

STATEMENT OF TABITHA MCCRILLIS

SGT.DURHAM: Today's date December the 10th, 2010. The time now is uh 0006 hours. I'm Sergeant Mike Durham at the Little Rock Police Department Detective Division. Uh also present is uh Detective Tommy Hudson, Detective Kevin Simpson, Lieutenant Glenn King, uh Detective Lela Folsom and uh Keith Wren. Kren is a uh - Keith is a uh attorney for the Fraternal Order of Police is that correct?

WREN: That's correct

SGT.DURHAM: And you're here representing uh - or being with uh Officer Tabitha McCrillis?

WREN: That's correct.

SGT.DURHAM: Officer McCrillis, you're aware this conversation is being taped?

MCCRILLIS: Yes sir.

SGT.DURHAM: Okay, if you would scoot up a little bit and speak up for the - you're very soft spoken.

MCCRILLIS: Yes sir.

SGT.DURHAM: Uh we're investigating a shooting that happened out at 6200 Colonel Glenn at the Big Country uh apartments tonight and we understand that you were - you were there and you were working it in an off-duty capacity. Could you tell us uh what occurred tonight?

MCCRILLIS: Yes sir, uh I was working off-duty with Donna Leshar uh at 6200 Col-Colonel Glenn and uh we had been making our foot patrols and we were in the courtyard area and she happened to look up on the top floor and noticed a door was opened to an apartment. So we went up and checked the door because it was cold outside and its unusual to see a door open and so we went up and she stuck her head in - knocked on the door stuck her head in. She's like hello tr- you okay? And he - yeah I'm fine and kind of something like that and I with-she asked him if there was anybody there and at that time I peeked in and uh she no-mentioned to me hey the coffee tables broken and I said -

SIMPSON: You need some water?

MCCRILLIS: I'm okay. And uh then I was like - she asked if he was alone uh and then - uh again I asked him - we asked him again, I said are you alone? And he - he (inaudible) leave me the fuck alone and cursed at us, got real mad and so then when I stepped in the apartment uh - and uh he got up and charged at me and I kind of shoved him off and I can't remember if he swung at me first or - but she pepper sprayed him at some point and it -

HUDSON: Who peppered sprayed him?

MCCRILLIS: Donna pepper sprayed him at some point. Uh and then he - at some point he started swinging and I was able to get my baton out and start hitting him with the baton in the lower legs and that's when he - he started - he did hit me in the face and the head area and he kept hitting me in the head and the face with his fist. Uh and he - I continued to fight him - hit him with my ASP uh and it was - we were going back and forth, he kept hitting and punching. I at some point fell on the floor and he was punching still and kicking and so I was able to kick him away enough and she was able to grab a hold of him and yank him outside cause she was still outside the - right in the doorway and so she yanked him outside and up against the rail and then he started fighting her and was punching on her uh and I continued hitting him with my ASP, uh and he kept hitting her in the head and face and I don't know how but they got back inside the little foyer area there of the apartment in the front - right there by the front door. Uh and he somehow got a hold of my ASP baton and had a hold of it with both hands and Donna - I remember (inaudible) seeing Donna punching him in the groin several times because I was wrestling the ASP away from him.

SGT.DURHAM: Uh huh.

MCCRILLIS: And uh continued to wrestle it out of his hands until he - he got - I got - got it loose. Uh and then by that time he had had her in a choke hold around her neck. She was -

SGT.DURHAM: Who Donna?

MCCRILLIS: Yeah, he was on the left she had him like this - or he had her like this (inaudible).

HUDSON: (Inaudible)?

MCCRILLIS: He was – she was on the left side of him – I'm sorry he was like this and he – cause he still had a hold of the ASP.

HUDSON: What you're indicating –

MCCRILLIS: She's there up against the wall.

HUDSON: (inaudible) front of him? Is she in front of – is she in front of him?

MCCRILLIS: I guess lil-yeah – I mean she's up against the wall in the corner.

HUDSON: Okay.

MCCRILLIS: And he is against the wall and I'm still – he's still got a hold of my baton-my ASP baton and I'm yanking – trying – yanking away from him and he's (inaudible).

HUDSON: And he's got her in a chokehold?

MCCRILLIS: Yeah.

HUDSON: Okay.

MCCRILLIS: And then – and she's continuing to punch him and then I'm hitting him with my baton and uh - and he breaks away and backs off and he – by that time Turner and Lucio and his rookie have – have come and we're standing just inside the foyer and he's just right on the corner where it stopped into to the living or that little dinning - that living room area, whatever that is and he's saying get the fuck out of my house, get the fuck out of my house. Why don't you get the fuck out of my house. Uh and Lucio gets up there – I'm like you gotta get in here uh and he tries – he kind of tries to get in there and then I end up spraying him again and that pisses him off even more and he goes back – so we retreat – he goes back towards the couch and when - I noticed that he'd had a cane earlier – a walking cane I guess and he retreated back to the couch uh and I – I knew he was going back to get the cane and so we retreated out and - the apartment door is right here, I'm - me and Donna are to the right and I'm basically stacked up top of Donna (inaudible) behind her and she's – she's - she's getting his cane I'm gonna have to shoot him.

SGT.DURHAM: Uh huh.

MCCRILLIS: And that's when he comes at her – he comes out and he's coming towards the door and she fires a round and then I come around a little bit and then she fires another one and then I see him on the ground and he's bleeding and that's -

HUDSON: What was he doing with the cane?

MCCRILLIS: He had – I didn't see him with the actual cane in his hand but he – it was – I do remember it was in – laying up above his hand.

SGT.DURHAM: But when you saw – when you saw him after the shooting he was laying there – was he on his back or his stomach?

MCCRILLIS: He – uh I think he was on his side kind of.

HUDSON: You're indicating right side?

MCCRILLIS: Yeah.

HUDSON: Okay.

MCCRILLIS: Right in the doorway.

HUDSON: You remember what hand he had the cane in?

MCCRILLIS: No.

HUDSON: Okay.

SGT.DURHAM: What uh – y'all were working off-duty I guess?

MCCRILLIS: Yeah.

SGT.DURHAM: Okay and what time did you show up out there tonight?

MCCRILLIS: Fiveish....Right around five (inaudible).

SGT.DURHAM: 'Bout how long were y'all working?

MCCRILLIS: We were from there five to nine tonight.

SGT.DURHAM: Five to nine? Do you remember what time this happened?

MCCRILLIS: Around – it was after eight – a little after eight.

SGT.DURHAM: A little after eight? Do you remember getting on the radio?

MCCRILLIS: Uh huh, uh was finally able to get to my radio it – I guess that’s how they got back into the apartment cause my radio happened to be off at the time and I was able to yank it on; turn it on real quick and keyed up you know hollering for help.

SGT.DURHAM: Uh huh.

MCCRILLIS: And then I keyed up again tried to tell ‘em where we were during the fight and I – I guess that’s how he got my ASP because I was trying to key up -

SGT.DURHAM: Uh huh.

MCCRILLIS: at the same time.

HUDSON: How many times were you hit in the head?

MCCRILLIS: I don’t know.

HUDSON: Did he hit you with his fist?

MCCRILLIS: Uh huh.

HUDSON: Where – do you remember where at on your head you were hit?

MCCRILLIS: He just mostly swinging with his right head – right hand.

HUDSON: Okay, so you’re holding your left side of your head?

MCCRILLIS: Yeah, mostly on my left side.

HUDSON: Okay, just the side or in the front?

MCCRILLIS: He was – it was – (inaudible).

HUDSON: You got a bump right here next to your left part of your - (inaudible).

MCCRILLIS: Yeah, he was hitting here and up in here. I know he was hitting in my head cause I was dodging as he was coming down swinging his –

HUDSON: How many times do you think he hit you?

MCCRILLIS: Five or six and then by time I – he was trying to hit me a couple of more times – he did hit me a couple of times while I was on the ground. I remember kicking him off.

SGT.DURHAM: You're the first one – you're the first one inside the apartment when this all started and when you went into the apartment – into the uh I guess the little hallway uh where does he attack you at first? Are you – are you –

MCCRILLIS: Right –

SGT.DURHAM: are you going towards the couch or (inaudible)?

MCCRILLIS: No, I – I stayed where I was uh cause he started charging and there really wasn't anytime to move in. He - he (inaudible) you know where the – it kind of - when you walk in it just all of a sudden turns to the left there. We were all right there in the foyer.

SGT.DURHAM: In the little foyer right there?

MCCRILLIS: Yeah.

SGT.DURHAM: You're in first and he just automatically – was he standing up?

MCCRILLIS: Uh huh. Yes.

SGT.DURHAM: So he just automatically just starts (inaudible) just open attacks you?

MCCRILLIS: Yeah – yeah I remember kind of – I think I kind of remember pushing him.

HUDSON: You say that table - the glass table in there that was already broke when y'all got there?

MCCRILLIS: Yeah, it appeared to be broke, appeared to have some glass pieces on – on the ground.

HUDSON: How often do you work out there?

MCCRILLIS: Uh every - two days a week.

HUDSON: How long have you been working out there?

MCCRILLIS: Uhhhh I think I picked it up in like March or April.

HUDSON: Have you ever seen him before?

MCCRILLIS: No, I don't – I've never seen him.

SGT.DURHAM: Okay, so you uh - when you get inside there and at one point he's attacking you and then all of a sudden Officer Leshar pulls him off of you and outside?

MCCRILLIS: Yeah when I was on -

SGT.DURHAM: But they have him outside - or she has him outside on the rail?

MCCRILLIS: Uh huh.

SGT.DURHAM: Okay.

MCCRILLIS: When I was on the ground she was able to grab a hold of him and yank him outside (inaudible).

HUDSON: And you were on the ground inside the apartment?

MCCRILLIS: I was on the ground....yeah..

HUDSON: In the apartment?

MCCRILLIS: Yes.

HUDSON: Okay.

MCCRILLIS: Inside the apar-right.

HUDSON: Around the doorway I guess?

MCCRILLIS: (Inaudible) yeah, I was in - basically pushed up in the corner.

HUDSON: Okay, but you're actually inside the apartment?

MCCRILLIS: Uh huh.

HUDSON: Okay.

SGT.DURHAM: And - and she pulls him outside and they begin - he begins his attack on her I guess?

MCCRILLIS: Yes.

SGT.DURHAM: Okay, is he saying anything or - or

MCCRILLIS; I don't remember.

SGT.DURHAM: Okay.

HUDSON: I mean did you ever hear anything come out of his mouth? I mean -

MCCRILLIS: No.

HUDSON: Okay.

MCCRILLIS: Not that I know of. I can't remember.

HUDSON: Couldn't remember if his voice was raised or anything?

MCCRILLIS: I can't remember.

HUDSON: Okay.

MCCRILLIS: I just remember seeing her getting punched several times.

HUDSON: Where did she get punched at?

MCCRILLIS: I know he was punching her in the face and the upper body.

HUDSON: Okay.

MCCRILLIS: I do remember seeing her getting punched in the face.

HUDSON: Okay.

MCCRILLIS: And then when he had her in a chokehold he was punching her.

HUDSON: And - and just - just so we're clear when you talk about this choke hold, about where she was at the time.

MCCRILLIS: Uh huh.

HUDSON: So if - would - would she be in front - if I'm standing in front of Detective Simpson -

MCCRILLIS: Middle.

HUDSON: In the middle?

MCCRILLIS: Maybe a little - but her butt was going that way.

HUDSON: Okay, to - to his left?

MCCRILLIS: To his left - no -

HUDSON: Okay.

MCCRILLIS: And her heads down.

HUDSON: Aright.

MCCRILLIS: (Inaudible) and she's actually – and she's –

SIMPSON: She got her –

HUDSON: She's doing upper cuts?

MCCRILLIS: Uh huh.

HUDSON: With her fist? Okay.

SGT.DURHAM: So he's on – he's on Donna's right side.

MCCRILLIS: Yeah.

SGT.DURHAM: And he's partially facing her and then he's got his left arm around her neck?

MCCRILLIS: Uh huh.

SGT.DURHAM: And he's punching her kind of upper-cut –

MCCRILLIS: He's – he had been - no she's punching him and he -

SGT.DURHAM: Oh she's punching....

MCCRILLIS: Cause he had my baton.

HUDSON: So he's got your baton in one hand -

MCCRILLIS: But he had a –

HUDSON: he's got her in a chokehold (inaudible).

MCCRILLIS: He had (inaudible) both at one time and then I twisted out of the one hand and then he – that's when he swung his arm around her neck.

HUDSON: Okay.

MCCRILLIS: And then I'm slowly cranking the baton out of his hand.

HUDSON: Okay.

SGT.DURHAM: Okay.

HUDSON: Once you got the baton out – cranked out of his hand what – what did you do then?

MCCRILLIS: I hit him a couple of more times.

HUDSON: With the baton?

MCCRILLIS: Yeah and then we - well they – he backed off for some reason and then he was like get the fuck out of my house, get the fuck out of my house.

HUDSON: So you did hear him say that?

MCCRILLIS: Yeah, several times.

HUDSON: Okay.

SGT.DURHAM: Is that when uh Lucio ‘nem show up?

MCCRILLIS: About that time (inaudible) showed up.

SGT.DURHAM: Do you remember uh losing your – your uh baton or how it got on the ground?

MCCRILLIS: No, I don’t – I don’t remember.

SGT.DURHAM: Okay.

HUDSON: (Inaudible).

MCCRILLIS: I don’t know if I dropped it cause I did unholster my (inaudible) uh weapon.

HUDSON: You did – when you say your weapon you’re talking ‘bout your pistol?

MCCRILLIS: My – yeah my gun.

HUDSON: Okay and the reason you did that was why?

MCCRILLIS: Because I – I knew he was going back to get his cane.

HUDSON: Okay.

MCCRILLIS: And we’d been fighting him for a while and I – (inaudible) I was scared that he was gonna (inaudible) the cane and he had already been hitting us in the head.

HUDSON: Okay.

MCCRILLIS: So I was scared that we – you know we were fighting for our life. I'd already felt like we'd fighting for our life so and then -

HUDSON: At what point do you think you were fighting for your life?

MCCRILLIS: When I was on the ground.

HUDSON: Okay. Okay.

SGT.DURHAM: So Lucio or – or somehow Donna gets back out of the apartment, you remember Lucio or whoever pulling her out of the apartment?

MCCRILLIS: Lucio (inaudible).

SGT.DURHAM: Okay.

MCCRILLIS: I just backed out.

SGT.DURHAM: Y'all end up – y'all end up outside and he's inside and you see him going back....

MCCRILLIS: I just – I knew he was - he was heading back towards the couch and I just knew that's when he was going for cause he'd already tried –

HUDSON: The cane?

MCCRILLIS: he'd already tried to get my baton from me.

SGT.DURHAM: Oh he'd already – okay.

HUDSON: Did you ever see him raise the cane?

MCCRILLIS: I didn't. I was on – behind her.

HUDSON: Donna?

MCCRILLIS: Uh huh.

HUDSON: Lesher?

MCCRILLIS: Yes sir.

HUDSON: Okay.

SGT.DURHAM: And who was – you had Donna in front of you - where was Lucio at?

MCCRILLIS: He was on the other side of the doorway.

SGT.DURHAM: He was on the - facing your left?

HUDSON: So if you're facing the apartment - apartment complex where would he have been at? If you were facing the door?

MCCRILLIS: To the left of the door.

SGT.DURHAM: He's left of the door?

MCCRILLIS: To my knowledge he was to the left of the door.

HUDSON: Okay.

SGT.DURHAM: Okay and who's next?

MCCRILLIS: Don't - I don't know where Brad Boyce was.

SGT.DURHAM: Okay so it was - it was Donna and then you were to her right -

MCCRILLIS: I was stacked on her - on - yeah I mean I was to her right and then I move-was moving around her and she was shooting.

SGT.DURHAM: You're indicating you're moving around to her left?

MCCRILLIS: Yeah, I'm moving around to the - to the door.

SGT.DURHAM: Did you see her pull her weapon out?

MCCRILLIS: Yeah and I had already pulled mine out-

SGT.DURHAM: Okay.

MCCRILLIS: come around her.

SGT.DURHAM: You remember any commands being given or -

MCCRILLIS: I don't remember (inaudible).

HUDSON: And just for the record those-those weapons are your actual pistols right?

MCCRILLIS: Correct.

HUDSON: Okay.

MCCRILLIS: My city issued weapon.

HUDSON: How – how long – how long from the time that the actual fight started when you were being assaulted and Officer Leshar was being assaulted – from the - not from the time you made contact but from the time the actual – the bad fight started until - do you know how long it was between that time till Officer Lucio and Officer Boyce got there – how long y'all actually had to fight him inside and outside the apartment?

MCCRILLIS: Uhhh, I mean obviously it seemed like forever but (inaudible) two or three minutes maybe.

HUDSON: Okay. Okay.

MCCRILLIS: I would want to say five but –

HUDSON: Were you ever disoriented inside the apartment when you say you were on the ground with him?

MCCRILLIS: No, I just knew it was bad. He's a big – he was a big guy.

HUDSON: 'Bout how much do you think he weighed?

MCCRILLIS: I would say two-fifty, two-sixty (inaudible).

HUDSON: How tall do you think he was?

MCCRILLIS: Six-one, six-two, something like that (inaudible).

HUDSON: How tall are you?

MCCRILLIS: Five-seven.

HUDSON: How much do you weigh?

MCCRILLIS: One thirty-five.

HUDSON: You know 'bout how much uh Officer Leshar weighs? Do you know about how tall she is?

MCCRILLIS: I'd say she's around my height.

HUDSON: Okay. You think she weights a little bit more or a little bit less than you.

MCCRILLIS: She weighs a little bit more than me.

HUDSON: Okay, but he outweighed both of you?

MCCRILLIS: Oh yeah, he's a big guy.

HUDSON: Okay.

SGT.DURHAM: You remember his face? I mean you – how he looked. I mean did he look –

HUDSON: Or his mannerisms?

SGT.DURHAM: Yeah.

MCCRILLIS: Uh I know he had glasses on, cause I remember his glasses falling on the ground or seeing 'em on the ground. Uh but no I just remember him (inaudible).

SGT.DURHAM: I mean did he seem angry to you or look angry or (inaudible)?

MCCRILLIS: Well, when we first made contact he seemed like he was out of it.

HUDSON: When you say he's out of it what do you mean by that?

MCCRILLIS: He was kind of leaning over and was – well when we talked – when she asked him if there was anybody else in there he kind of hesitated and it was like no and he leaned over kind of like nonchalantly and just (inaudible) attitude and like he – you know and the way he hesitated made me think somebody else was in the house and then we saw the (inaudible) broken glass and we didn't know how long it'd been there – I mean we couldn't – I couldn't tell much from the doorway but I did see the broke – broken glass.

HUDSON: So the main reason y'all were there though is because of the door being opened or it being cold outside?

MCCRILLIS: Yes – yeah I mean we just wanted to check and make sure nobody would – had been in the apartment and –

HUDSON: Have y'all been having problems out at that apartment complex?

MCCRILLIS: No, but its uncommon for us to see it – a door open up. I've seen – we checked on a guy a couple uh days ago on Tuesday cause he had his door open.

HUDSON: Okay.

MCCRILLIS: That's just what we (inaudible).

HUDSON: Didn't have any problems out of that?

MCCRILLIS: He was just hot cause he'd been cooking.

HUDSON: Okay.

SIMPSON: Did you find that to be suspicious having a door open (inaudible)?

MCCRILLIS: Yeah. Yeah.

HUDSON: Okay, at the time when I believe Officer Lesher peppered sprayed him and you did also did it have any effect on him at all?

MCCRILLIS: Uhh kind - naw I mean it pissed him off. You could tell it made him mad.

SIMPSON: Uh it didn't make him stop what he was doing?

MCCRILLIS: No, not - especially not with her and -

HUDSON: How far away from him were you when you pepper - when you pepper sprayed him?

MCCRILLIS: Uh maybe (inaudible) two feet, something.

HUDSON: Okay.

MCCRILLIS: And I - I streamed it right in his eyes (inaudible).

HUDSON: You actually saw it hit his eyes?

MCCRILLIS: Yeah.

HUDSON: And it had no effect?

MCCRILLIS: I mean he kind of -

HUDSON: Squinted?

MCCRILLIS: (inaudible) did this and then he took back off to the couch.

HUDSON: And that's when he went to go get the cane?

MCCRILLIS: Yeah. I – I knew – I just – I didn't actually see him grab it but I – I knew he was going to get it.

HUDSON: The – the uniform you're wearing right now is that the uniform you were wearing tonight when all this happened?

MCCRILLIS: Yes.

HUDSON: Okay and then just for the record it says Little Rock Police on your sleeves and you got a badge patch on –

MCCRILLIS: Uh huh.

HUDSON: okay on your left shoulder?

MCCRILLIS: Yeah.

HUDSON: Uh how was uh Officer Leshar dressed?

MCCRILLIS: She had on uh – uh a – a Police tee shirt, it says Police on the back with a badge on the front and her – or her duty belt and some kind of pants.

HUDSON: I mean do you believe he knew you were police officers?

MCCRILLIS: Yeah – yes.

HUDSON: And you've never seen him before? There –

MCCRILLIS: Not to my knowledge.

HUDSON: You ever heard anybody talk about any problems with him or anything like that?

MCCRILLIS: Huh uh. No.

HUDSON: Were you injured during this?

MCCRILLIS: Uh my thumb hurts, uh huh.

HUDSON: (Inaudible) which one you talking 'bout?

MCCRILLIS: My left thumb.

SIMPSON: And – and looking right here holding it up its got uh some redness, some swelling?

MCCRILLIS: Yeah.

HUDSON: Do you have any knots or anything on your head?

MCCRILLIS: Not that I can tell.

HUDSON: Head hurts?

MCCRILLIS: No, my upper shoulders and back hurts.

HUDSON: You're indicating your ep-lepper-upper left shoulder?

MCCRILLIS: Uh huh, (inaudible).

SIMPSON: And I took pictures of you here before we – we got started uh your uniform pants are scuffed up. Did that hap-as occur from what happened tonight?

MCCRILLIS: Yes.

SIMPSON: And your gun belt is also been cuffed up on the back?

MCCRILLIS: Uh yes, I think so.

HUDSON: And just for the record also you never fired a shot?

MCCRILLIS: No.

HUDSON: Did anybody else besides Officer Leshar fire any shots?

MCCRILLIS: No.

HUDSON: Do you remember anybody else besides yourself and Officer Leshar that had their weapons out – their guns out?

MCCRILLIS: I don't know.

HUDSON: Okay.

LT.KING: Now let me – let me go back to I guess the beginning. So why were y'all in the apartment?

MCCRILLIS: His door was opened.

LT.KING: Did you all – did you – did you knock or –

MCCRILLIS: Uh huh, yeah she knocked.

LT.KING: (Inaudible) in?

MCCRILLIS: Huh uh he – we picked – we didn't go in until he cussed and got mad, that we were there cause he seemed irritated that – that we were there and his attitude made me think that maybe somebody else was in the apartment and that he had maybe just assaulted them and I was wanting to make sure that everybody was okay.

LT.KING: But you say when you got there was he standing or sitting?

MCCRILLIS: He was sitting on the couch.

LT.KING: Did he seem agitated?

MCCRILLIS: Just kind of – just sitting there leaned over – kind of leaning on his cane a little bit.

LT.KING: And after he asked you to leave what happened?

MCCRILLIS: Uh when he got mouthy with me I – I walked in and asked him what his problem was and that's what he – when he got mad, I asked him what was going on.

LT.KING: Aft-after you all saw him I guess apparently getting agitated did you think about calling for assistance?

MCCRILLIS: He got – he had already – as soon as he start – soon as I came in I asked him what his problem was he jumped up. I didn't have time to react to anything.

LT.KING: And then you indicated you first used pepper spray on him, you the first one to use pepper spray?

MCCRILLIS: No.

LT.KING: Donna used it on him first?

MCCRILLIS: Yes.

LT.KING: Did he – did he wear glasses?

MCCRILLIS: He did have glasses on.

LT.KING: Did he have 'em on when they sprayed him?

MCCRILLIS: I don't know if they and been knocked off by then or what – or not but I knew – know at some point the glasses fell on – were on the ground. I did notice they were on the ground.

LT.KING: When you sprayed him do you remember whether he had glasses on?

MCCRILLIS: He didn't have glasses on.

LT.KING: Did it seem like the pepper spray was effective?

MCCRILLIS: When I sprayed him?

LT.KING: Yes.

MCCRILLIS: (Inaudible) no, he just –

LT.KING: Okay, going back to the cane tell me about – did he ever have the cane?

MCCRILLIS: During the first –

LT.KING: When you were in the – I guess you first made contact with him.

MCCRILLIS: He wa-

LT.KING: At what – at what point did the cane come up?

MCCRILLIS: Whenever we retreated out and he – after the - I sprayed him – the sec-the second time I sprayed him – Donna sprayed him (inaudible) after we fought for a little while then I sprayed him then he took off back towards the couch. He left his cane by the couch.

LT.KING: Uh huh. Did you see him whaling the cane at anybody?

MCCRILLIS: I do not. I know – I know – I knew he was going back to get it but I do not – I did not see him with it in his hand.

LT.KING: When the – when the other officers got there did you notice any activity with the cane?

MCCRILLIS: He was - when he – when what other officer? Lucio?

LT.KING: (Inaudible) Lucio and – and Boyce?

MCCRILLIS: He was standing not but a couple of feet in front of us saying get the fuck out of my house. He hadn't gone back to get the cane yet.

LT.KING: And was he still pretty agitated (inaudible)?

MCCRILLIS: Uh huh. He was cussing at us get the fuck out of my house, get the fuck out of my house.

LT.KING: Did you see the actual shots fired by I guess Officer Donna Leshner?

MCCRILLIS: I saw her shoot, yeah.

LT.KING: You saw her shoot? Could you see him and her at that time?

MCCRILLIS: No, just her.

LT.KING: Do you know why she shot?

MCCRILLIS: Uh I knew that she – he was going back to get the cane (inaudible).

LT.KING: So you couldn't see that?

MCCRILLIS: I – no I – I just knew that's what he was doing. I did not see him actually get it but I knew that's what he was doing.

LT.KING: Did you ever see him pickup the cane and swing it at anybody?

MCCRILLIS: I didn't see him swing it at anybody.

LT.KING: And I understand that this – I guess this disturbance did bleed outside at some point?

MCCRILLIS: Yes, it did. The neighbors were saying stuff while we were outside.

LT.KING: And during this you was struck several times?

MCCRILLIS: Yes.

LT.KING: Where 'bout again?

MCCRILLIS: On my face and my head.

LT.KING: Okay, uh were you able to deliver any blows to him?

MCCRILLIS: Yes, with my ASP baton.

LT.KING: Okay and you indicated I guess at some point your ASP became dislodged from you uh and how did that happen again?

MCCRILLIS: Uh I'm sorry I don't understand what you're asking.

LT.KING: I think you indicated that your ASP ended up on the -- on --

MCCRILLIS: On the ground.

LT.KING: on the ground there at some point which when we say on the ground we mean still up on this second level of the -

MCCRILLIS: (Inaudible).

LT.KING: of the complex here.

MCCRILLIS: I'm not a hundred percent sure when I dropped it but when we retreated I guess I dropped it then and went for my gun.

LT.KING: Okay, were you the one -- did you finally -- uh were you able to finally get on and make contact with Communications?

MCCRILLIS: Yes.

LT.KING: How long did it take them to get over there?

MCCRILLIS: Within seconds I would say.

LT.KING: Okay, so were you all still having to fight during -- during that time?

MCCRILLIS: Uh yeah, I'm -- we were fighting him and then by time Lucio 'nem got up there he was saying get the fuck away from me. He had kind of broke off.

LT.KING: Did they ever make any contact with him that you know, being (inaudible) two officers that responded Lucio and Boyce?

MCCRILLIS: Lucio -- I know Lucio had come in the apartment. I don't know if he ever made physical contact but I know he had came in the apartment.

LT.KING: Could you tell how many officers were actually in the apartment or right outside when the -- when the shots were fired?

MCCRILLIS: Well, I know that it was me and Donna Leshner, Lucio and his uh partner Brad Boyce.

LT.KING: Okay, uh did you see anybody else do any shooting?

MCCRILLIS: No.

LT.KING: Any other shots fired?

MCCRILLIS: No, not to my knowledge.

LT.KING: Did you see anybody struck other than you and uh Lesher – struck by the suspect?

MCCRILLIS: No, not to my knowledge.

LT.KING: Okay. Did you see anybody at all hit with the cane?

MCCRILLIS: Not to my knowledge I don't - I didn't see it.

LT.KING: When - when your grasp – when your ASP became dislodged to drop from you did you notice the suspect ever picked it up?

MCCRILLIS: No.

LT.KING: Okay.

HUDSON: (Inaudible) question I had for you though is when you're back outside prior to the Officer Lesher firing you said you pulled your gun?

MCCRILLIS: Uh huh.

HUDSON: Why did you pull your gun?

MCCRILLIS: Cause I knew that he was gonna get the cane and I was scared for our safety. That he was gonna attempt to hit us in the head and he had already been hitting us in the head with his fist.

HUDSON: Okay.

MCCRILLIS: And I was scared (inaudible).

HUDSON: Okay.

LT.KING: I do have one other question, on this cane when y'all first got in was it in plain –

MCCRILLIS: Uh huh.

LT.KING: plain view?

MCCRILLIS: Yeah, he was leaning on it.

LT.KING: Okay, that's all I have.

SGT.DURHAM: Okay, Detective.

SIMPSON: I don't have anything.

SGT.DURHAM: Keith do you have anything?

WREN: I have no questions.

SGT.DURHAM: Okay, uh for the record uh we've been interviewing Detective Tabitha McCrillis. I'm gonna uh end the interview now its uh 0032 hours.