03

I haven't even seen my face yet. Have I? This is why this is exactly why. Like I didn't want to freaking get arrested and why I feared for my life too, dude. I could have bled out internally. You know what I mean? You snap somebody's arm in fucking half like that. You can bleed out internally. Hopefully they'll uncover it. If they're not in on it too, they'll uncover it. If they're not in on it. I

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mean dude, who fucking skips over that sign unless you're fucking pedophile. Am I right? It's

like, oh it doesn't fucking exist, guys. See that was promise you shit. And then never deliver

like that. Dude. I answered 30 questions that first time and they threw me in the fucking

bullshit literally for no fucking reason, dude. Won't tell me why nothing jab me up. Like I made

a great fucking shot when he hit me. That was a fucking dude. Fuck.

8:30 PM / 02:25:09

Sorry.

8:30 PM / 02:25:11

So I don't want to do it man. Like, and then I didn't want do it. Like I said, good thing. I was

ready though. Look, they kicked in the fucking door man. Like they're not they're they don't

work with you. It was all fucking set up.

8:31 PM / 02:25:45

Fuck.

(Plank was then taken by officer to jail.)

All right, Mr. Plank, stand up.

Ben Plank

Yes, sir.

**

Come over me. Face that table.

8:31 PM / 02:26:08

I forgot to do my pants.

8:31 PM / 02:26:09

It's okay. Face that table.

Ben Plank 8:31 PM / 02:26:16

Can I ask what's exactly going on? I'm not used to all this stuff. Is it just shackles or handcuff? Okay. Uh, is that how you do for tw
o? Can I grab my water, sir?

No,

8:32 PM / 02:26:41

No, please don't hurt me guys.

End of report. For further information see DVD recording. Again this was a corrected version of the transcribed interview.

Det. Rocky Gregory, H3
Homicide Unit

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