

**Collection of Articles about Police Officers Killed by
Semi-Automatic Rifles in 1998;
Incidents Identified in the "*Officer Down*" Report**

<http://www.vpc.org/studies/officecont.htm>)

Part 1 of four

Philip F. Lee, PhD 2/1/04

Disclaimer: The following material was collected from a variety of sources shown by links. There has been no independent verification of the material in these sources. The Reader is warned the quality of the information is irregular. In some cases, data is collected from FBI reports and Court Accounts. The information there is likely more reliable than newspaper reports. News media reports are notoriously inaccurate, especially early accounts of a story.

The purpose in collecting this material was to preserve as much of the record about these incidents as could be found. If it was found, it was saved here.

JOHN KEVIN LAMM

<http://www.fbi.gov/ucr/killed/98killed.pdf>

Law Enforcement Officers Killed and Assaulted 1998

A 26-year-old patrol officer with the Fairbanks Police Department was gunned down at approximately 8:30 p.m. on January 1 when he and two fellow officers responded to a domestic disturbance call. Upon arriving at and prior to entering the residence, the officers attempted for 15 minutes to make contact with a male who allegedly was a potential suicide victim. The man's girlfriend finally let the officers into the residence, but as they entered, the man allegedly opened fire with a 7.62 x 39 mm semiautomatic rifle from a corner in which he had apparently set up an ambush. One officer was struck in the head and knocked to the floor. Another officer took cover as the man continued to fire. While trying to cover the wounded officer, a third officer, with nearly 9 years of law enforcement experience, returned 10 rounds, striking the suspect three times. During the gunfire exchange, however, the suspect hit the veteran officer in the front upper torso, the rear upper torso/back, and in his arms/hands. Though the victim officer was wearing a protective vest, one or more of the shots fired at his back penetrated the vest, mortally wounding him. The 27-year-old gunman, who reportedly was under the influence of a controlled substance and alcohol at the time of the incident in which he fired 18 shots, reloaded the gun and committed suicide by shooting himself in the head. The first officer wounded in the head has since recovered from his wound and returned to duty.

<http://www.odmp.org/year.php?year=1998&Submit=Go>

<http://www.odmp.org/officer.php?oid=15026>

Patrol Officer John Kevin Lamm

Fairbanks Police Department, AK

Date of Incident: Thursday, January 1, 1998

Weapon Used: Rifle; AR-15

Suspect Info: Committed suicide

Officer Lamm was shot and killed after responding to check on a suicidal man with two other officers. As they were making entry to the house they were fired upon with an AR-15 assault rifle which had been converted to 7.62 x 39. Officer Lamm was struck and killed and one of the other officers was struck and wounded but was able to retreat. After a 90 minute standoff the tactical team entered the residence and found the suspect dead of a self inflicted gunshot wound.

<http://www.emergency.com/leonew98.htm>

FAIRBANKS, ALASKA (EmergencyNet News) - One police officer was killed and another was slightly wounded when a man hiding in his house with a semi-automatic rifle opened fire on the officers on New Year's Day. A shootout ensued and ended when the gunman killed himself.

Killed was 26-year-old Fairbanks Police Officer Kevin Lamm. Lamm became only the second police officer killed in the line of duty in Fairbanks in 90 years. The wounded officer was grazed by bullets. He was treated and released.

According to police, the shootout began early Thursday evening when Lamm and two other officers went to a house to check on the subject, who friends described as suicidal. The subject was hiding behind a blanket tacked over a doorway. The 27-year-old gunman was hit in the abdomen and arm by police before shooting himself in the head.

http://juneauempire.com/cgi-bin/smart_search/cqcggi/@jun_stories.env?CO_SESSION_KEY=NXTWOPXHRBOV&CO_QUERY_HANDLE=131278&CO_CUR_DOCUMENT=4&CO_DTF_DOC_TEXT=YES&CO_DOC_MARKUP_STYLE=7

<http://juneauempire.com/Images/010498/guns.jpg>

Deadly display: The rifle used on Kevin Lamm is displayed while Deputy Police Chief James Welch of Fairbanks talks about the shooting.

ROB STAPELTON / THE ASSOCIATED PRESS

Many mourn slain officer

Chaplains, law officers react to shooting of Sitka police chief's son

Last modified at 11:40 a.m. on Sunday, January 4, 1998

THE ASSOCIATED PRESS

FAIRBANKS - In the short year since he's worked as a volunteer Fairbanks police chaplain, the Rev. Jerry Taylor has accompanied many officers notifying local families when tragedy strikes.

On Thursday, the call he hoped would never come - word that an officer had been slain - arrived.

"The entire police department needs the support of the community, especially at this time," Taylor said.

"If people are praying people, that is one thing they could do."

Services were pending Saturday for John Kevin Lamm, 26, who was shot in the chest with an assault rifle New Year's Day by a man who eventually turned the gun on himself.

The slain officer was the son of Lyn Lamm, chief of the Sitka Police Department. The Sitka chief flew north Friday to meet his wife, who was already in Fairbanks and his son's wife, who recently married the officer.

Father and son had worked together in law enforcement several years ago. The younger Lamm was a reserve officer with the North Pole Police Department while his father was chief.

Another officer was grazed in the shootout at a Fairbanks apartment. Investigators say the 27-year-old gunman, Joey Lee Dewolf, had stockpiled 400 rounds of ammunition and ambushed officers had called to check his mental state.



Taylor's role ranged from consoling police officers and Lamm's family at the hospital to helping direct morning traffic outside the home where the shootings occurred.

At the Alaska State Trooper detachment, which added a chaplain two months ago, the Rev. Ed Hartmann, a veteran Army chaplain, said an officer's death reverberates through a community - felt by police and fire departments as well as security officers at the airport and university.

"They work hand and hand," Hartmann noted. "They still have to keep doing their jobs but they also have to deal with grief and remorse."

Some families turn to the nonprofit group COPS, for Concerns of Police Survivors, for counseling and information. Alaska's representative is Juneau-based Sue Reishus-O'Brien, whose first husband, Karl, died in a 1992 training accident in Juneau.

"Police officers are a very tightknit group," she says. "They're family. All of a sudden, you're not part of that group anymore."

COPS advises survivors about a federal fund, administered through the Bureau of Justice, that provides benefits to widows and children.

The fund also maintains a memorial wall in Washington, D.C., featuring the names of officers nationwide killed in the line of duty.

Empire reporter Svend Holst contributed to this report.

http://juneauempire.com/cgi-bin/smart_search/cqcggi/@jun_stories.env?CO_SESSION_KEY=NXTWOPXHRBOV&CO_QUERY_HANDLE=131278&CO_CUR_DOCUMENT=5&CO_DTF_DOC_TEXT=YES&CO_DOC_MARKUP_STYLE=7

Fairbanks police officer shot to death

He was checking on a man who friends thought might be suicidal

Last modified at 3:32 p.m. on Friday, January 2, 1998

THE ASSOCIATED PRESS

FAIRBANKS - A Fairbanks police officer was shot to death Thursday night when he and two fellow officers went to check on a man who friends thought might be suicidal.

It is the first time a Fairbanks police officer was killed in the line of duty, said Deputy Chief James Welch.

Officer Kevin Lamm died from gunshot wounds after Joey Lee Dewolf, 27, opened fire with a semi-automatic rifle on three policemen shortly after they walked into a south Fairbanks home.

Dewolf was later found shot to death. It was not clear if his wound was self-inflicted or if he was shot by Lamm, who managed returned fire. Another officer was treated for injuries and released.

The shootout began at about 8:15 p.m. after police were called to the home by a friend who feared that Dewolf was going to kill himself. Officers Lamm, Matt Soden

and Charles Williams identified themselves before entering the home. Shortly after they entered, Dewolf began firing.

Lamm was shot, while Soden was grazed by bullets. Soden and Williams managed to retreat.

Members of a tactical team, Alaska State Troopers and University of Alaska police responded to the home immediately after the shooting. But it wasn't until 9:45 p.m. that they entered the home.

Officers interviewed Dewolf's girlfriend who told them he had been drinking since a New Year's Eve party and had become increasingly aggressive.

When they entered the home, Dewolf was found dead of a gunshot wound. Lamm was taken to Fairbanks Memorial Hospital where he was pronounced dead at 10:02 p.m.

Soden was treated for injuries and released.

About a half hour after police entered the home, a fire broke out inside. The cause of the fire was not known.

LYLE DINKHELLER

<http://www.fbi.gov/ucr/killed/98killed.pdf>

Law Enforcement Officers Killed and Assaulted 1998

A 22-year-old deputy with the Laurens County Sheriff's Office was fatally wounded while conducting a traffic stop in Dudley at approximately 5:40 p.m. on January 12. After calling in a speeding violation and requesting assistance, the deputy proceeded to follow the speeding vehicle from the highway to a country road where the suspect drove another half of a mile before stopping. When the suspect exited his vehicle with his hands in his pockets, the deputy requested he expose his hands and walk to the patrol vehicle. The suspect withdrew his hands, but then he began jumping around as if he were doing jumping jacks and yelling, "Shoot me! Shoot me!" The deputy, with nearly 3 years of law enforcement experience, repeatedly instructed the man to walk to the patrol vehicle. The suspect then apparently charged the deputy, and a struggle ensued during which both the deputy and the suspect went out of sight of the patrol vehicle's in-car camera. Within seconds, the suspect could be seen through the camera running to his truck where he pulled out a .30-caliber semiautomatic rifle. Though the deputy ordered the man to drop the weapon, he allegedly opened fire on the deputy, hitting him numerous times. The deputy returned several rounds, one of which struck the alleged assailant, who was nevertheless able to flee the scene on foot. The victim deputy, who was wearing body armor at the time of the incident, died as the result of three fatal wounds including a shot to the front of the head, a shot through the chest that circumvented his protective vest, and a shot in the rear below the waist. On January 13, a 49-year-old male with a gunshot wound in his abdomen was arrested and charged with Felony Murder.

<http://www.odmp.org/year.php?year=1998&Submit=Go>

<http://www.odmp.org/officer.php?oid=15034>

Laurens County Sheriff's Department, GA

End of Watch: Monday, January 12, 1998

Weapon Used: Rifle; .30 caliber

Suspect Info: Sentenced to death

Deputy Dinkheller was shot and killed after pulling over a man on a rural road about 6 miles north of Dublin, Georgia. During the traffic stop he called in for backup. Before the backup arrived he was shot by the man with a rifle. He was able to return fire, striking the suspect in the stomach. The suspect was found during a search the next morning and taken into custody. The incident was videotaped by an a camera in the cruiser. On January 28, 2000, the suspect was found guilty of murder and on January 30 was sentenced to death.

Deputy Dinkheller is survived by his pregnant wife and 22-month-old daughter. Deputy Dinkheller's son was born in early September, 1998.

<http://www.onlineathens.com/1998/011498/0114.a2dublin.html>

Man accused in deputy's death is arrested, hospitalized

Associated Press

DUBLIN - A Vietnam veteran accused of killing a Laurens County deputy was shouting and acting irrationally moments before gunning down the officer, Sheriff Kenny Webb said Tuesday after viewing a videotape of the traffic stop that led to the shooting.

Andrew Howard Brannan, 49, of McDonough was arrested Tuesday morning after police found him hiding in a sleeping bag beneath a camouflage tarp, about 100 yards from the Laurens County house where police had tracked him after the Monday shooting.

Brannan, who had no previous criminal record, was charged with murder in the death of Deputy Kyle Dinkheller. He was taken to a hospital for treatment of a gunshot wound in the stomach, apparently inflicted by Dinkheller.

Dinkheller, 22, was shot with a rifle about 5:30 p.m. Monday after he stopped a man who was speeding in a white truck.

Brannan's "behavior was real bizarre," Webb said. "He charged the deputy and was yelling, 'Shoot me. Shoot me.'"

"I don't understand what set him off, why he was acting the way he did. I just don't know. I wish I did."

Brannan was clocked at speeds of up to 98 miles an hour on Interstate 16 before finally being stopped on a rural road about six miles northwest of Dublin near the Dudley community, Webb said.

He said he couldn't tell from the videotape if Brannan knocked down Dinkheller during his initial charge at the officer, but the next thing he saw was Brannan going back to his vehicle.

"He got an M-1 carbine (rifle) and Dinkheller was pleading with him to drop the gun when, out of the blue, he (Brannan) started firing," the sheriff said.

"They both fired several rounds. I think Dinkheller was hit three times. The fatal wound was in the head. Brannan was wounded in the gut. I don't think he's going die."

Brannan was listed in guarded condition Tuesday at a Dublin hospital.

After Dinkheller was killed, authorities tracked Brannan to a house near Dudley, where the white truck and a rifle were found, said John Bankhead, a spokesman for the Georgia Bureau of Investigation.

They sprayed the house with tear gas during the night, but no one was found inside.

At daybreak, they began to search the area around the house and found Brannan in his makeshift hide-out, Bankhead said.

Dinkheller had been with the sheriff's department nearly three years. He was married and had a child about 18 months old.

Services are tentatively scheduled for Friday at 11 a.m. at Jefferson Street Baptist Church in Dublin, with burial to follow at Dublin Memorial Gardens.

A fund to help the slain deputy's family has been set up at the Bank of Dudley.

<http://venus.soci.niu.edu/~archives/ABOLISH/rick-halperin/oct00/0501.html>

Lawyers representing a Laurens County man on death row for murdering a deputy sheriff are citing problems with Glynn County's jury pool in asking for a new trial.

A Glynn County Superior Court jury convicted Andrew Howard Brannan of murder in the slaying of Kyle Dinkheller and recommended the death sentence, which Laurens County Superior Court Judge William M. Towson imposed Jan. 31. Brannan shot Dinkheller multiple times at a routine traffic stop in early January.

Because of publicity in the case in Laurens County, Towson changed the venue of the trial to Glynn County.

Brannan's lawyer, Richard Taylor of Atlanta, said the assertion of a bad Glynn County jury pool was included among grounds he cited in motions asking for a new trial for Brannan.

"I think we have very, very strong grounds. He's entitled to a trial by fair jurors selected from a pool that represents a cross section of the community," Taylor said.

A hearing on the motions was to have been held tomorrow in Dublin but has been continued until at least late January and will be held in Glynn County. The trial occurred more than four months before problems with Glynn County's jury pool surfaced. Glynn County juror commissioners asserted that the jury pool contained names they had not submitted to Clerk of Court Larry S. Ellison, the custodian of the jury pool, including names of dead voters, convicted felons and people who were no longer residents.

Superior Court Judges A. Blenn Taylor Jr., James R. Tuten and Amanda F. Williams suspended all criminal jury trials June 10 until the pool could be corrected. But Aug. 2, the judges signed an order for the sheriff to seize several computers from Ellison's office after an information technology specialist showed the judges that the jury list could be accessed from other county computers.

Once security was installed, the Glynn County Jury Commission, a panel appointed by the judges, went about the painstaking task of rebuilding the jury pool. Jury trials resumed in September.

Although Ellison may have to testify in the motions hearing, he will no longer do so as clerk of court. He lost that job to Lola Jamsky, his former chief deputy clerk, in the Republican primary. Jamsky will take office Jan. 1.

Peter Fred Larson, an assistant Laurens County district attorney, said there is nothing unusual about motions for a new trial for a death row inmate.

"This is very typical. This is just the course of a death penalty case," he said.

(source: Florida Times-Union)

http://www.behindthebadge.net/pmemorial/pmem_d.html

Officer Dinkheller was making a routine traffic stop, a gunman emerged from his truck with a .30 carbine rifle. Officer Dinkheller was shot numerous times despite body armor. He was dead at the scene. The murderer was a militia/survivalist type with tunnels and trenches in which he was able to elude law enforcement for the night but was apprehended the next day. He suffered one bullet wound to the abdomen. He is being held for murder. Officer Kyle Dinkheller was an outstanding Sheriff's Deputy and friend...he will be sorely missed.

http://www.cybersleuths.com/news/00_2000news/01312000.htm

http://augustachronicle.com/stories/013100/met_081-3521.000.shtml

http://www.augustachronicle.com/stories/013100/met_081-3521.000.shtml

Across the area: Convicted killer sentenced to die

LYLE DINKHELLER - *Laurens County Deputy Sheriff murdered in 1998*

Web posted January 31, 2000

BRUNSWICK -- A 51-year-old McDonough man was sentenced to death Sunday in the Jan. 12, 1998, slaying of Laurens County Deputy Sheriff Lyle Dinkheller.

Andrew Brannan had pleaded not guilty by reason of insanity, but the jury agreed Friday that Mr. Brannan was neither insane nor mentally ill, but guilty.

The Superior Court Judge William Malcolm Towson read the sentence of death, the first time he has done so, choking on the words: "May God have mercy on your soul."

The sentence followed four hours of jury deliberations late Saturday and early Sunday.

Deputy Dinkheller, 22, had been with the sheriff's department nearly three years. He was married and had a child about 18 months old.

The trial was moved from Laurens to Glynn County because of extensive publicity throughout the mid-state.

Mr. Brannan shot Deputy Dinkheller 10 times after he was pulled off Interstate 16 for speeding. He shot him in a torturous manner, according to the jury's punishment verdict.

<http://www2.state.ga.us/Courts/Supreme/pdf/s01p1789.pdf>

275 Ga. 70, S01P1789. BRANNAN v. THE STATE

1. The evidence presented at trial showed the following: Andrew Brannan left his mother's house in Stockbridge, Georgia, to drive to his house in Laurens County in the afternoon of January 12, 1998. He was driving his white pickup truck 98 miles per hour on Interstate 16 when Laurens County Deputy Sheriff Kyle Dinkheller clocked his speed with a radar gun. Brannan exited the highway and stopped on a rural stretch of Whipple Crossing Road after the deputy caught up to him. During

the pursuit, Deputy Dinkheller activated a video camera which is aimed through his windshield. The camera captured almost all of Brannan's actions during the ensuing traffic stop. Deputy Dinkheller also wore a microphone. The deputy stopped his patrol car about 20 feet behind Brannan's truck. Brannan exited his truck and stood near the driver's side door with his hands in his pockets. The right side of Deputy Dinkheller is visible on the tape as he stood next to his driver's side door. Deputy Dinkheller said, "Driver, step back here to me. Come on back here to me." Brannan said, "Okay," but did not move. The deputy said, "Come on back. How are you doing today?" Brannan said that he was okay and asked how the deputy was doing, but still did not move. Deputy Dinkheller said he was good and repeated, "[C]ome on back here and keep your hands out of your pockets." Brannan asked why and the deputy again said, "Keep your hands out of your pockets, sir." Brannan responded, "Fuck you, Godamit, here I am. Shoot my fucking ass." He then began dancing in the street, saying, "Here I am, here I am." The deputy ordered, "Come here. Sir, come here," but Brannan responded, "Shoot me," and kept dancing. Deputy Dinkheller radioed for assistance on his belt-mounted radio, and the defendant stopped dancing and approached him. The deputy said, "Sir, get back." Brannan replied, "Who are you calling, motherfucker?" and then rushed the deputy and a confrontation ensued to the left of the patrol car and off camera. The deputy ordered Brannan to get back nine more times. Brannan replied with "Fuck you" four times and at one point shouted, "I am a goddam Vietnam combat veteran." Brannan then ran back to his truck and began rummaging around behind the driver's seat. Deputy Dinkheller remained beside his patrol car and ordered, "Sir, get out of the car." The right side of the deputy is briefly visible during this time. The deputy had drawn his baton, but not his firearm. Brannan replied that he was in fear of his life. The deputy shouted, "I'm in fear of my life! Get back here now!" Brannan said, "No," and then pulled a .30 caliber M-1 carbine from his truck. The deputy radioed for help and shouted for him to put the gun down. Instead, Brannan crouched by his open driver's side door. The deputy shouted for Brannan to put the gun down three more times. Brannan opened fire and the deputy returned fire. Deputy Dinkheller was hit and shouted, "Shoot, shoot, stop now!" Brannan continued firing and advanced to the front of the patrol car. The deputy apparently tried to take cover behind the patrol car. Brannan exhausted one magazine, reloaded, and continued firing. The microphone recorded the sounds of the deputy being shot. At trial, the medical examiner testified that by this time Deputy Dinkheller had been struck by at least nine bullets, in the arms, legs, buttocks, chest, and head. The medical examiner opined that the deputy, although still breathing into the microphone, had lost consciousness because he was no longer returning fire or crying out when shot. The video shows Brannan cease crouching, take careful aim with his carbine, say "Die, Fucker," and fire one last shot. Brannan then fled the scene in his truck.

<http://www.augustachronicle.com/stories/011498/LG0429-3.001.shtml>

Police charge man with killing deputy

Web posted January 14, 1998 Associated Press

DUBLIN, Ga. -- A 49-year-old man accused of killing a Laurens County deputy was shouting and acting irrationally moments before gunning down the officer, Sheriff

Kenny Webb said Tuesday after viewing a tape of the traffic stop that led to the shooting.

Andrew Howard Brannan of McDonough was arrested Tuesday morning after police found him hiding in a sleeping bag beneath a camouflage tarp, about 100 yards from the Laurens County house where police had tracked him after the Monday shooting.

Mr. Brannan, who had no previous criminal record, was charged with murder in the death of Deputy Kyle Dinkheller. He was taken to a hospital for treatment of a gunshot wound in the stomach, apparently inflicted by Deputy Dinkheller.

Deputy Dinkheller, 22, was shot with a rifle about 5:30 p.m. Monday after he stopped a man who was speeding in a white truck.

Mr. Brannan's "behavior was real bizarre," Sheriff Webb said. "He charged the deputy and was yelling, 'Shoot me. Shoot me.'"

"I don't understand what set him off, why he was acting the way he did. I just don't know. I wish I did."

Mr. Brannan was clocked at speeds of up to 98 miles an hour on Interstate 16 before finally being stopped on a rural road about six miles northwest of Dublin near the Dudley community, Sheriff Webb said.

The sheriff said he couldn't tell from the videotape if Mr. Brannan knocked down Deputy Dinkheller during his initial charge at the officer, but the next thing he saw was Mr. Brannan going back to his vehicle.

"He got an M-1 carbine (rifle) and Dinkheller was pleading with him to drop the gun when out of the blue he (Brannan) started firing," the sheriff said.

"They both fired several rounds. I think Dinkheller was hit three times. The fatal wound was in the head. Brannan was wounded in the gut. I don't think he's going die."

Mr. Brannan was listed in guarded condition Tuesday at a Dublin hospital.

After Deputy Dinkheller was killed, authorities tracked Mr. Brannan to a house near Dudley, where the white truck and a rifle were found, said John Bankhead, a spokesman for the Georgia Bureau of Investigation.

They sprayed the house with tear gas during the night but no one was found inside.

At daybreak, they began to search the area around the house and found Mr. Brannan in his makeshift hide-out, Mr. Bankhead said.

Deputy Dinkheller had been with the sheriff's department nearly three years. He was married and had a child about 18 months old.

Services are tentatively scheduled for Friday at 11 a.m. at Jefferson Street Baptist Church in Dublin, with burial to follow at Dublin Memorial Gardens.

A fund to help the slain deputy's family has been set up at the Bank of Dudley.

COLLEEN WAIBEL

<http://www.fbi.gov/ucr/killed/98killed.pdf>

Law Enforcement Officers Killed and Assaulted 1998

A 44-year-old officer with the Portland Police Bureau was shot and killed at approximately noon on January 27 while attempting entry to an alleged drug house. The forced entry was initiated because police suspected that an occupant of the house was destroying evidence by burning marijuana plants. As police were making their entry, the assailant fired at least 17 rounds from a 7.62 x 39 mm semiautomatic rifle through an interior door, striking three officers. The victim officer, with over 6 years of law enforcement experience, was fatally wounded when bullets penetrated her protective vest and entered her chest. Her two partners, both also injured, returned fire as they were retreating. One of their bullets hit the alleged shooter in the left upper chest area and severed his spine. The 37-year-old male was then arrested and charged with Aggravated Murder and numerous other offenses. He committed suicide approximately one month after being incarcerated.

<http://www.odmp.org/year.php?year=1998&Submit=Go>

<http://www.odmp.org/officer.php?oid=15041>

Officer Colleen Ann Waibel

Portland Police Bureau, OR

Date of Incident: Tuesday, January 27, 1998

Weapon Used: Rifle; SKS

Suspect Info: Committed suicide in jail

Officer Waibel was shot and killed and another officer was shot and seriously wounded after attempting a drug raid on a house. Both officers, along with other officers, had knocked on the front door and identified themselves as officers but nobody answered. As they attempted to knock the door down automatic gunfire erupted and Officer Waibel was struck above and below her vest and died on the scene. The second officer's vest was penetrated by the armor piercing rounds and she was transported to a local hospital in extremely critical condition and underwent several hours of surgery. A third officer was shot in the hand and wounded as he was returning fire in order to allow for the two wounded officers to be extracted. The suspect, who had been shot and wounded, exited the house approximately 2 1/2 hours later when several canisters of tear gas were launched into the house. Officer Waibel is the first female Portland officer ever killed in the line of duty. The suspect committed suicide in jail in late February, 1998, by hanging himself with a sheet from his bed. Officer Waibel is survived by her husband.

<http://www.vpc.org/studies/980127.htm>

Section Three: Selected Incidents of Law Enforcement Officers Killed in the Line of Duty by Assault Weapons, 1998 Through 2001

Date: January 27, 1998

Location: Portland, Oregon

Assault Weapon: Norinco SKS 7.62mm rifle

On January 27, 1998, one police officer was killed and two were wounded with a Norinco SKS 7.62mm rifle. The officers, working on a drug investigation in Portland, entered the home of Steven Douglas Dons and were met with gunfire. Colleen Waibel, a six-year veteran, was hit with multiple gunshots, becoming the first female officer killed in the line of duty in Portland. Kim Keist, a 15-year veteran, was wounded in the chest and arm despite wearing a bullet-proof vest. A third officer was treated for a gunshot wound to the hand. A neighbor reported that Dons was known to have a large arsenal of weapons and that police had been called to the house weeks before on a complaint of weapons being fired. Dons committed suicide while awaiting trial.

Lauren Dodge, "Three Portland Officers Ambushed at House; One Dead, Two Wounded," *Associated Press*, January 28, 1998; "Victim, Husband Have Mixed Feelings Over Apparent Suicide of Suspect," *The Columbian*, February 26, 1998.

[shows graphic of SKS rifle advertisement with note "Each weapon shown is representative of the brand or model of assault weapon and is not a picture of the specific weapon used in the shooting described in the narrative."]

<http://www.pdxnorml.org/980207.html>

Dons Arraigned On Murder Charges

oregonlive.com February 7, 1998 letters@news.oregonian.com

Portland police officers decided to enter his house because they suspected evidence was being destroyed, court records show

By David R. Anderson of The Oregonian staff

Officers knocked on the front door for two minutes. They had smelled the marijuana smoke and decided it was time to go in.

When no one answered, Portland police Sgt. Jim Hudson grabbed a concrete block and forced open the front door at 2612 S.E. 111th Ave. Before entering, they again yelled that they were police officers. They yelled that someone needed to come to the front door. And they yelled that they were concerned that evidence was being destroyed.

Hudson held open the door for Officer Kim Keist, who went in first. Officers Colleen Waibel and Steve Morrow followed her.

About 3 feet into a mudroom, a refrigerator on one side, officers saw a partially open door in front of them. Suddenly, they heard gunfire from inside the house, and the door in front of them splintered.

Keist and Waibel were hit. Morrow carried the mortally wounded Waibel outside. Keist, critically injured, pulled herself outside and hid behind a parked car as Hudson provided cover fire.

Those new details of a tragic police raid Jan. 27 emerged Friday as court officials released a final search warrant affidavit. Police continued to refuse comment on other details of the investigation.

The document said police had been to the house four or five times before the final confrontation that Tuesday morning. Each time they had knocked on the door, there had been no answer. Portland police spokesman Lt. Cliff Madison could not give dates the visits occurred.

The suspect in the shootings, Steven Douglas Dons, 37, was arraigned Friday as he lay in his hospital bed at Adventist Medical Center.

With the gurgling sound of chest tubes in the background, Multnomah County Circuit Judge Joseph Cenicerros summarized the 13-count indictment, which includes charges of aggravated murder, attempted aggravated murder and assault. Dons, appearing pale but alert, nodded as Cenicerros detailed the charges.

"We enter pleas of not guilty to each and every count," his attorney Andrew Bates, said. Dons' spoke clearly only once during the four-minute hearing, saying, "Yes, sir," when Cenicerros asked him whether his name was Steven Douglas Dons.

Before the hearing started. Dons saw a television camera and asked his lawyers for a comb. He used a brush to straighten his hair.

The search warrant affidavit sworn by homicide Detective Sgt. Dave Rubey after the shooting, did not say why police initially suspected marijuana was in the house. On the morning of Jan. 27, four members of the Portland police Marijuana Task Force and an Oregon State Police detective arrived at the house.

Three left to get a search warrant leaving Hudson and Keist. When they saw smoke coming from a chimney that smelled like marijuana smoke, they called for uniform officers because they feared evidence was being destroyed.

Waibel and Morrow, along with Officers Jeffrey Parker and Wayne Gwilliam arrived. Parker went to the back door, and Gwilliam went to the side of the house. Officers knocked and said they had a search warrant, the affidavit said, even though a judge apparently had not yet signed the warrant. After two minutes with no response, Hudson decided it was time to go in, the document said.

The affidavit included a neighbor's statements to police that Dons had talked about killing people on several occasions, particularly killing police officers.

Dons' roommate Jeffrey H. Moore told a detective that Dons talked about killing a police officer and that Dons had a problem with a police officer while he was in the U.S. Air Force. Moore said Dons memorized the officer's name and said he always intended to get even with the officer, the affidavit said.

<http://www.pdxnorml.org/980214.html#cfp>

Criminals Force Police Into An Arms Race

The Oregonian February 14, 1998

Like other agencies across the nation, Portland is considering equipping officers with semiautomatic rifles to match the firepower brought to bear by bad guys

By Jennifer Bjorhus of The Oregonian staff

The final report recommending semiautomatic assault rifles for Portland's police was on its way to the mayor.

In it, police warned of being outgunned by criminals with sophisticated weapons and asked for \$310,000 to attempt to remedy the situation.

The meeting was never held. Minutes before noon that day, Jan. 27, police say, Steven Dons opened fire from his Southeast Portland house with an SKS 7.62 mm semiautomatic rifle, killing one officer and wounding two.

Point made.

Mayor Vera Katz quickly announced that she supported the Police Bureau's request.

Quietly, behind the consternation and outpouring of grief following the shootout, Portland joins a growing number of police departments around the country seeking to arm officers with powerful semiautomatic rifles. It's a historic, controversial shift in policing, a leap in power from the handgun at the waistband that for decades has been the symbol of U.S. law and order.

Special tactical units such as SWAT teams have used the weapons for years. What's new is their widespread use by regular patrol officers and others, such as drug units, even as police departments herald the return of community policing.

Just how many police departments have made the shift isn't known. One firearms expert estimated as many as half. >From Miami to nearby Lake Oswego, on-duty officers now tote semiautomatic rifles.

Details of the report are sketchy, and the Portland Police Bureau doesn't want to talk about it. The department declined a Public Records Act request to see the report, citing safety reasons.

Chief Charles Moose would confirm only that the study recommends the city spend \$310,000 during two years to buy 166 Colt AR-15s, a semiautomatic rifle with a shortened barrel, also called a carbine. The cost also includes .223-caliber ammunition. The new rifles would replace the 12-gauge shotguns street officers now have mounted in their patrol cars and would be an addition to the Glock 9 mm handguns most Portland officers carry.

The bureau has been discussing alternatives to the shotguns for years, said Lt. Dave Benson of the bureau's training division. In August, six months after a highly publicized shootout between Los Angeles police and two heavily armed bank robbers, the bureau began in earnest to study new weapons. Yet, the exact type of .223-caliber bullets to order, how to best train officers, where best to carry the rifles and when they can be fired are decisions still to be made, Benson said.

Supporters argue that police, patrolling the fault lines in a violent society where guns are as cheap and plentiful as car stereos, need parity with heavily armed criminals.

Firearms experts say that semiautomatic rifles are highly accurate, easier to use and safer than shotguns and can be fired from a much safer distance from a perceived threat. A handgun, for instance, is reliable up to only about 25 yards. In contrast, an AR-15 rifle can hit a dinner plate five blocks away.

But the rifles' simplicity and intimidation value are not just attractive to police officers. Semiautomatic rifles are increasingly popular with gang members, Portland gang detectives say.

"They penetrate the front facade of a house; they go through cars, go through vests; they're higher capacity, you can get 30-round clips," explained Detective Stu Winn, a gang detective in Portland's Northeast Precinct.

A 1995 U.S. Department of Justice report shows that semiautomatic rifles are most popular with juvenile offenders; a few state surveys of juvenile inmates indicated that 20 percent to 35 percent of them had owned semiautomatic rifles.

Critics fear the trend of police officers arming themselves with high-powered rifles fosters a dangerous mind set in police and might ratchet up a mini-arms race with criminals. They also worry that stray bullets could hit innocent bystanders.

One gun-control advocacy group, the Violence Policy Center in Washington, D.C., likens the firepower difference between a handgun and the AR-15 to "the difference between a Stinger missile and a nuclear weapon."

Even some police departments are wary of the powerful M-16 and AR-15 rifles shooting .223-caliber ammunition.

Miami's police recently approved the optional use of semiautomatic rifles that fire less powerful 9 mm and .45-caliber bullets used in handguns, said Sgt. Robert Rambo, in charge of firearms for the Miami Police Department. The officers must buy the rifles themselves. He estimated that about 50 of 1,050 officers had done so.

After the shootout in Los Angeles, he said, some officers clamored for M-16s.

"No way am I putting them in those guys' hands," he said. "You have to weigh citizens' safety, especially in an urban city like Miami."

Standoffs such as Portland's happen "once in a blue moon," he said. "Do you want to have police officers out there with these types of rifles . . . and then they start blasting, and the bad guys start blasting?"

Sgt. Marc Galloway of the Lake Oswego Police Department said officers there have carried Heckler & Koch MP5 9 mm semiautomatic rifles mounted in their cars since 1991. It's a good program, he said, but one that demands a lot of careful training.

"There's a big liability issue," he said. "It's going to only take one bad situation, and all of a sudden everybody calls foul."

Tom Potter, former Portland police chief, said he struggles between wanting police fully protected and not wanting unnecessary weapons.

"I'm kind of torn," Potter said. "I don't want officers to think that (rifle) somehow's going to be their salvation. I don't want that kind of siege mentality in the police department."

Donald Clark, former Multnomah County sheriff and county executive, agreed that police need parity with well-armed criminals. But he feared semiautomatic rifles could push community policing to its limit.

"It begins to change the whole role of police," he said. "It's pretty tough to do (community policing) when you think every door you knock on, someone is going to blow you away. It changes the psychology. It changes the way they view their jobs."

"Pretty soon, you have combat troops running around, and that is different than the way police have historically been."

Proper training will be a critical issue, observed Portland police Officer Eric Schober, who works in the drugs and vice unit.

"Personally I don't feel we get enough training with just our pistols, so that makes me a little nervous," he said. "And now they're going to throw a new weapon at us?"

Still, Schober said, the extra distance rifles afford would be welcome. Five years ago, an irate man shot his neighbor's wife and baby boy with a pistol in North Portland. Schober, stuck a half-block away, could not stop him with his handgun.

"From where I was standing, there was no way I could take a good shot," he said. "To take a shot from a distance where we were with a pistol would have been dangerous."

His 12-gauge shotgun, with its rambling lead ball shot, also would have been a mistake, he said, but a semiautomatic rifle would have been great.

The problem isn't arming police with semiautomatic rifles, it's that so many criminals have such powerful weapons, said Dr. Linda Erwin, associate director of trauma at Legacy Emanuel Hospital and a gun-control advocate.

"They're professionals," Erwin said of police. "My concern is more about the fact that other people have them, and how did that happen? That's what really disturbs me."

It also disturbs Leo Painton, president of the Portland Police Association. He called the move to semiautomatic rifles long overdue and said a shootout such as the recent one in Southeast Portland was waiting to happen as more people stockpile high-powered weapons.

"Nobody knows what's out there. What do we do, just sit back and wait?" Painton said.

"Look what happened in L.A. They had to run into a gun store to find guns that would compete with those bank robbers."

Last Labor Day weekend, the Los Angeles Police Department received 600 M-16 rifles donated from surplus by the U.S. Army. The guns are being converted from automatic to semiautomatic. Officers start training with the new rifles this month, Sgt. Brian Gilman said.

The original plan, Gilman said, was for the M-16s to be carried only in the cars of sergeants, who could issue them to officers only when necessary. Now L.A. police are considering giving the rifles to selected officers, who could carry them in the trunks of their cars.

Interestingly, semiautomatic rifles are off-limits to officers in New York. "New York City police officers are not even allowed to own those guns," Sgt. Cory Cuneo said.

Those who support the use of semiautomatic rifles in police work acknowledge that no weapon will fix the infamous uncertainty of the job. The rifle would simply be another tool. It won't make well-armed bad guys go away.

"You're just playing the numbers," Schober said. "It happened. It's going to happen again."

Jennifer Bjorhus covers crime issues for The Oregonian's Crime, Justice and Public Safety Team. She can be reached by phone at 294-7605 or by e-mail at jbjorhus@news.oregonian.com.

<http://www.pdxnorml.org/980214.html>

Police say Dons shot and killed Portland police Officer Colleen Waibel and injured two other officers on Jan. 27 when they entered the house where he lived at 2612 S.E. 111th Ave. Police suspected a marijuana grow in the house and broke through the front door when they suspected someone inside was destroying evidence by burning marijuana in a woodstove.

<http://www.pdxnorml.org/980214.html>

Steven Douglas Dons and his roommate, Jeffery Harlan Moore, face child-neglect and drug counts

By Wendy Siporen of The Oregonian staff

A Multnomah County grand jury Thursday added drug and child neglect and endangerment charges against a man accused of killing a Portland police officer, and also indicted his roommate on similar charges.

Portland and Gresham police arrested the roommate, Jeffery Harlan Moore, at 4:45 p.m. Thursday on the campus of Mt. Hood Community College, where he works. Three plainclothes detectives made the arrest without incident, said Lt. Cliff Madison, a Portland police spokesman. Moore, 44, is being held in the Justice Center jail in lieu of \$125,000 bail.

The new charges relate to a 51-plant marijuana grow operation police say they found in the house and allegations that Moore and Steven Douglas Dons had Moore's children, ages 7 and 9, near the marijuana and unsecured guns and ammunition. Moore's children were visiting early in January from Nevada.

In addition to 13 counts that include aggravated murder, attempted aggravated murder and assault, Dons, 37, now faces one count of manufacture of a controlled substance, one count of possession of a controlled substance and two counts each of first-degree child neglect and recklessly endangering another person.

Moore faces eight counts - the two drug charges related to the marijuana; the two counts each of child neglect and reckless endangering; and one count each of possession of cocaine and methamphetamine. Police found inhaling paraphernalia for cocaine and methamphetamine in the house. The cocaine and methamphetamine were not in "substantial quantities," said James McIntyre, a Multnomah County senior deputy district attorney.

In an interview with The Oregonian last week, Moore denied knowing about the 51-plant marijuana grow behind what he said was a locked door. At the time, he said he did not have an attorney and did not expect to be charged with a crime.

"I'm not guilty of anything," he said. "Why should I be charged?"

Authorities moved Dons on Tuesday to the Justice Center jail from Adventist Medical Center. He is being held in the jail's medical unit. Dons is in good condition but suffers from partial paralysis, said Sgt. Brian Martinek, a Multnomah County sheriff's spokesman. Martinek could not be more specific but said doctors don't know whether the paralysis is permanent.

Police say Dons shot and killed Portland police Officer Colleen Waibel and injured two other officers on Jan. 27 when they entered the house where he lived at 2612 S.E. 111th Ave. Police suspected a marijuana grow in the house and broke through the front door when they suspected someone inside was destroying evidence by burning marijuana in a woodstove.

Police found at least 10 guns in the house, including several semiautomatic rifles.

Investigators have confirmed that what at first appeared to be a grenade launcher in the house is actually a flare gun, McIntyre said. They are still examining five devices that appeared to be grenades. McIntyre said they appear to be some kind of "modified charge," but he could not be more specific.

Since the original indictment in the shooting was handed down Feb. 4, the grand jury heard testimony from two neighbors of the men, two police investigators and a crime lab technician.

<http://www.rdrop.com/~pjw/PPR14/deaddons.HTML>

POLICE SHOT IN BOTCHED WARRANTLESS SEARCH; SUSPECT SUPPOSEDLY STRANGLES SELF

A Southeast Portland neighborhood became yet another battlefield in the "War on Drugs" on Tuesday, January 27th. A house occupied by Steven Douglas Dons was visited by the Police Bureau's Marijuana Task Force (MTF). Piecing together statements made by police spokespeople and the District Attorney's office to the *Oregonian* and other papers, this is what seems to have happened:

At 10:45 AM three officers visited the home and surmised that there was a marijuana growing operation there. While those officers went to obtain a search warrant, two other officers from the MTF called for backup. After the backup officers arrived, Sgt. Jim Hudson, officers Steven Morrow, Kim Keist and Colleen Waibel knocked on the door, yelling "Portland Police." The officers did not know if anyone was in the home. After receiving no answer, something prompted Hudson to use a paving stone to break down the front door, 23 minutes before the warrant was signed.

The officers were met with gunfire. Keist and Hudson were injured; Waibel was killed. Officers returned fire and Dons was shot once in the chest.

Hours after the injured officers were carried from the scene, police shot tear gas and advanced on the house with an armored vehicle. They found Dons lying shirtless on his kitchen floor. He reportedly flashed a peace sign at them. Officers responded with five "non-lethal" beanbag rounds from their shotguns. These rounds can cause serious injury or death when fired from a distance of under 25 feet (see *PPR #12*). It is unclear why police felt it necessary to fire them indoors at a paralyzed suspect. Police then removed Dons' pants and, rather than calling for

medical help, dragged him to their vehicle. His naked body was placed on the bumper while officers posed with machine guns for a photo opportunity.

That day Mayor (and Police Commissioner) Vera Katz and Police Chief Charles Moose held a press conference at the hospital where the officers were being treated. This dynamic duo attempted to focus attention on everything BUT the apparently illegal police action that had just taken place. Moose lashed out at local news crews for covering the event, while Katz called for tighter gun control policies. When asked if the officers had a search warrant, Moose stopped answering questions from the press. Police spin-doctor Lt. Cliff Madison would not comment on why the officers broke down Dons' door. It wasn't reported until two days later that police claimed the officers smelled marijuana smoke and raided the home because they feared evidence was being destroyed.

At 4:45 AM on February 25, Dons was found dead in his medical cell at the Justice Center jail, where he was in custody of the County Sheriff. Although Dons was suspected of killing a police officer and wounding two others, he was not under guard. Authorities say they were checking on Dons through a window twice an hour. Police claim they found a sheet tied around Dons' neck at one end, and around the bed frame at the other. The official story is that Dons, weighing over 250 pounds and paralyzed from the waist down, tied the sheet around his neck and bed frame, then rigged the control for his hospital bed (using electrical tape and a wad of paper) to raise it until he was strangled. No one other than jail staff ever saw Dons with this alleged contraption in place. There was a surveillance camera in Dons' cell, but it was conveniently out of order and had toothpaste smeared over the lens. Some have questioned Dons' ability to kill himself while not only paralyzed, but heavily medicated.

A state medical examiner determined Dons' death to be a suicide less than 12 hours after the fact. The Sheriff's office, Multnomah County DA, Oregon State Police, and the FBI were all involved in the subsequent investigation of the jailhouse death. Their findings, along with a [video-taped re-enactment <donssidebar.HTML>](#), were presented to a grand jury, who unanimously found Dons' death to be a suicide. Fully convinced after hearing the testimony of the police and the police-friendly District Attorney, grand jury foreman Paul Driscoll stated: "[T]here will always be some people who will question our findings, but we are satisfied that there is no reasonable doubt that the death of Steven Dons was a suicide."

Indeed, there are many people who seriously doubt this sequence of cookie-cutter findings exonerating the police. Even the usually uncritical *Oregonian* called for an independent inquiry into the death. The day of Dons' death, call-in radio shows were abuzz with public outrage and disbelief. Even on the most mainstream stations, civilians called in to voice suspicions that police were somehow involved in Dons' death.

Whether this was the case or not, there is no denying that they had both motive and opportunity to do so. Aside from the crude purpose of revenge for Colleen Waibel, silencing Dons would have ensured that his version of the events on January 27th would never see the light of day. Dons' lawyers will not relate his version of events, citing attorney-client privilege. Officer Kim Keist was "relieved" when she learned of Dons' mysterious death. Jim McIntyre, senior deputy DA was quoted in the March 8 *Oregonian* as saying "It is ridiculous in this day and age that

we can only judge [Dons'] guilt in a courtroom trial." Apparently, McIntyre isn't really concerned with whether or not there was foul play following Dons' apprehension and before he could be tried in a court of law. This supposed upholder of the public's constitutional rights seems satisfied that someone may have meted out some vigilante "justice" to Dons on February 25.

These disturbing events and the knee-jerk exoneration of law enforcement have moved more than a few Portlanders to wonder what they can do about what may be very serious police corruption. Unfortunately, most people are looking for a "quick fix" solution to this most recent example of out-of-control policing. Were the case of Steven Dons an isolated incident, it might be sufficient to call for justice with a one-time campaign or protest. However, what has happened to Steven Dons is only a recent and particularly extreme example of problems that are clearly systemic in nature. As long as the people have no control over the armed "public servants" who patrol our streets, there WILL be miscarriages of justice as grave as what we are seeing now.

So, what can be done about any of this? In the short term, demand that further investigation be done by outside sources not related to law enforcement. Though the FBI is known to be disdainful of local cops, it is unlikely that they would come down hard when a police officer has been killed. Documents presented to the grand jury indicate that those who stood to gain from Dons' death, from higher-ups in the Marijuana Task Force to Waibel and Keists' husbands, both of whom are police officers, were not interviewed.

If you're looking for a medium-term solution, you can call City Council and the County Commissioners to voice your disgust with what has transpired and demand a stronger civilian review board for Portland police and a similar review board for the County Sheriff. However, even if elected officials began listening to the people, there is only so much possible within the mechanism of a civilian review board. At best, such a board can make the public aware of the behavior of the police, and seek to provide redress to the victims of police misconduct. However, a review board will never be able to stop police misconduct before it happens. For this to take place, we must build a community culture that questions the actions of the police; we must demand accountability at every level--from the beat cop to the Chief.

(Oregonian, 1/28-30, 2/3&26, 3/8&21; PDXS 3/13; Willamette Week 3/25)

<http://www.pdxnorml.org/980225.html>

Suspect in slaying of officer commits suicide in jail

By LAUREN DODGE

The Associated Press, 02/25/98 1:06 PM Eastern

PORTLAND, Ore. (AP) -- A man accused of fatally shooting a police officer during a marijuana raid apparently used his bedsheets to strangle himself in jail this morning, police said.

Steven Dons, who was paralyzed from the waist down in last month's shootout with officers, was found dead at about 4:30 a.m. during a routine check on his medical room at the Multnomah County Jail.

"It appears he used some parts of the bedding in the room to strangle himself," sheriff's Lt. Brian Martinek said at a news conference. "It appears he committed suicide."

"He was not under a suicide watch, no. We had no reason to believe ... that he was going to kill himself."

The 37-year-old Dons was being held on aggravated murder charges in the Jan. 27 death of Officer Colleen Waibel, the city's first female officer killed in the line of duty.

Martinek said Dons' room had been given a visual check twice an hour during the night. Officers said they last spoke to Dons about 1:30 a.m. and he said nothing unusual.

It was only when a nurse came in to shift Dons in his bed that officials realized he was dead. He was not found hanging, but was lying in his bed and appeared at first glance to be sleeping.

Martinek said Dons was found hooked to part of the apparatus on the bed, attached by either clothing or bedding.

When asked how a 250-pound in his condition could strangle himself, Martinek said: "That's what we're looking into."

After a morning news conference, jail officials gave reporters and camera crews a tour of the fourth floor room where Don's had killed himself hours earlier.

The 12-by-12-foot cell was equipped with only a wheelchair, a chair piled with blankets and an adjustable medical bed with a metal T-bar over the top. Scratched on the inside of the door was some graffiti that read: "Death to all men."

There also was a glass-enclosed video camera in the corner of the ceiling, which was covered in dried toothpaste. Police said the camera was obsolete and was not in use at the time of the suicide. It was not clear how long the toothpaste had been there.

Lt. Ron Bishop said there have been about 10 suicides since the ward opened in 1983 and there is very little anyone can do to stop someone intent on killing themselves.

"If someone has the will, they are going to do it," Bishop said, adding that one inmate killed himself several years ago by picking up a bed and dropping it on his throat.

Dons also was charged with attempted aggravated murder and assault in the shooting and wounding of Officer Kim Keist, and a male officer who was shot in the hand.

Five officers visited Dons' rented home after they smelled marijuana smoke and had reason to believe he was destroying evidence from a pot growing operation. While in the process of obtaining a search warrant, they bashed in his front door with a rock from his front yard and were shot as they came down a hallway.

Dons held police at bay for 2 1/2 hours before officers used bean bag bullets and tear gas to apprehend him. He was carried away, nude and bleeding, on the back of a state police van.

Court documents said that the house where Dons lived contained an arsenal that included a grenade launcher, shotguns, rifles and handguns including an M-14 assault-style rifle, a .22-caliber semiautomatic rifle and two Russian SKS

semiautomatic rifles. Dons allegedly fired at least 10 rounds at officers from an SKS rifle.

The house and a shed on the property contained hundreds of rounds of ammunition, including a 100-round-capacity magazine with 80 rounds inside.

Police also seized a laser sight, a gas mask canister, at least one bayonet, a crossbow and a pair of nunchuks -- a martial arts weapon. They also found "firearms propaganda" and a book titled "Confirmed Kill."

Dons had an extensive arrest record in Las Vegas between 1979 and 1993: Two counts of obstructing a police officer and single counts of resisting arrest, resisting a police officer, battery with a deadly weapon, using a deadly weapon in the commission of a crime, and being an ex-felon in possession of a firearm.

SEAN CARRINGTON

<http://www.fbi.gov/ucr/killed/98killed.pdf>

Law Enforcement Officers Killed and Assaulted 1998

On January 19 at about 8 p.m., a detective with the New York City Police Department, South Bronx Narcotics, was shot and killed while participating in an undercover drug buy. The 28-year-old victim detective, who had nearly 4 years of law enforcement experience, was one of two officers serving as backup for an undercover agent who was in the lobby of a building attempting a drug buy. When the agent communicated to his backup team that he had successfully completed a purchase of crack cocaine, the detective and his partner moved into the lobby and signaled the arrest team to move in on the suspects. As responding officers entered the lobby, they heard several gunshots and found the victim detective lying wounded on the floor. He had been shot three times in his front lower torso area with a 9 mm semiautomatic handgun. More gunfire was exchanged as officers removed the wounded detective to a hospital, where he was pronounced dead at approximately 8:30 p.m. One of the alleged perpetrators, a 32-year-old male, was also killed in the exchange; a 38-year-old male was arrested and charged with Homicide.

<http://www.odmp.org/year.php?year=1998&Submit=Go>

<http://www.odmp.org/officer.php?oid=15040>

Detective Sean Gerald Carrington

New York City Police Department, NY

End of Watch: Monday, January 19, 1998

Weapon Used: Handgun; Mac-11

Suspect Info: 1 shot and killed; 2nd arrested

Detective Carrington was shot and killed while participating in a buy-bust drug operation at a known drug location. After the buy gunfire erupted and Detective Carrington, who was not wearing a vest, was struck three times. The fatal shot penetrated his heart. Detective Carrington and his partner were able to return fire, killing the shooter. The shooter had been released from jail on January 10 after serving a 10 year sentence for involuntary manslaughter, which had been reduced from murder. One other suspect was apprehended later by the New York City Emergency Services Team. Detective Carrington is survived by his fiancée, two year old daughter, and his mother.

http://criminaljustice.state.ny.us/crimnet/ojsa/cja_98/cj98sec5.pdf

Detective Sean Carrington

New York City Police Department

Killed with a handgun during a drug buy and bust operation. (two other officers were killed during the year with handguns and Carrington and Carter were killed by prior killers released from prison after short sentences.)

<http://www.wellesley.edu/Chemistry/Chem101/war/html%20pages/NYCdrugbust.html>

NYT Archives Article

January 21, 1998, Wednesday

Section: Metropolitan Desk

In New York City Drug War, Risky Tactics and Casualties

By DAVID KOCIENIEWSKI

Its **war** on crime increasingly focused on ridding neighborhoods of drugs, the New York City Police Department finds itself forced to confront **drug** dealers at their last sanctuary: inside apartment buildings, where suspicious sellers now commonly pat down their customers and subject them to intense scrutiny.

On Monday night, the dangers of that new battleground became all too apparent when **Sean Carrington**, an undercover officer not wearing a bulletproof vest, was fatally shot in a gun battle with dealers.

Law enforcement experts say undercover **drug** investigators are increasingly moving to the front lines of the city's **war** on crime. As the department's vigorous street policing has forced **drug** sales indoors, the undercover detectives have replaced street officers as targets.

Equipped with elaborate disguises, but often shunning bulletproof vests for fear of being detected, the more than 1,000 undercover detectives risk their lives by conning some of the city's most vicious, savvy, heavily armed criminals.

Aaron Rosenthal, a retired assistant police chief who teaches at John Jay College of Criminal Justice, said the old buy-and-bust operations aimed at dealers on the street "are usually not that dangerous" because they can be easily monitored by backup teams.

"But then there are the ones where you go inside," where, he said, officers can lose radio contact with their backup or face being frisked by dealers.

"These are dangerous situations," he said, calling the death of Detective Carrington "another senseless casualty in an unwinnable **war**."

As the police have intensified their assault on the **drug** trade, police officials say, **drug** dealers have raised the stakes. Five or six times each month, undercover investigators are now forced to use cocaine or heroin at gunpoint, to prove to dealers that they can be trusted. At least twice a month, an officer is shot or otherwise wounded during a staged purchase, say police commanders, who spoke on condition of anonymity.

While calling Detective **Carrington's** death a tragedy, Mayor Rudolph W. Giuliani fiercely defended the value of the buy-and-bust operations. The Mayor, who credits aggressive **drug** enforcement with contributing to the city's steep decrease in crime, said he had no plans to curtail such operations and may actually increase them during efforts planned for the Bronx and Queens.

Mr. Giuliani said yesterday: "This was not only a buy and bust operation, it was an attempt by the police to gather evidence about a murder which took place in January, which is a very legitimate law enforcement technique and something that has to be done. If you want to put responsibility somewhere, don't put it on the Police Department. Put it on the people who are selling the drugs and the people who are doing the murders."

But some questioned whether the department is taking enough precautions to protect its undercover officers. "They're not getting the training or the protection

they need," said Jacqueline Parris, the president of the Guardians Association, which represents black officers. "The department is asking them to risk their lives, but they're not backing them up."

The Guardians are particularly concerned about the shooting because 70 percent of undercover officers are black, as was Detective Carrington, or Hispanic. Minority officers are sought for undercover jobs because they tend to have more credibility on the street.

Ms. Parris said many young officers are lured to undercover assignments mainly because they offer a fast track to the coveted detective's shield, in 18 months instead of several years on patrol.

But once inside an undercover unit, the officers can find themselves faced with life-or-death situations they are unprepared for and commanders who pressure them to keep arrest numbers high.

In the field, police officials try to stage their undercover buys in such a scripted manner that the site of the transaction is called "the set." An undercover detective, disguised as a **drug** buyer and equipped with a hidden transmitter called a "Kell," is assigned to make the purchase, using cash which has had its serial numbers prerecorded. Two "ghosts" are assigned to pose as passers-by, to keep watch over the buyer and track the seller once the buy has been made.

Hidden in the vicinity is a sergeant and another 5 to 10 back-up officers whose job is to converge on the suspects, en masse, once the sale has been completed.

During the vast majority of the estimated 5,000 buy-and-bust operations conducted annually, the script works perfectly: the buyer exchanges cash for drugs, the ghost tracks the suspects and the back-up teams make the arrests without firing a shot. But the volatile mixture of guns, drugs and felons means that any operation can become violent, or fatal, at any moment, particularly indoors.

"You never have control of these situations," said Robert Strang, a former **Drug** Enforcement Administration agent who now heads the Strang-Hayes security consulting firm. "Especially when you have an aggressive move to take them out. You have to fight them on their own turf. These kinds of things happen every now and then. I wish there were a better way to do it. But there isn't."

For the rank-and-file officer, however, there are many rewards to undercover work. Successful ones can advance more quickly in the department, and can make \$10,000 more a year in overtime in a force that has otherwise curtailed such pay.

But police officials say that the city's "zero tolerance" **drug** policies of the last five years have fueled a kind of race between dealers and the detectives as they try to outsmart each other, with detectives increasingly aggressive and dealers more suspicious.

Undercover investigators are now trained to detect booby traps in **drug** locations and are constantly updated on the latest slang, street colors and **drug** brands -- information culled from arrested **drug** buyers. But the meticulous legal requirements of making a criminal case have also spawned more subtle maneuvers by dealers.

Dealers now commonly use cellular phones to establish a network of lookout posts around their businesses, detectives say. Another tactic is to use division of labor -- one person hands over the drugs, another collects the money -- to make it more difficult for the police to meet the legal standard for a **drug** sale arrest.

"The **drug** dealers have gotten smarter," said Vic Cipullo, a former undercover officer who is now the borough director for the Detectives' Endowment Association. "After a while you bust them and bust them and they eventually learn what we have to do to make a case. Then they make it hard for you."

To detectives in the field, the most dangerous new tactics involve the narcotics themselves. During the last two years, police officials have seen a steep increase in "forced ingestions," incidents in which dealers compel undercover officers to sample the drugs before buying them. In such cases, which number as many as six a month, detectives are instructed to avoid taking the drugs unless their lives are in danger. Those officers who do ingest the drugs are immediately taken to a hospital, placed on sick leave and temporarily excused from the police **drug** testing program.

By moving their operations indoors in recent years, **drug** dealers have also become far more likely to frisk potential buyers, police officials say, making it nearly impossible for detectives to wear a bulletproof vest. While all city patrol officers are required to wear vests, most undercover detectives dare not, for fear that they will be detected as a result.

Detective Carrington, who was acting as a ghost during the fatal raid, was hit in the shoulder, where a vest would have been likely to save his life.

"It's such a waste," said the investigator, who spoke on condition of anonymity. "When I was out there, I didn't worry about my own safety, I was more worried that my bosses would get mad at me if I couldn't make a buy. But this guy, 28 years old, for him to have lost his life for a \$10 bottle of crack in a building which has been infested for years. It doesn't make any sense."

<http://www.murlin.com/~webfx/cops/hearts.html>

SAD NOTE: On Monday January 19, 1998 Det. Sean Carrington age 28 was shot and killed by career criminal Leon Smith in a buy and bust operation in the Bronx, New York. Smith was out on parole after serving only 8 years on a manslaughter charge. Det. Carrington was shot thru the heart and died 30 minutes after the shooting. Because Det. Carrington was working undercover he was not wearing his vest. Det. Carrington received his gold detective shield just 17 months after becoming an officer, which says a lot about the kind of person he was. He leaves behind a fiance and a newborn daughter. The lowlife Smith was killed by backups, but that doesn't make up for the damage he did and it won't bring back a dedicated and heroic man who died in the line of duty.

<http://venus.soci.niu.edu/~archives/ABOLISH/nov98/0634.html>

KILLERS WALK AMONG US

MICHAEL DALY; New York Daily News; Dec 6, 1998; pg. 8

IN NO MORE than seven years, Daphne Abdela and Christopher Vasquez will be back among us, junior members of an ever-growing group of convicted killers who walk free in New York.

At present, our city includes some 3,000 New Yorkers set at liberty after serving time for taking a life. Among this year's freed killers was Nicholson McCoy of the Bronx.

McCoy was 20 years old back in December 1984, when he was arrested for killing a man named Issac Leslie Morgan in a vestibule. The charge sheet should sound familiar to anyone who followed the case in which Abdela and Vasquez butchered Michael McMorrow in Central Park.

"The defendant did stab said Issac Leslie numerous times about the body, thus causing the death of Issac Leslie," the arresting officer stated.

McCoy was charged with 2nd-degree murder, but allowed to plead to a reduced charge of manslaughter. He was sentenced to a term of 10 to 20 years.

On April 17 of this year McCoy had served 2/3 of his maximum time. The authorities had no choice but to release him under the state's "good time" law.

A month after leaving Eastern Correctional Facility, McCoy was in Suffolk County, applying for a job at an Edwards Super Food Store. He neglected to include his criminal history in his application and he was hired for the 11 p.m. to 7 a.m. shift.

At 4 a.m. on Halloween, a customer inquired why nobody was at the cash register. The assigned cashier was 33-year-old Victoria Peymann, who was saving money to buy a house. She was on the overnight shift so she could watch her 2 young children during the day while her husband worked.

Peymann was now nowhere in sight and she did not respond to repeated calls over the public address system. McCoy made a show of joining a half-dozen other co-workers in a search that ended with the discovery of the cashier's body in an employees' rest room.

Peymann had been bound and moist towelettes had been crammed in her mouth and her entire head had been covered with tape. She had then been sexually assaulted and stabbed to death.

The detectives found 1 fingerprint on the tape and a 2nd on an overhead light bulb that had apparently been unscrewed just before the attack. The prints matched those that had been taken 4 days before Christmas in 1984, when Nicholson McCoy was arrested for stabbing somebody else to death.

"How could this happen?" asked Dominic Barbara, attorney for Peymann's family.

The same question will no doubt be posed someday by the infant daughter of Detective Sean **Carrington**. Her doting father was shot to death last January while making a drug bust. **The killer turned out to be Leon Smith, who had already done time for a homicide with a firearm.**

In July, **Police Officer Gerard Carter was fatally shot and the accused killer was a 17-year-old who had been freed after doing time for beating a man to death.** Shatiek Johnson had been 15 at the time of the earlier killing, the same age as Abdel and Vasquez at the time they slaughtered McMorrow in Central Park.

Johnson's victim had been a homeless man in Staten Island and the press had made no comment at all when that case ended in a sentence of just 1 to 3 years.

Now that Johnson had gone on to kill a cop, Mayor Giuliani suggested the minimum age of the death penalty be lowered to 17. The more pressing minimum to worry about was the minimum penalty for taking a life.

The very week that Johnson was freed, McCoy walked out of prison. McCoy is old enough to face the death penalty for killing Peymann and he might end up among the 1st to be executed now that capital punishment has been restored.

Meanwhile, the family of Michael McMorrow rightfully howls that 2 kids stabbed him numerous times and face a maximum sentence of 10 years and an actual term of much less. The jury seems to have only followed the dictates of the law.

In a few years, Abdela and Vasquez will be back among us, along with thousands of other freed killers. Those in this city who have fallen victim to recidivist killers also include a golden-souled nurse named Bonnie Anne Bush and a good-hearted hotel worker named Carmelo Quionoes and we are all left with that question: How is this possible?

(source: *New York Daily News*)

http://ny.yahoo.com/external/wcbs_radio/stories/8854126371.html

By Newsradio 88 Staff. Update:

GIULIANI TALKING ABOUT POSSIBLE NEW GUIDELINES REQUIRING BACKUP COPS TO WEAR BULLET-PROOF VESTS.

The risk of death in undercover police work can be minimized but not eliminated, city officials said a day after a detective was killed during a buy and bust operation gone wrong, reports Newsradio 88's Darlene Pomales.

"Unfortunately, I think it's the nature of the beast," Jack Healy, vice president of the Detectives Endowment Association, told the Associated Press Tuesday. "The dealers know the cops wear a vest. All they have to do is pat him on the back and he's got a big problem."

Detective Sean **Carrington**, 28, was shot just after 8 p.m. Monday in the lobby of a building on Andrews Avenue in the Morris Heights section. The suspect, Leon Smith, 33, also was killed in the shooting.

Another suspect, Maurice Bolling, 38, was arrested early Tuesday and has been charged with second degree murder, attempted murder and weapons charges, according to today's editions of the Daily News.

Carrington chose not to wear a vest during the buy-and-bust.

(Carrington was 1 of 2 officers killed by paroled criminals)

Officer Anthony Mosomillo was another (shot in a struggle with two paroled criminals one of whom had been arrested on drug possession and released despite having a warrant out for parole violation see:

<http://www.apbweb.com/officer-down-page2.htm>

POLICE OFFICER KILLED DURING GUN BATTLE

By DONNA DE LA CRUZ, The Associated Press

05/26/98 9:06 PM Eastern

NEW YORK (AP) -- Officer Anthony Mosomillo lost his life doing what he had done safely on countless occasions -- serving warrants. It was his job, as one of the 67th Precinct's warrant officers.

But on Tuesday morning, something went wrong as Mosomillo and his partner, Miriam Sanchez-Torres, walked into Jose Serrano's Brooklyn apartment at 8:04 a.m. to serve the paroled criminal with a bench warrant for missing a court appearance for a drug arrest.

Serrano burst from a bedroom closet and he and his girlfriend, Betsy Ramos, began struggling with Sanchez-Torres for her .38-caliber service revolver, police said. Mosomillo, wearing his bulletproof vest, was shot twice in the neck with his partner's gun -- police aren't certain if Serrano or Ramos shot him.

But before falling to the floor, Mosomillo fired several shots from his .38-caliber revolver, killing Serrano, 29, police said.

Sanchez-Torres dragged her partner out of the apartment, put him in their squad car and rushed him to nearby Kings County Hospital. After enduring hours of surgery, the 36-year-old husband and father of two children was pronounced dead at 4 p.m.

The shooting proved too stressful for the officer's father, Anthony Mosomillo Sr. The 64-year-old was hospitalized with severe chest pains and was listed in critical condition at the hospital, spokeswoman Queenie Huling said.

Mosomillo is the second city police officer killed in the line of duty this year. Detective Sean Carrington, 28, was killed Jan. 19 during a buy-and-bust operation in the Bronx by a paroled criminal, who was fatally shot.

News that Mosomillo was involved in a gunfight with a paroled criminal prompted Mayor Rudolph Giuliani and Police Commissioner Howard Safir to reiterate their stance that parole be abolished in the state.

"How many times do we have to stand outside of hospitals talking about police officers who were shot by people who were on parole or probation?" Safir said angrily. "It's about time we abolish parole and get these predators off these streets."

Meanwhile, state parole officials want to know why Serrano was released from a city jail last month after being arrested for drug possession. There was a state warrant out for Serrano for not reporting to his parole officer, said Tom Grant, a spokesman for the state Division of Parole.

Serrano, who used several aliases, was paroled on May 15, 1996. He had been convicted of drug possession. Grant said Serrano stopped reporting to his parole officer on Sept. 30, 1997, and a warrant was filed against him on Nov. 13. Serrano resurfaced in April when he was arrested for drug possession in Brooklyn.

"But when we went to go pick him up we learned he had been released," Grant said.

Serrano was convicted two other times for drug possession, in 1987 and 1990.

The early morning shooting disrupted the usually quiet tree-lined street of single-family houses.

"We all heard a couple of gunshots, like three or four ... then all of a sudden everybody's telling everybody to get back," said neighbor Karen Virgo.

Ramos, 33, has been charged with second-degree murder. She is on 10 years probation for smuggling heroin into the United States from Jamaica.

Mosomillo had been on the force for 14 years and lived in Glendale, Queens. His brother, Sal, is a police officer in Brooklyn's 84th Precinct.

DAVID CHETCUTI

<http://www.fbi.gov/ucr/killed/98killed.pdf>

Law Enforcement Officers Killed and Assaulted 1998

A 13-year veteran patrol officer with the Millbrae Police Department was shot and killed on April 25 at approximately 10 a.m. when he came to the assistance of a San Bruno officer who had made a traffic stop. Learning via police radio of the San Bruno officer's report that the driver had a gun, the 43-year-old victim officer rode his police motorcycle on the wrong side of an off-ramp to arrive at the scene. After dismounting from his motorcycle and initially not seeing anyone, the officer spotted a man with an assault rifle approximately 100 feet away. He took cover in front of the San Bruno patrol car and ordered the man to lower his weapon. Instead, the suspect pointed the weapon at the officer and began to walk toward the police vehicle. The victim officer opened fire, and one shot grazed the man in the abdomen; however, the suspect continued toward the vehicle. Just as the victim officer raised his head above the hood of the car, the suspect fired a round which entered through the rear window, shattered the protective glass between the front and rear seats, and continued through the windshield to mortally strike the victim officer in the neck just above his protective vest. The suspect continued to fire several more rounds from a .223-caliber semiautomatic rifle into the fallen officer, who died before medical personnel could assist him. The 43-year-old suspect fled the scene but was apprehended without incident approximately 18 miles from the shooting. He has been charged with First-Degree Murder.

<http://www.odmp.org/year.php?year=1998&Submit=Go>

<http://www.odmp.org/officer.php?oid=15077>

Patrolman David John Chetcuti

Millbrae Police Department, CA

Weapon Used: Rifle

Suspect Info: Taken into custody

Officer Chetcuti was shot and killed after responding to backup another officer from a neighboring agency who was being shot at. A San Bruno police officer had stopped the suspect for not having current registration. As the officer approached the suspect's car, the suspect produced a high powered rifle and opened fire.

The officer was able to escape injury by diving into a drainage ditch for cover and calling for help. Officer Chetcuti, a motorcycle officer, was the first on the scene. As he pulled up the suspect opened fire on him, striking him several times in the head and chest. The suspect then stole his weapon and fled the scene. A short chase ended when the suspect stopped and exited the vehicle with hands in the air.

Officer Chetcuti had served with the Millbrae Police Department for 11 years and is survived by his wife and three sons.

<http://www.vpc.org/studies/980425.htm>

Section Three: Selected Incidents of Law Enforcement Officers Killed in the Line of Duty by Assault Weapons, 1998 Through 2001

Date: April 25, 1998 **Location:** Millbrae, California **Assault Weapon:** Armalite M151A .223 rifle On April 25, 1998, one police officer was killed with an Armalite M151A .223 rifle. Officer David Chetcuti responded to another officer's call for help in a traffic stop on the Millbrae Avenue off-ramp of U.S. 101. Officer Seann Graham had pulled over Marvin Patrick Sullivan for not having a current registration sticker for his vehicle. Sullivan, who was heavily armed and had bombs strapped to his body, opened fire, wounding Officer Chetcuti. Chetcuti returned fire hitting the suspect once in the side before being killed by two shots to the head from close range. Several of the bullets penetrated Chetcuti's bullet-proof vest, and more than 40 bullet casings were recovered at the scene. Officer Graham escaped harm by diving into a drainage ditch. Sullivan was arrested after leading several police cars in a chase across the San Mateo Bridge. Sullivan has been repeatedly declared incompetent to stand trial, and sent to a California state mental hospital.

Tyche Hendricks and Jim Herron Zamora, "Cop Killing: No Fremont Tie," *San Francisco Examiner*, April 27, 1998; "Judge: Man isn't competent; Defendant Sent Back to Hospital in Millbrae Cop Slaying Case," *San Jose Mercury News*, July 23, 2002.

http://www.murdervictims.com/CAH/John_Chetcuti.htm

The good news is that, within fifteen minutes, the suspect, Marvin Patrick Sullivan, was in custody for Dave's murder and the San Mateo County Sheriff's Office jumped on the investigation, doing a superb job. The bad news is the suspect decided to play "crazy", a ploy he had used before to get admitted to Atascadero State Mental for the Criminally Insane and get discharged without facing the charges against him. In June, 1999 Judge Runde of the San Mateo Superior Court, who ironically also resides in Millbrae, refused all arguments for the prosecution to have Marvin Sullivan examined by a psychiatrist of their choice, and certified Sullivan as incompetent to stand trial, sending him once again, to Atascadero Hospital.

<http://venus.soci.niu.edu/~archives/ABOLISH/apr98/0553.html>

(source: San Francisco Chronicle) CALIFORNIA:

The man accused of gunning down a Millbrae police officer Saturday has a history of mental illness, including a 5-month stay at Atascadero State Hospital. He also has a criminal record dating back to 1974, according to court documents.

Until 3 days ago, Marvin Patrick Sullivan's arrests were for relatively minor crimes -- possession of homemade weapons, sending threatening letters, grand theft and shoplifting. But today, prosecutors plan to arraign Sullivan, 43, a San Francisco truck driver, on charges that could carry a death sentence. "We want the district attorney to seek the death penalty," said Millbrae police Chief Mike Parker. "Hopefully he'll be executed for what he did."

Sullivan is accused of firing 40 rounds during a routine traffic stop.

Officer David Chetcuti, a 43-year-old motorcycle police veteran, was killed during the shootout. Several rounds pierced his bullet-proof vest.

Prosecutors charged Sullivan this afternoon in San Mateo County with 1st-degree murder, attempted murder, possession of explosives and the killing of a police officer -- a special allegation that carries a minimum sentence of life in prison without the possibility of parole. But some believe that Sullivan's mental history may keep him from standing trial. "I would be very surprised if he was or is not at this time totally nuts," said attorney Charles Robinson, who was appointed by the court to defend Sullivan in a local shoplifting case last year. "All I can tell you is that he is delusional, and that this would fit into the delusions he was suffering in '97."

Sullivan, who also used the name Black Beard, was arrested Jan. 5, 1997, for stealing at a Home Depot in San Carlos. Sullivan was concealing a bayonet while lifting items from the store, according to court documents. He later told court-appointed psychiatrists that he needed the bayonet to protect himself while on a secret mission.

The doctors diagnosed him as delusional and the court deemed him not competent to stand trial. Sullivan was committed to a psychiatric unit and eventually pleaded no contest to 2 misdemeanors.

2 years earlier, Sullivan was released from psychiatric care at Atascadero State Hospital, where he was held for 5 months for sending a threatening letter to Municipal Court clerks in Tracy.

Prosecutors alleged that although the rambling note was cryptic, Sullivan was threatening to kill the staff for sending him a failure-to-appear notice on a traffic matter.

Sullivan admitted to police that he sent similar letters to the Secret Service, the FBI and President Clinton, said San Joaquin Assistant District Attorney James Willett. He claimed that he had links to high-ranking Mafia officials, Satan and "anti-Rockefeller Republicans," according to court records.

Doctors diagnosed him as a paranoid schizophrenic, and said he suffered from delusional disorder, the documents state. The court found him not competent to stand trial and ordered him to the custody of Atascadero. Hospital officials later deemed him fit to stand trial, but a judge dismissed the case, saying that the contents of the letter were too vague to be considered threatening.

Officials here are concerned that Sullivan's past mental state may play a big role in his defense in Chetcuti's death. "We will devote whatever resources are necessary to see that justice is done," said San Mateo District Attorney Jim Fox. Chetcuti is the first San Mateo County officer killed in the line of duty since rookie East Palo Alto Officer Joel Davis was shot to death in 1988.

Chetcuti had rushed to the Millbrae Avenue exit that morning to back up a San Bruno officer who had called for help during the traffic stop. Sullivan, whose car registration had expired, opened fire on the 2 officers with a homemade automatic weapon, according to police.

After arresting Sullivan, deputies searched his hotel room in San Francisco's South of Market district, uncovering rifle parts, gunpowder, blasting caps and other bomb-making paraphernalia, Parker said. Sullivan later confessed to San Mateo County sheriff's deputies that he killed Chetcuti, but would not discuss where he was headed that morning or what he was doing with the explosives, Parker said.

See also:

<http://groups.yahoo.com/group/deathpenaltynews/message/5062?source=1>

<http://legalminds.lp.findlaw.com/list/deathpenalty/msg01363.html>

San Francisco Chronicle

On the last morning of officer David Chetcuti's life, he had parked his big police motorcycle at Millbrae's Taylor Field to watch the local kids play baseball.

Chetcuti was that kind of cop, that kind of guy. "Give him an hour, and he'd give you 10," John Aquilina, a high school buddy, said yesterday. "He'd mow people's lawns, he'd help paint a house or put up wallboard."

His last act was in keeping with how he lived: The 43-year-old Millbrae motorcycle officer was gunned down moments after leaving the ballpark Saturday morning, when he answered a call for back-up from a San Bruno officer.

Officer Seann Graham had pulled over a blue Chevrolet with expired registration at the Millbrae Avenue exit of nearby Highway 101, in the shadow San Francisco International Airport.

The 1st radio call was for routine back-up. It isn't known if Chetcuti heard a more desperate call for help, when 43-year-old Marvin Patrick Sullivan -- a San Francisco truck driver with a history of violence and an apparent hatred of police -- allegedly began firing a high-powered rifle at Graham. The San Bruno policeman dove for cover behind his car, then into a drainage ditch, where he successfully dodged a fusillade from Sullivan's semi-automatic rifle, police said.

Chetcuti was hit almost as soon as he arrived. At least 40 rounds were fired from Sullivan's weapon, which was apparently home-built and looked like an AR-15, police said. Several rounds pierced Chetcuti's bulletproof vest, Police Chief Michael Parker said yesterday.

A search by San Mateo County Sheriff's Deputies at Sullivan's hotel room in San Francisco's South of Market district uncovered rifle parts, gunpowder, blasting caps and other bomb-making paraphernalia, Parker said.

When California Highway Patrol officers stopped Sullivan in a parking lot on the Hayward side of the San Mateo Bridge, 4 crude pipe bombs tumbled out of the Chevrolet, which also carried a cache of guns. Police say he has confessed to the shooting. Sullivan was being held yesterday in San Mateo County Jail.

Investigators kept a tight lid yesterday on information involving Sullivan's background, or possible reasons why he was so heavily armed. But sources said he had an extensive criminal record involving guns, drugs and attacking police officers.

A spokesman for the California Department of Corrections said no information on Sullivan's prison record would be available until today. However, investigators said he had enough convictions on his record to qualify for a 3-strikes lifetime prison sentence if convicted of killing Chetcuti.

Sullivan could also face the death penalty if convicted of all the charges possible in Saturday's slaying. The tragedy appeared to fit an increasingly disturbing pattern of risk for police officers since the 3-strikes law was passed in the early 1990s. Statistics in recent years have shown that ex-convicts who clash with police and have at least 2 convictions on their record have become more likely to try to kill the officers rather than risk arrest and a possible 3-strikes conviction.

Stunned Millbrae residents -- many of them, like Chetcuti, of Maltese heritage -- built a shrine of flowers yesterday. Flags flew at half-staff all over town. He was the 1st police officer in the history of Millbrae, a small town of 21,000, to fall in the line of duty.

"He was the most well-liked officer in the department, and in the community," said officer Richard Dixon, who remembers training Chetcuti when he joined the 27-member force 11 years ago.

Chetcuti leaves a wife, Gail, and three sons: David, age 17; John, 14; and Rick, 11. Millbrae police have set up a trust fund for the family.

Friends and fellow officers described Chetcuti as a remarkable community man, dedicated to his job, his family and his neighbors.

Family members say Chetcuti always wanted to be a police officer, was living his dream, and passing that ambition on to the kids of Millbrae.

<http://sfgate.com/cgi-bin/article.cgi?file=/chronicle/archive/1998/05/05/MN86298.DTL>

S.F.'s First Tribute to Slain Cops

92 have given their lives in line of duty

KEN GARCIA <<mailto:kgarcia@sfchronicle.com>>

Chetcuti was shot more than a dozen times by a motorist who had been stopped for an expired registration. The suspect in the case, Marvin Sullivan, allegedly used special armor-piercing bullets in his homemade automatic rifle. And when San Francisco cops searched his hotel room -- two blocks from the Hall of Justice -- they found gunpowder, blasting caps and other bomb-making paraphernalia.

<http://sfgate.com/cgi-bin/article.cgi?file=/examiner/archive/1998/05/01/NEWS8613.dtl>

Mass of blue for fallen cop

Jim Herron Zamora and Larry D. Hatfield, OF THE EXAMINER STAFF

<<mailto:jzamora@sfchronicle.com>>

Friday, May 1, 1998

3,000 peace officers from across U.S. turn out at Millbrae funeral of 'hero' who died in line of duty

During the Saturday morning encounter, Sullivan, strapped with explosives and wielding a hand-built semi-automatic rifle, fired at least 40 rounds, police said. Several of them penetrated Chetcuti's body armor before Sullivan allegedly administered a coup de grace with two bullets to the downed officer's head.

<http://sfgate.com/cgi-bin/article.cgi?file=/chronicle/archive/1998/04/29/MN36477.DTL>

Suspect in Cop Killing Made His Own Gun Investigators say he got parts by mail

Marshall Wilson, Stacy Finz, Chronicle Staff Writers, Wednesday, April 29, 1998

Marvin Patrick Sullivan, a former mental patient accused of gunning down a Millbrae police officer, built the murder weapon with parts easily purchased through mail-order catalogs, said the San Mateo County sheriff yesterday.

"This is the first time I've heard of somebody making a gun," said Sheriff Don Horsley. Sullivan, 43, is jailed on suspicion of slaying veteran motorcycle officer David Chetcuti on Highway 101 in Millbrae on Saturday morning. According to authorities, Sullivan fired more than 10 rounds from a handmade rifle.

Under state law, Sullivan -- with his record of mental illness -- would have been barred from buying a firearm. The San Francisco truck driver has twice been found mentally unfit to stand trial in criminal cases. Psychiatrists have said he suffered from delusions in which he believed he was an astronaut working for NASA, as well as a secret agent who feared that enemies, including the police, were stalking him.

According to Horsley, Sullivan circumvented the gun law by buying rifle parts by mail. "You'd be shocked at what you can get out of those catalogs," said San Mateo County Assistant District Attorney Steve Wagstaffe.

The federal Gun Control Act of 1968 outlawed firearms purchases through the mail by people who do not have a license to do so.

But it is legal to buy mail-order accessories such as barrels, grips and magazines, said Robert Shirley, a special agent with the San Francisco office of the federal Bureau of Alcohol, Tobacco and Firearms.

Numerous companies advertise gun components on the Internet, and buyers don't need to register to purchase them. However, the integral part of any firearm cannot be easily purchased, Shirley said. In general terms, the firearm's frame or receiver, to which the barrel is attached, cannot be bought by an unlicensed person through mail order, he said. Sullivan would not have been eligible for such a license.

Authorities would not say where Sullivan obtained the parts believed to have been purchased by mail, and it is unclear how the frame was acquired.

But gun experts say firearm frames or receivers are not difficult to buy on the black market for anyone who knows how to go about it.

Investigators said the suspect apparently is no stranger to weapons. When he was arrested Saturday, Sullivan had explosives strapped to his chest. Deputies who later searched his quarters in a South of Market residential hotel said they found rifle parts, gunpowder, blasting caps and other bomb-making paraphernalia.

Building a firearm, however, is no easy task, said Tony Cucchiara, president of Traders Sports in San Leandro, one of the Bay Area's largest gun shops. "It's not

something you slap a barrel on and shoot," he said.

Skills as a machinist would be needed. Special tools are needed to assure the barrel lines up and is seated properly. "Otherwise, it would blow up in your face," Cucchiara said. "Your average guy couldn't do it."

Sources close to the case say prosecutors are likely to allege that if Sullivan was capable of finding out how to obtain gun parts and build the rifle, he cannot claim insanity as a defense.

Sullivan has yet to enter a plea in the case. His arraignment, scheduled for yesterday, was postponed until May 8. If convicted, he could face the death penalty.

Chetcuti was gunned down while coming to aid of a San Bruno officer who had pulled Sullivan over because the registration on the car Sullivan was driving had expired.

The situation worsened, and the San Bruno officer called for backup. Sullivan allegedly opened fire on the officer, who rolled into a ditch for cover. When Chetcuti arrived, the shots burst out again.

<http://sfgate.com/cgi-bin/article.cgi?file=/chronicle/archive/1998/04/28/MN52061.DTL>

Suspect in Cop Slaying Former Mental Patient Court papers show criminal record also

Stacy Finz, Marshall Wilson, Jaxon Van Derbeken, Chronicle Staff Writers
Tuesday, April 28, 1998

MILLBRAE -- The man accused of gunning down a Millbrae police officer Saturday has a history of mental illness, including a five-month stay at Atascadero State Hospital. He also has a criminal record dating back to 1974, according to court documents.

Until three days ago, Marvin Patrick Sullivan's arrests were for relatively minor crimes -- possession of homemade weapons, sending threatening letters, grand theft and shoplifting. But today, prosecutors plan to arraign Sullivan, 43, a San Francisco truck driver, on charges that could carry a death sentence.

"We want the district attorney to seek the death penalty," said Millbrae police Chief Mike Parker. "Hopefully he'll be executed for what he did."

Sullivan is accused of firing 40 rounds during a routine traffic stop at the Millbrae Avenue exit of southbound Highway 101. Officer David Chetcuti, a 43-year-old motorcycle police veteran, was killed during the shootout. Several rounds pierced his bullet-proof vest.

Prosecutors will charge Sullivan this afternoon in San Mateo County with first-degree murder, attempted murder, possession of explosives and the killing of a police officer -- a special allegation that carries a minimum sentence of life in prison without the possibility of parole.

But some believe that Sullivan's mental history may keep him from standing trial. "I would be very surprised if he was or is not at this time totally nuts," said attorney Charles Robinson, who was appointed by the court to defend Sullivan in a local shoplifting case last year. "All I can tell you is that he is delusional, and that this would fit into the delusions he was suffering in '97."

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He later told court-appointed psychiatrists that he needed the bayonet to protect himself while on a secret mission. The doctors diagnosed him as delusional and the court deemed him not competent to stand trial.

Sullivan was committed to a psychiatric unit and eventually pleaded no contest to two misdemeanors. Two years earlier, Sullivan was released from psychiatric care at Atascadero State Hospital, where he was held for five months for sending a threatening letter to Municipal Court clerks in Tracy.

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Chetcuti is the first San Mateo County officer killed in the line of duty since rookie East Palo Alto Officer Joel Davis was shot to death in 1988.

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Sullivan later confessed to San Mateo County sheriff's deputies that he killed Chetcuti, but would not discuss where he was headed that morning or what he was doing with the explosives, Parker said.

A vigil service for Chetcuti is scheduled for 7 p.m. Thursday at St. Dunstan's Church, 1133 Broadway, Millbrae. The funeral is scheduled for Friday at 10 a.m. at St. Dunstan's.

MARVIN PATRICK SULLIVAN

Cases involving Sullivan: In 1974 Sullivan is convicted of grand theft in Toledo, Ohio. November 1991, arrest and conviction for carrying a concealed weapon in

Los Angeles county. Sullivan is placed on two years' probation and a work program.

May, 1994, arrested in San Joaquin County for making terrorist threats. Sent to Atascadero state hospital for a maximum of three years, after a court finds him not fit to stand trial. In January, 1995, a judge dismisses the case for lack of evidence.

In January 1997, arrested in San Mateo County in connection with a weapons case and a shoplifting offense. He serves 62 days in jail.

<http://sfgate.com/cgi-bin/article.cgi?file=/examiner/archive/1998/04/26/NEWS7968.dtl>

Cop killed

Erin McCormick, OF THE EXAMINER STAFF, Sunday, April 26, 1998

MILLBRAE -- A San Francisco truck driver, carrying a cache of pipe bombs and rifles, has confessed to killing a Millbrae police officer Saturday morning in a shooting rampage that started with a routine traffic stop.

Police arrested 43-year-old Marvin Patrick Sullivan, who they said has a long criminal history involving guns, drugs and violence, after he allegedly opened fire on a San Bruno traffic officer on U.S. 101 at about 10 a.m.

Sullivan then unloaded his high-powered rifle on the first officer to come to the rescue: Millbrae motorcycle Patrolman David Chetcuti, 43, police said. Chetcuti, an 11-year veteran of the Millbrae Police Department, was known for his dogged determination to be the first at the crime scene.

The Millbrae resident is survived by his wife, Gail, and sons David, 17, John, 14, and Rick, 11. Chetcuti died at the Millbrae Avenue off-ramp, with three gunshots to his head and his body riddled with bullets. His body remained there for hours under a yellow tarpaulin, surrounded by spent bullet casings. He was wearing a motorcycle helmet and boots.

San Bruno police Officer Seann Graham, who had pulled Sullivan over on the Millbrae Avenue exit for not having a current registration sticker, narrowly escaped being shot by diving into the water of a drainage ditch and swimming to dodge bullets.

After leading at least four police units on a chase over the San Mateo Bridge, Sullivan surrendered at the toll plaza on the Hayward side. Police found four pipe bombs, two rifles and several handguns in Sullivan's blue Chevrolet.

"This is a sad day for us. This is the first time an officer has been shot in the line of duty," said Millbrae Police Chief Mike Parker. "Dave was a model police officer. He was instrumental in catching a bank robber from Burlingame just last week. He just had a nose for police work."

Parker said investigators have not yet determined any motive for the shootings but are looking at whether Sullivan might be connected to other crimes, including a series of recent unsolved pipe bombings that have rattled Fremont.

When taken into custody, Sullivan had a superficial gunshot wound, which Parker said might indicate that Chetcuti managed to shoot the suspect before being killed.

Sullivan, who lives on Leavenworth Street, was being held at the San Mateo County Jail in Redwood City. The San Mateo County Sheriff's Department and Millbrae police are continuing their investigation to find out what Sullivan was doing with the pipe bombs and weapons and whether he belonged to any groups or movements. Parker said Fremont police have also been notified about the case.

After Graham pulled Sullivan over to ask about his expired registration sticker, he approached Sullivan's car. The suspect allegedly pulled out a rifle and started firing. Graham jumped behind his car for cover and broadcast a radio call for help.

Sullivan allegedly fired a barrage of gunshots, forcing Graham to jump into a nearby drainage ditch, where he got into the water to dodge the bullets.

According to police, Chetcuti arrived at the scene, responding to the call for help, and immediately found the rifle trained on him.

Parker said police are still trying to verify whether the officer was able to wound his attacker before succumbing to his injuries.

Picked up officer's gun

After shooting Chetcuti, Sullivan allegedly picked up the officer's gun, got back into his car and headed south on Highway 101.

Minutes later, he was spotted by CHP Officer Pat Wong, who started a chase that eventually included cars from the San Mateo Sheriff's Department and Millbrae police.

When the chase reached the Hayward side of the bridge, Sullivan suddenly pulled into a parking lot and got out of his car with his hands up, Parker said.

After the police discovered the bombs, the westbound bridge lanes were closed for several hours as the bomb squad brought in X-ray units and a bomb-handling robot to dispose of them safely.

The closure and the rubbernecking on both sides of Highway 101 snarled traffic for hours. Residents of Millbrae, where a small-town atmosphere of barber shops and corner cafes still survives despite the bustle of nearby San Francisco International Airport, seemed utterly shocked at the shooting.

Flags at half-staff

Within hours of the slaying, flags at City Hall were lowered to half-staff and neighbors began showing up with bouquets of fresh flowers to place under the plain brown sign marking police headquarters. The shrine for Chetcuti - rapidly growing even though his name had not yet been released - included handpicked roses and a basket of azaleas.

"I saw the flags at half-mast and I knew something was up," said 25-year Millbrae resident Peter Weinerberger, who came down to the Police Department to show his respect.

"You hear about this happening in the big cities," he said. "But you think of a small town like Millbrae as being a place in the sun, like a retirement community. Then this happens."

In the lobby of the 27-member police department's headquarters, signs advertised free fingerprinting for Millbrae residents Saturdays and announced openings for young people who wanted to become "police explorers."

But after the shooting, the building's lobby was deserted. A sign on the door announced that there would be "No fingerprints on 4 / 25." Outside, longtime resident Ida Roybal, who dropped off a bouquet, said, "I'm not sure which officer it is, but it wouldn't matter. I just want to show my respect."

"It's a very special police department." Police are asking anyone who witnessed the shooting to call (650) 363-4000.

<http://www.sfgate.com/cgi-bin/article.cgi?file=/chronicle/archive/2002/07/23/MN164650.DTL>

Wife of slain officer endures agonizing wait for justice

[Matthew B. Stannard, Chronicle Staff Writer](#), Tuesday, July 23, 2002



Gail Chetcuti got up early Monday morning to watch the man accused of murdering her husband slip into insanity again.

She rose at 6:30, dressed and put on the ring she wears instead of her wedding band -- the one with two colored bands, one police blue, the other black.

She walked into the kitchen of the Millbrae home she once shared with her husband, David, to make some coffee -- past the wooden box with a replica of his Millbrae Police badge No. 6, past the family portrait with the couple and their three sons, assembled after his death, past the resolution naming in his honor the section of Highway 101 where he was gunned down on April 25, 1998.

The man who pulled the trigger, police said, was Marvin Patrick Sullivan, a paranoid schizophrenic with a history of violence.

On Monday, for the second time since the killing, Sullivan was due in San Mateo County Superior Court for a short trial to decide whether he was mentally competent to stand trial for murder. And just like the first time he was in court, Gail Chetcuti planned to be there, even though she knew the judge would declare him incompetent again.

He did. The ruling wasn't a surprise to her, but she went anyway.

"I just have to be there. I know I don't have to go, but I have to be there," she said during an interview a few days before the hearing. "If they're going to send him back, I would like them to stare me in the face."

Still, she admitted, it's a grim *deja vu* that brings back memories of the life she once had.

They met in the Royal Donut Shop in Burlingame in 1978. She was a waitress; he was a caterer with an off-the-wall sense of humor. They married in 1979; the first of their three sons was born in 1983.

Gail Chetcuti isn't sure why her husband decided to be a police officer. But by the time he joined the Millbrae department in 1987, it was a perfect fit.

"He had his scanner on 24 hours a day, and if something happened, he wanted to go," she said. "His job was first, and we all knew that."

Chetcuti's last day was typical; it began with a quick breakfast of cold pizza and coffee, his wife recalled.

"I'm going to go out and find some action," he said, and walked out the door.

Hours later, Gail Chetcuti looked out her front door to see Millbrae Police Chief Mike Parker, Chetcuti's friend and fellow officer Robert Dean and a priest coming up the walk. And she knew what had happened.

David Chetcuti had responded on his motorcycle to a San Bruno officer, who called for help after a driver he stopped for an expired registration sticker opened fire with an automatic rifle, but didn't hit the officer. When Chetcuti arrived, he was shot 15 times. His bullet-proof vest didn't save him.

Sullivan was arrested and charged, and he allegedly confessed almost immediately. But it took Chetcuti's widow more than a year to face his accused killer in court.

She finally attended her first court hearing on June 28, 1999. The next day, over prosecutors' protests, Sullivan was declared incompetent to stand trial and sent away to a state mental hospital to receive therapy and medication designed to return him to competency.

And Gail Chetcuti began her long wait.

"It's on your mind all the time," she said. "I felt like the system failed."

Years passed. Chetcuti spent them traveling, attending police memorials and commemorations in the Bay Area, Sacramento and Washington, D.C. Earlier this year, she finally began going through photographs and making scrap books for each of her sons.

"It was hard, but once I got going on it, it's easier," she said. "It helps me heal."

It caught her by surprise last April when prosecutor Steve Wagstaffe called to tell her Sullivan was coming back. She thought there might be a trial.

Her hope didn't last long. A few weeks later, Wagstaffe called again to tell her that Sullivan had stopped taking his anti-psychotic medication because the pills were a different color from the ones at the state hospital.

Months of court battle followed, as Sullivan's attorneys repeatedly challenged the competency of a client they said wouldn't even communicate with them anymore.

Chetcuti appeared at nearly every hearing, saying nothing, just watching Sullivan and convinced he was watching back with intelligence and awareness, schizophrenic or not.

Finally, in December, the case was put off for an October trial.

"I had a sinking feeling in my stomach," she said. "I felt sick. It just brings it back like it's yesterday."

She continued to attend court, as Wagstaffe fought an ultimately futile battle to force Sullivan to be medicated.

Finally, all other options exhausted, she prepared for Monday's competency trial -- the same proceeding she watched nearly three years ago.

At 9:01 a.m. Monday, Gail Chetcuti sat down in San Mateo County Superior Court and watched Marvin Sullivan, dressed in a red jail jumpsuit and manacles, take his seat in the jury box. She stared at him. And after a moment, he turned, and stared at her. Then both looked away.

Neither said a word after Sullivan's attorneys, Dek Ketcham and Vincent O'Malley, agreed that two court-appointed doctors had found Sullivan incompetent to stand trial. They waited silently as Judge Dale A. Hahn, in an unusual statement from the bench, urged both sides to find some way to ensure that Sullivan -- if he ever returns to court -- will not be allowed to lapse back into insanity while awaiting trial.

They listened as Hahn declared Sullivan incompetent once again, and ordered him returned to the same state hospital where he has spent more than two years.

And at 9:11 a.m., Sullivan, guided by two deputies, rose and returned to jail.

A moment later, Chetcuti rose and returned to her long wait to see Sullivan punished in some way.

"My punishment for him would be locking him in a cell with pictures of Dave surrounding him," she said. "Then he'll really be crazy."

And she returned to her home in Millbrae, where pictures of David Chetcuti stare out from every wall.

STEVEN D. MORGAN & JAMES F. NORTHCUTT

<http://www.fbi.gov/ucr/killed/98killed.pdf>

Law Enforcement Officers Killed and Assaulted 1998

A 54-year-old detective and a 40-year-old sergeant with the Long Beach Police Department were both killed at approximately 11:30 a.m. on May 6 when they responded to a 911 domestic disturbance call. A gunman, armed with a .223-caliber semiautomatic rifle, was holding his girlfriend hostage in the front yard of her house. The first officer on the scene was shot four times when bullets from the rifle pierced his police vehicle. He attempted to warn responding officers of the danger, but one of the rounds had damaged his radio. Almost immediately, the detective, a 33-year law enforcement veteran, arrived on the scene and drove up to the house. A round from the rifle pierced his police vehicle from about 20 yards. The bullet entered his thigh, severing a major artery, causing his death. Next on the scene was the patrol sergeant, who had just over 4 years of law enforcement service. He exited his vehicle approximately 75 yards from the shooter and took cover behind the opened door of the automobile. He was fatally shot one time when a round from the assault rifle pierced the door and entered his thigh, severing a major artery. Hearing the shooting, an off-duty police officer with the Gulfport Police Department SWAT team, whose home is in the neighborhood, put on a bulletproof vest and, armed with a .45-caliber semiautomatic handgun, responded to the scene. After taking a position of cover behind the girlfriend's house, he shouted at the girl to duck. When she complied, he fatally shot the alleged killer one time in the neck just above the bulletproof vest he was wearing. The 22-year-old male, who had been arrested three times in the past year, was known by the Department to have mental problems. The victim officers, who were both wearing body armor, had received very similar fatal injuries. The injured officer fully recovered from his wounds and returned to duty.

<http://www.odmp.org/year.php?year=1998&Submit=Go>

<http://www.odmp.org/officer.php?oid=15081>

Sergeant Steven Dewain Morgan

Long Beach Police Department, MS

End of Watch: Wednesday, May 6, 1998

Weapon Used: Rifle; AR-15

Suspect Info: Shot and killed by other officers

Officer Morgan was shot and killed after responding to a domestic disturbance. Officer Morgan and other officers had just arrived at the scene when several shots were fired by the suspect with an AR-15 assault rifle. Witnesses stated that when the suspect heard the sirens of the responding units he put down the handgun he was holding and picked up the assault rifle. When the units arrived on scene he opened fire on them. Officer Morgan and Detective James Northcutt were both shot and killed and a third officer was shot and wounded. The suspect, who was dressed in fatigues and wearing a bullet proof vest, was shot and killed by an off duty officer from another department who was nearby.

<http://www.odmp.org/year.php?year=1998&Submit=Go>

<http://www.odmp.org/officer.php?oid=15082>

Detective James Franklin Northcutt

Long Beach Police Department, MS

End of Watch: Wednesday, May 6, 1998

Weapon Used: Rifle; AR-15

Suspect Info: Shot and killed by other officers

Detective Northcutt was shot and killed after responding to a domestic disturbance. Detective Northcutt and other officers had just arrived at the scene when several shots were fired by the suspect with an AR-15 assault rifle. Witnesses stated that when the suspect heard the sirens of the responding units he put down the handgun he was holding and picked up the assault rifle. When the units arrived on scene he opened fire on them. Detective Northcutt and Officer Steve Morgan were both shot and killed and a third officer was shot and wounded. The suspect, who was dressed in fatigues and wearing a bullet proof vest, was shot and killed by an off duty officer from another department who was nearby.

Detective Northcutt is survived by his wife and five children. He had been a detective for the LBPD for one year and had been in law enforcement for 33 years.

http://216.239.57.104/search?q=cache:dPMI2bqK5MJ:www.netvista.net/corp/sfdsa/mainline6_98.html+%22Steven+Morgan%22+%22Long+Beach%22+%2Bpolice&hl=en&ie=UTF-8

2 Mississippi Cops, Suspect Killed

AP-NY-05-07-98, The Associated Press, By MARY FOSTER

LONG BEACH, Miss. (AP) - Clinton Byrd drove up to his girlfriend's house with claims of undying love on his lips. But something else was on his mind.

"He came to die," said Jo Ann King, whose 17-year-old daughter, Tiffany, had dated Byrd for four years. "I guess he was going to kill her and let the police kill him."

Instead, the 21-year-old security guard killed two police officers and wounded a third before he was killed by an off-duty lawman who lived in the neighborhood.

"This doesn't surprise me. I knew something was going to happen," said Michael Coates, the stepfather of Byrd's girlfriend. "It was a relationship that was over, a lovesick person who was not going to give up."

Byrd followed Miss King home Wednesday morning. He was wearing black fatigues and a bulletproof vest and carrying weapons including an AR-15 assault rifle. Byrd grabbed Miss King, slapped a handcuff onto her arm and dragged her into the house where he intended to handcuff her to a post, Mrs. King said.

Mrs. King heard her daughter screaming, ran to the door and bit Byrd on the arm until he released the girl.

The women ran from the house while a neighbor dialed 911. When the police arrived, Byrd was waiting on the lawn and opened fire.

Killed were Steven Morgan, 38, who joined the police force in this quiet Gulf Coast town in 1992, and James Northcutt, 53, a career officer.

The third officer was treated for minor injuries.

Tracy Alfonso, who lives two doors down, said Byrd stood in front of the King house in the neat neighborhood of new homes several months ago and threatened to shoot himself. Officers talked him out of it and disarmed him.

"I hate to say it, but it would have been better if he had done it," Alfonso said.

<http://www.jointogether.org/gv/news/summaries/reader/0,2061,26248,00.html>

Two Cops Killed by Man with Assault Rifle

5/7/1998

Bulletproof vests failed to save two Mississippi police officers who were gunned down by a man armed with an assault rifle Wednesday morning, UPI reported May 6.

Long Beach, Miss., police officers Jim Northcut, 54, and Steve Morgan, 34, were responding to a call about a domestic dispute when they were met by a 21-year-old armed with an assault rifle. In the ensuing gun battle, Northcut and Morgan were killed and a third officer wounded; a nearby off-duty police officer heard the gunfire and shot and killed the gunman, Clinton Byrd, after another exchange of shots.

"This is a sad day for our community, and it's an even sadder commentary for what's going on around this country, for the violence in our communities," said Long Beach Mayor William Robert Bass

DENNIS WARREN FINCH

<http://www.fbi.gov/ucr/killed/98killed.pdf>

Law Enforcement Officers Killed and Assaulted 1998

A 52-year-old sergeant with the Traverse City Police Department was mortally wounded at approximately 4:10 p.m. on May 12 after responding to a man with a gun call. The 30-year veteran sergeant arrived at a residential location to find a man on the porch of a dwelling armed with a holstered semiautomatic pistol and a rifle. The sergeant tried to talk to the individual, who had a history of arrests with the department and had been previously diagnosed with emotional problems. Speaking to the agitated man, the sergeant asked him to put down his weapons since he was upsetting the neighbors. At this point, the man allegedly drew his holstered weapon and started into the house where he was suspected to have a stockpile of weapons and ammunition. The sergeant followed, also drawing his sidearm and telling the subject, "You don't want to do this." He repeatedly told the man to drop the gun. As the victim sergeant entered the door, five shots were fired and the officer immediately backed out of the residence, turned, and fell face down on the porch. An additional 23 shots from a .223-caliber semiautomatic rifle were fired at the fallen officer on the porch. The victim was hit several times in the front below the waist, in the back upper torso, and in the back below the waist. Officers returned fire at the shooter, wounding him and providing cover in order to remove the victim sergeant from the porch. The suspect retreated into the house where an 8-hour standoff followed before he surrendered to officers. The victim sergeant was rushed to a nearby hospital where he died of his wounds the next morning. The 48-year-old suspect was charged with Open Murder and Killing a Police Officer.

<http://www.odmp.org/year.php?year=1998&Submit=Go>

<http://www.odmp.org/officer.php?oid=15084>

Sergeant Dennis Warren Finch

Traverse City Police Department, MI

End of Watch: Wednesday, May 13, 1998

Cause of Death: Gunfire

Weapon Used: Rifle; AR-15

Suspect Info: Arrested after standoff

Sergeant Finch died of gunshot wounds received the day before by a man who had two assault rifles and two pistols on his porch. Sergeant Finch had been talking to the suspect for over an hour when the suspect opened fire with an AR-15 assault rifle, striking Sergeant Finch numerous times. He was admitted to the hospital where died the next morning at 10:30 hours. The suspect was shot and wounded in the initial gunfight but barricaded himself in his house for ten hours before giving up. Sergeant Finch is survived by his wife and two grown daughters.

<http://www.record-eagle.com/news/clark/clark.htm>

The stories linked below relate to the Dennis Finch case. On May 12, 1998, police surrounded a Wellington Street home after a man sprayed semi-automatic fire at Traverse City police officer Dennis Finch. Police and prosecutors said Clark opened

fire on Finch after the officer spent an hour and a half trying to persuade John Clark to put down a rifle and surrender peacefully.

After another seven hours of tense standoff and another round of gunshots, resident Clark was arrested. He later was charged with killing Finch, who died hours after he was shot. Clark's trial began Dec. 1, 1998. The jury found him guilty of both second degree murder and of killing a police officer on December 9, 1998.

[Clark appeals his murder conviction <29clark.htm>](#) - September 29, 1999

[TC police officer's killer claims he's broke in appeal <17jclark.htm>](#) - February 17, 1999

[Victim's wife speaks at John Clark sentencing hearing <16clark.htm>](#) - January 16, 1999

[GUILTY: Clark faces life behind bars in police officer's shooting <10clarkt.htm>](#) - December 10, 1998

[Jury weighs murder case against John Clark <9clarktr.htm>](#) - December 9, 1998

[Defense begins to lay out its case <8clarktr.htm>](#) - December 8, 1998

[Jury gets a look at weapons cache <06clark.htm>](#) - December 6, 1998

[Sheriff's deputy details Finch's death <05clark4.htm>](#)- December 5, 1998

[Police recount Sgt. Finch's actions before fatal shooting <04clark.htm>](#) - December 4, 1998

[Jurors view shootout scene <3clarktr.htm>](#) - December 3, 1998

[Clark: Shooting was self-defense; Prosecutor: It was premeditated <2clarktr.htm>](#) - December 2, 1998

[Increased security marks start of trial <1clarktr.htm>](#) - December 1, 1998

[14 jurors finally chosen to hear murder case in GT County <25clarkk.htm>](#)- Nov. 25, 1998

[Jury likely will be sequestered <6clarkj.htm>](#)- Nov. 6, 1998

[Clark's arsenal pricey, but legal <18guns.htm>](#)- October 18, 1998

[Trial for accused cop killer John Clark will remain in GT County <17clark.htm>](#) - September 17, 1998

[Clark attorney wants evidence thrown out <6thrown.htm>](#)- Sept. 6, 1998

[John C. Clark seeks new venue in cop killing trial <29venue.htm>](#) - August 29, 1998

[County gets billed for Clark's treatment <5clark.htm>](#) - August 5, 1998

[Clark declines insanity defense <25clrk.htm>](#)- July 25, 1998

[Defense suggests 'friendly fire' in Clark case <25clark.htm>](#)- June 25, 1998

[Issue of competency stalls preliminary exam for the accused <27nohear.htm>](#)- May 27, 1998

[In 1989 Clark was forced to give up some guns, but later got them back <22gun.htm>](#)- May 22, 1998

[Community comes together to mourn the loss of a police officer <19fin.htm>](#)- May 19, 1998

[Investigators find explosives in house <16evac.htm>](#)- May 16, 1998

[Deputy who pulled Sgt. Finch from porch is well respected <16depty.htm>](#)- May 16, 1998

[Thousands expected to attend services for slain officer <15fune.htm>](#)- May 15, 1998

[Man charged with open murder in shooting of police officer <14seige.htm>](#)- May 14, 1998

[GUNMAN KILLS TC OFFICER <13shoot.htm>](#)- May 13, 1998

<http://www.record-eagle.com/news/clark/13shoot.htm>

<http://www.record-eagle.com/news/clark/13shoot.htm>

Neighbors say suspect was quiet and paranoid

By BILL O'BRIEN, Record-Eagle staff writer

TRAVERSE CITY - People who dealt with John Clark of Traverse City describe him as a paranoid man who felt he was always in danger.

"I knew him as a probationer that was always paranoid, that somebody was after him," said Tom Willson of Traverse City, a probation officer with the 86th District Court. "He would call me and say 'Tom, they're after me ... the Mafia just drove by.'"

Clark, 48, was arrested several years ago in Leelanau County for spray-painting the entrance drive of an exclusive neighborhood on West Grand Traverse Bay with graffiti relating to the Mafia.

But even Willson was surprised when he learned Clark's house on Wellington Street was the center of a standoff after a police officer was shot there Tuesday afternoon.

"There were no harassing phone calls, nothing in his background to say he was a violent person. But definitely a paranoid person," Willson said.

Ellie Kortokrax, of 515 Webster St., has been a neighbor and acquaintance of Clark nearly all her life. They graduated from Traverse City High School together in 1968.

She watched from her back porch Tuesday afternoon as Clark shouted back and forth with police officers, followed quickly by an eruption of gun shots just after 4 p.m.

"I heard the first exchange of gunfire," she said, and a few minutes later watched as police pulled a wounded officer off the porch. "You could see them dragging a body," she said.

Kortokrax knew Clark better than most of the neighbors. "He's been part of this neighborhood for a long time," she said. "I'm sorry about the whole thing. But I'm not surprised ... John has never been right ever since high school."

Clark's late father, John Clark Sr., was a successful real estate man in Traverse City. Neighbors say he left his family several rental homes around the town that they used for income, and that Clark was a caretaker for some of the homes.

Cathy Hamilton lives along State Street across an alley from Clark's large home.

"We wave, we don't really don't talk," she said.

Other neighbors describe Clark as largely a recluse, although he was much more noticeable in his yard and around his home in recent days.

"Recently he's been talking to people - nothing that was frightening," said neighbor Nancy Pihlcrantz who lives along State Street.

Retired 86th District Court judge Richard L. Benedict, who lives a few blocks from Clark's home, knew Clark from both in court and in the neighborhood.

"I've dealt with him before," the retired judge said. "He's always been this way. He's always believed the Mafia was after him."

Commissioner Phill Orth recalled that Clark had come to a city commission meeting a couple of years ago and complained that local police and prosecutors were involved somehow with organized crime.

<http://www.record-eagle.com/news/clark/13shoot.htm>

GUNMAN KILLS TC OFFICER

Gunshots shatter the tranquility of a residential neighborhood

May 13, 1998 WEDNESDAY UPDATE

John Charles Clark, 48, was arrested by an emergency response team of the Michigan State Police at 12:45 a.m. today.

Clark was lying prone on the floor inside front door of his Wellington Street home when officers approached the house in an armored vehicle. Earlier in the evening, Clark had exchanged gunfire with police.

Struck by Clark's fire was Sgt. Dennis Finch of the Traverse City Police Department.

Finch died at 10:30 a.m. today, Munson Medical Center spokesman Tom Spencer said.

Clark, who was hit by two police bullets, remained hospitalized. He had not yet been charged this morning.

By RICH WERTZ and BILL O'BRIEN, Record-Eagle staff writers

TRAVERSE CITY - State police had a Wellington Street home surrounded late Tuesday night after a man who lived there sprayed semi-automatic fire at a Traverse City police officer.

After seven hours of a tense standoff, gunshots were heard again shortly before midnight but there was no indication who had fired them.

Sgt. Dennis Finch was being treated at Munson Medical Center late Tuesday after he was struck by multiple bullets shortly after 4 p.m.

The officer suffered multiple gunshot wounds and was in critical, but stable condition after surgery, Grand Traverse Undersheriff Joseph Smith said late Tuesday.

"The officer was trying to talk to him, get him to calm down and get things under control and suddenly there was a breakout of shots," Smith said.

Police later identified the man as John Clark, a resident of the Victorian home at the corner of Wellington and Washington streets.

Clark, described by neighbors as a disturbed man who believed the Mafia was after him, could be heard shouting to police after the shooting, and there was another round of gunfire about 20 minutes after the first round.

Police blocked off several city blocks and set up huge banks of lights outside the house as night fell. Over a bullhorn, they warned any residents who remained in the area to take cover in their basements.

The shooting followed reports of an armed man in the neighborhood. Shortly before 3 p.m., Finch was standing in the yard of the home talking to an agitated Clark.

Later Tuesday, police said they believe that Clark may have been wounded in the exchange of fire.

"We have indication he may have been" shot, said Sgt. Robert Woods of the Grand Traverse County Sheriff's Department.

As police began securing the area, Clark's voice could be heard rising and falling and he could be seen occasionally waving his arms. Police said he had a handgun and an AR-15 semi-automatic rifle with him on the porch, although there were times when his hands were empty.

Shortly after 4 p.m., Clark moved from the end of the porch to the center, in the area of the front entrance to the home. Finch walked toward that end of the lawn, and the conversation continued.

Suddenly Finch drew his service weapon and sprinted toward the porch. Gunfire erupted, booming through the tree-lined neighborhood as police rushed across the lawn. The gunfire erupted again and again.

When it was over, Finch lay bleeding on the porch. Other officers began calling to Clark.

"John, let us get our guy off the porch," one called. "Come on John, he's dying out there."

At 4:30 p.m. Grand Traverse County Sheriff's Deputy Todd Heller, who had been crouched below the porch, climbed up and dragged Finch down the stairs. Another officer helped him drag the fallen officer across the street, and he was rushed away in an ambulance.

Five minutes later, more gunshots rang out from inside the house in separate bursts of perhaps a dozen rounds each.

"Get away from the house!" a man shouted from inside. "I didn't ask you guys to come down here."

As police continued to shout at him, the voice from inside said: "He put a gun in my face and came in after me."

By 8 p.m., police had cleared the immediate neighborhood and any further contact between the occupant of the house and police could not be overheard by the public.

Small crowds gathered at the edges of the police barriers. Many of the residents of the neighborhood said they knew of Clark but were not friends. Some said he lived in the house with his mother. Police said there are also rental apartments in the house.

Clark frequently told people he had a large collection of guns in his home, neighbors said. Lynne Moon, a real estate agent contacted by telephone, said Clark had once shown her a basement room full of guns. She wasn't sure what kind they were, except that they were long guns and there were a lot of them, she said.

"I just got the goosebumps and wanted to get out of there," she said.

County Commissioner Jason Allen, a resident of the neighborhood, said he knocked on Clark's door two to three years ago to discuss some problem tenants at a nearby rental home owned by the Clark family.

Clark told Allen he had a weapon just inside the front door.

"He was quite open about that weapon ... and that he had a deep distrust of local government," Allen said. "He believed that the Mafia was running Traverse City and he found out about it so they were after him."

Others heard similar talk Tuesday. Mike Henderson was hooking up a natural gas line to a home on State Street about 10 a.m. when he was approached by Clark, who was wearing a large handgun strapped in a holster.

"He came up to me and started talking about the Mafia - that the Mafia was giving him a hard time," said Henderson, 34, of Traverse City. "He had a large sidearm on. I was nervous ... He said, 'The cops are the Mafia. Don't make any mistake about that.'"

Henderson said Clark was raking in his yard in the morning with a large pistol strapped to his body. Crews from Subsurface Construction Co. from Comstock Park and MichCon continued working on the gas line through the morning.

Another member of the crew, John Waltz of Kalkaska, overheard Clark talking to his co-worker.

"I heard him talk about (the Mafia). I didn't think too much of it ... I didn't think there was going to be a shootout later."

When the gas workers returned from lunch around 12:30 p.m., they heard Clark yelling back and forth with police officers who had arrived on the scene. The crew kept working in the alley while police continued talking with Clark.

"They talked to him for a long time," Henderson said.

<http://www.record-eagle.com/news/clark/16evac.htm>

May 16, 1998

Investigators find explosives in house

Bomb-sniffing dogs missed explosives earlier because of clutter in John Clark's home

By RICH WERTZ, Record-Eagle staff writer

TRAVERSE CITY - Police found a bomb, a football-sized container of plastic explosive, Friday morning in the house where an officer was fatally shot during a confrontation with the owner earlier this week.

They quickly evacuated the Boardman neighborhood once again while a state police bomb squad traveled from Grand Rapids to the home of John Clark. They placed the explosives in a special truck and took it to an undisclosed location where they detonated it.

They plan to analyze the remains to determine what kind of explosive it was.

Had the explosive gone off, it would have destroyed the house and a lot of evidence but the blast would likely have been confined to the site, said Traverse City Police Capt. Pat Hinds.

The explosives were found in the basement of the house about 11:30 a.m., said city police Sgt. Roger McEvoy.

"They've methodically been going through the house, as we do an evidence investigation," he said. "They came to a certain point and found it, and backed everybody out."

The state police bomb squad had swept the house Wednesday morning following the Tuesday afternoon shooting of City Police Sgt. Dennis Finch. John Clark, a resident of the home, has been charged with open murder.

McEvoy said the bomb squad told him the house is full of clutter and the odors of dogs and dog feces and that the bomb squad's dog became confused during the first search.

"The dog did hit on a couple of spots," McEvoy said. "They said there's so much clutter in there, so much stuff, that it's just impossible."

Neighbors have described Clark as a disturbed man with delusions that the mafia was after him. He had a large collection of guns and ammunition in the home.

Police are still investigating whether any of the guns had been converted to fully automatic fire.

The bomb squad remained on the scene Friday afternoon as the evidence investigators finished processing the scene. By early evening, residents were allowed back into their homes.

McEvoy said the police would pack and load the evidence for storage today.

The evacuation extended for four blocks, bordered by State, Franklin, Webster and Boardman streets.

The police notified area schools not to let children return to the neighborhood when classes ended for the day. Parents in the evacuated area picked up their children at school or made other arrangements.

Mimi Bruder, who lives at 436 Washington St. across from the Clark home, said it was frustrating not to be able to go home for the second time this week.

"I'm not really tired of it because I think it's a responsible way to handle this crisis," she said. "It is frustrating, but when you look at the big picture - a life was lost - this is not a big thing," she said.

<http://www.record-eagle.com/news/clark/22gun.htm>

May 22, 1998

Finch tried to get Clark committed

In 1989 Clark was forced to give up some guns he owned, but he later got them back

By BARRIE BARBER, Record-Eagle staff writer

TRAVERSE CITY - Sgt. Dennis Finch tried to get John Charles Clark committed in April 1989 because he believed Clark was mentally ill and posed a potential threat, police and court records show.

After he arrested Clark for operating under the influence of liquor and attempting to resist a police officer, Finch told the Grand Traverse County probate court that Clark had threatened him and others.

Clark was able to avoid a hearing determining mental illness at the time by agreeing to submit to an "alternative" treatment, according to Capt. Pat Hinds of the Traverse City Police Department.

Last week, Finch died after being wounded in a shootout on the porch of Clark's home. Clark has been charged with open murder.

The alternative treatment for Clark in 1989 meant a judge did not have to decide if Clark should have been involuntarily hospitalized, according to Prosecutor Dennis LaBelle.

Probate Court Judge John D. Foresman said any information on a patient's treatment is confidential.

Alternative treatment could mean outpatient counseling or taking medication, Foresman said.

When Clark was released on a \$15,000 bond on the drunk driving and attempted assault charges, Traverse City police confiscated two handguns and a rifle from Clark's home for "safekeeping" as a condition of the bond.

But police had to return the guns to Clark when conditions of the bond were met, court and police records show.

The district court criminal case and Finch's probate court petition were handled as separate matters. The criminal and mental health laws are different systems "and one does not necessarily have to do with the other," said LaBelle.

"It's a terrible system," LaBelle said. "It's cumbersome, it's intricate and it really raises the question of does it serve the needs of the community and the individual?"

The two handguns and the rifle were confiscated in April and returned in July, records show.

Former Magistrate Stuart Soule signed an order when Clark was arrested that all of his guns were to be turned in as a condition of bond for "safekeeping before release," district court records said.

Repeated attempts to reach Soule for comment were unsuccessful.

Hinds said he believes the guns were taken because police were concerned about comments Clark made when he was arrested.

In the police report, Finch wrote that Clark talked about the Central Intelligence Agency and the police department not investigating "all the dead bodies that were in the woods that were hacked to pieces."

Police also contacted a gunsmith who had been repairing a fourth handgun for Clark. The gunsmith told police Clark had contacted him and "was rambling on about the CIA and the FBI was after him and that he needed the gun immediately."

Finch wrote in the court petition that Clark had threatened him and another officer and made threats against the FBI and the CIA.

Former District Judge Richard Benedict, who later handled the criminal case, said he did not have the power to permanently confiscate the guns, but could order them kept as a condition of probation or bond.

"If (Clark) used them in the course of the crime, we'd have the power to take them and destroy them, but he didn't, as I recall," Benedict said.

Benedict could not remember issuing an order returning the guns, although typically once sentencing terms are fulfilled, a defendant's weapons would be handed back, he said.

Likewise, the probate court has the authority to order someone's weapons confiscated temporarily if someone is involuntarily committed to a mental health institution, but not to take the weapons permanently, LaBelle said.

No law lets the government take someone's weapons forever, but they can be stored for safekeeping under court bond rules, he said.

LaBelle said taking and storing weapons is becoming more common in domestic violence disputes.

Clark, who the detective bureau described as "dangerous" in court records, was ordered to serve 30 days in jail, serve two years probation and had his driver's license suspended for two years.

Once the bond was canceled and Clark was sentenced, the guns were returned. The police could no longer keep them, Hinds said.

"Really, the guns were not illegal and there was nothing the police could do at the time," said Michael D. Lewis, who was Clark's attorney at the time. ". . . Whether it was appropriate or not, it was his right" to have the guns back.

Hinds said Clark had a permit to purchase the handguns he had in 1989.

Police are investigating how Clark acquired the guns found in his home last week after the standoff and shootout.

In 1992, Clark applied for a permit to buy a pistol but was turned down for "probable cause," according to city records.

State law does not require a permit to buy a rifle or shotgun, but does for a handgun, Hinds said.

The law gives the police chief the authority to turn down a request for a permit to purchase a gun if he believes there is probable cause a crime may be committed with a weapon or allowing an individual to buy a gun would be a threat to themselves or others.

Finch had been called to Clark's home May 12 after reports that Clark was carrying a gun and was agitated, police said. After talking to Clark for about 90 minutes, Finch apparently drew his weapon and rushed Clark. Finch was shot several times and died the next morning.

The 30-year-veteran was the first Traverse City police officer killed in the line of duty.

<http://www.record-eagle.com/news/clark/18guns.htm>

October 18, 1998

Clark's arsenal pricey, but legal

Police found gun collection in accused killer's home

By PATRICK SULLIVAN, Record-Eagle staff writer

TRAVERSE CITY - An arsenal of weapons removed from John Clark's home by police in May could have been obtained by anyone with a clean police record, a lot of money and little time.

Although the most alarming thing removed from the house - what police said was plastic explosive - can't be easily obtained through any legal means, the rest of Clark's arsenal could be purchased almost anywhere.

Perhaps the most lethal weapon, a .50-caliber Barret rifle capable of piercing armor and bringing down airplanes, would not be readily available at gun shops in Traverse City. But ammunition for it would.

Cliff Boyd, owner of Cliff's Rifle Shop, said he sells similar weapons to sportsmen interested in 1,000-yard competition target shooting.

A .560-caliber Weatherby Magnum "elephant gun" is almost as powerful as the .50-caliber rifle found in Clark's home and it costs about \$1,800. Boyd said he does not sell the Barret because there is no demand, but if he did it would cost around \$3,000.

Jack Fellows, manager at Hampel's Gun Shop, said he stocks ammunition for the .50-caliber, but price prevents most people from buying the gun.

"It's exceedingly expensive, and that's what keeps most people out of it."

Clark is facing murder charges in the May 13 death of Traverse City Police Sgt. Dennis Finch. After a standoff that left the officer dead of gunshot wounds, police discovered an arsenal of weapons in Clark's home.

That led to questions about how someone with a history of mental illness could accumulate so many weapons.

Boyd said Clark never tried to buy firearms at his store, but occasionally shopped there for other supplies. Although Boyd said he has refused to sell a rifle to a customer only once, under federal law he has the right to refuse to sell if he has concerns about the buyer.

"We do have the right to reject if we've got a suspicion about someone," Boyd said.

"When you're in this business, you get a feel for things."

Gun shop owners said many of Clark's weapons were mischaracterized as "assault weapons." Although they may be semi-automatic and have been designed to look like military-style assault weapons, they don't meet the requirements.

Assault weapons are fully-automatic small- to mid-caliber weapons, Fellows said.

"The term is being used in a pejorative sense," he said. "There is no such thing legally sold on the market today."

Randy Hansen, owner of Grand Traverse Gun, said he wasn't sure what he had sold to Clark over the years, but that he probably sold Clark some of his weapons. He said he did not know how many or what kind, but said Clark's taste in weaponry was not unusual.

After looking over a list of weapons found in Clark's home, Hansen said Clark was not much different from many other gun collectors.

"You're looking at someone who collects '57 Chevys as opposed to someone who collects race cars. Any car will kill you."

In the wake of the standoff in May, State Senator George McManus called for legislation to prevent people with a history of mental illness from possessing weapons. Clark had had contact with the mental health system in the past.

Gary Henderson, a spokesman for McManus, said work had begun on such legislation but no definite progress has been made because the issue is complicated.

"No. 1, you're talking about restricting access," he said. "This is not something that you do overnight."

He said it was too early to draft a bill or introduce legislation, but said work on the legislation was going ahead.

"One of the things that disturbed us was that he acquired them, and the police took them away, and then he was able to get them back," Henderson said.

Gun shop owners said they knew of no way Clark could have obtained what police said was plastic explosive. Officers at the time said the amount of material they found in the basement could have leveled several houses.

Police have declined to say how they think Clark was able to get the explosives.

JAMES BRADFORD-JEAN CROOKS

<http://www.fbi.gov/ucr/killed/98killed.pdf>

Law Enforcement Officers Killed and Assaulted 1998

On May 19 two veteran Tampa Police Department detectives were shot and killed while transporting a suspect, and a Florida Highway Patrol trooper was fatally shot during a subsequent car pursuit of said suspect. A 44-year-old detective with over 20 years of police experience and his colleague, a 46-year-old detective with nearly 19 years of experience, were called to a local fire station where a couple had brought their child who had been fatally shot in the head with a semiautomatic rifle. When the detectives arrived at the station, the man, later identified as the child's stepfather, fled the scene. He was brought into custody shortly thereafter and the detectives questioned him. The suspect claimed the shooting was accidental. Due to inconsistencies in the suspect's story, the detectives decided to take him to the scene of the shooting to reenact the events that led to the child's death. Concluding their investigation at the scene, the detectives placed the rifle used in the shooting in the trunk of their vehicle and placed the suspect, with his hands cuffed in front of him, in the rear of their car. At approximately 1:45 p.m., during the return trip to the police station, the suspect managed to free his hands. Allegedly, he grabbed the 9 mm semiautomatic weapon of the detective who was driving and fatally shot him in the back of the head. The shooter then turned the gun on the other detective, who struggled with the suspect before being mortally wounded in the front of the head and neck. The perpetrator then allegedly carjacked a vehicle and fled the scene. An all-points bulletin was broadcast to law enforcement to be on the lookout for the suspect vehicle. At approximately 2:30 p.m., his patrol car in position on an interstate highway, a 23-year-old Florida Highway Patrol trooper with less than one year law enforcement experience spotted the vehicle and suspect. Falling in behind the vehicle, the trooper followed, maintaining visual contact until backup officers could arrive. The suspect vehicle suddenly swerved onto an exit ramp and slowed. Before the trooper could react and adjust his distance, the suspect vehicle came to a stop. The driver allegedly jumped from the car with a 7.62 x 39 mm semiautomatic rifle and shot once through the windshield of the trooper's car, hitting the officer in the head. A second shot hit the trooper in the shoulder and traveled upward, exiting at the back of the head, fatally wounding him. The trooper was wearing body armor at the time of the shooting. The suspect then got back into his vehicle and traveled to a nearby gas station, where he was immediately surrounded by dozens of law enforcement officers. The 30-year-old suspect took a female employee hostage and 5 hours of negotiations began. In the end, the suspect released the hostage and took his own life.

<http://www.odmp.org/year.php?year=1998&Submit=Go>

<http://www.odmp.org/officer.php?oid=15087>

Trooper James Bradford-Jean Crooks

Florida Highway Patrol, FL

End of Watch: Tuesday, May 19, 1998

Weapon Used: Rifle; Semi-automatic

Suspect Info: Committed suicide

Trooper Crooks was shot and killed while in a chase of a suspect who had just killed two Tampa detectives, Detectives Randy Bell and Ricky Childers. Trooper Crooks was attempting to stop the suspect who had car-jacked another vehicle when gunfire erupted. Trooper Crooks was struck in the head before exiting his cruiser. The suspect then fled the scene and holed up in a gas station for several hours before committing suicide.

<http://www.odmp.org/officer.php?oid=15088>

Detective Ricky Joe Childers

Tampa Police Department, FL

End of Watch: Tuesday, May 19, 1998

Weapon Used: Officer's handgun

Suspect Info: Committed suicide

Detective Childers was shot and killed as he was transporting a suspect to the police station for questioning. The suspect had earlier shot his three year old in the face with a rifle and took him to a fire station. As Detective Childers and his partner, Detective Randy Bell, were transporting the suspect, the suspect was able to free one of his hands from the handcuffs using a handcuff key he had hidden and gain control of one of the officers weapons. He then shot and killed the driver as he sat in the front seat and the passenger as he was climbing over the back seat in an attempt to get the gun from the suspect. The suspect then obtained his assault rifle from the trunk of the car and carjacked another vehicle before leading police on a chase in which he shot and killed Florida State Trooper James B. Crooks. After a standoff in a local gas station the suspect committed suicide. Detective Childers is survived by his two children.

<http://www.odmp.org/officer.php?oid=15089>

Detective Randy Scott Bell

Tampa Police Department, FL

End of Watch: Tuesday, May 19, 1998

Cause of Death: Gunfire

Weapon Used: Officer's handgun

Suspect Info: Committed suicide

Detective Bell was shot and killed as he was transporting a suspect to the police station for questioning. The suspect had earlier shot his three year old in the face with a rifle and took him to a fire station. As Detective Bell and his partner, Detective Ricky Childers, were transporting the suspect, the suspect was able to free one of his hands from the handcuffs using a handcuff key he had hidden and gain control of one of the officers weapons. He then shot and killed the driver as he sat in the front seat and the passenger as he was climbing over the back seat in an attempt to get the gun from the suspect. The suspect then obtained his assault rifle from the trunk of the car and car-jacked another vehicle before leading police on a chase in which he shot and killed Florida State Trooper James B. Crooks. After a standoff in a local gas station the suspect committed suicide. Detective Bell is survived by his wife and five children.

http://www.sptimes.com/TampaBay/52098/Trooper_had_been_on_j.html

A FHP trooper stands near the covered body of Trooper James B. Crooks, who was killed by Carr during Tuesday's pursuit. [Times photo: John Pendygraft]

With details about the killing still sketchy, however, it was unclear whether his inexperience worked against him when he tried to apprehend 30-year-old Hank Earl Carr, who authorities say also killed two Tampa police detectives in a shooting rampage that spanned three counties.

http://www.sptimes.com/TampaBay/52098/Carr_lived_as_he_died.html

Deadly Rampage

Carr lived as he died: in violence

By JEFFREY GETTLEMAN, JO BECKER and GEOFF DOUGHERTY

© St. Petersburg Times, published May 20, 1998

TAMPA -- Everyone who knew Hank Earl Carr could hear the time bomb ticking.

He bit ears during barfights and liked to talk about guns and running from the law. He was accused of stomping puppies to death and shooting neighbors' dogs. He had a lengthy rap sheet in two states.

And recently, authorities had investigated two complaints that he abused his girlfriend's 4-year-old son -- the boy who became the first casualty in a violent day that also saw three police officers killed and Carr himself end up dead.

People who knew Carr were not shocked at his rampage. [Times photo: Ken Helle] Carr was a 30-year-old martial arts expert who couldn't keep a job or stay out of trouble, those who knew him said. Born in Atlanta, he shifted from place to place and woman to woman, often using different names and offering different stories about his background.

Though Tampa is still in shock from Carr's rage, people in Marietta, Ohio, the quiet community where his record mushroomed in the few years he lived there, said they saw it coming.

"We were surprised that we hadn't heard something about him lately," said Jeff Seevers, a detective with the Washington County Sheriff's Office. "Something violent."

http://www.sptimes.com/TampaBay/52098/A_child_3_officers_a.html

A child, 3 officers and gunman dead

By PAUL WILBORN, LARRY DOUGHERTY, SUSAN CLARY and GRAHAM BRINK

© St. Petersburg Times, published May 20, 1998

The killing started with a rifle shot at 10 a.m. that left a 4-year-old Tampa boy dead. Before the long, bloody day was done, two veteran Tampa police detectives and a rookie highway patrol trooper were murdered and the suspect in all four deaths, a habitual felon with a love of automatic weapons, would die by his own hand.

Hank Earl Carr, 30, apparently shot himself inside a Shell station in Hernando County just before 8 p.m., as 170 police officers from three counties surrounded him and SWAT teams prepared to move in.

A female employee at the station, whom Carr had held hostage, was released unharmed just moments before he died.

Tampa police Detectives Rick Childers, 46, and Randy Bell, 44, were killed by Carr about 2 p.m. as they drove him to the police station for questioning. During a subsequent chase, Carr killed highway patrol Trooper James Crooks, 23, and shot and wounded two unidentified truck drivers he encountered on the highway.

Tampa police Chief Bennie Holder called it the darkest day in his 25-year police career. It was the worst day for law enforcement deaths in bay area history.

The day started with a tragic, but perhaps accidental shooting, then escalated on wave after wave of violence and gunfire.

The first scene was in Tampa inside a wood-frame upstairs apartment at 709 E Crenshaw St., just north of where the Hillsborough River crosses Nebraska Avenue, near Sulphur Springs.

Neighbors knew Carr only as "Boo." His girlfriend, Bernice Bowen, 24, was known around the neighborhood as "Denise." They had lived in the apartment for about a year with Bowen's two children, Joey Bennett, 4, and Kayla Bennett, 5, neighbors said.

Alicia Webb, 15, lives with her mother in an apartment next door and sometimes babysat for Carr and Bowen. Tuesday morning, she was walking from the brick house adjacent to Carr's apartment when she heard a gunshot about 9:45 a.m.

"Denise came running downstairs crying. There was blood on her shoulder. She was shouting, "Alicia, my baby! My baby! My baby! Please help me," " Webb said.

There was no telephone in the apartment, so Carr and Bowen took the wounded boy, Joey, to fire station No. 7 on Hanna Avenue, a few blocks away. Webb saw Joey with a bloody wound at the back of his head.

Then Webb talked to their daughter, Kayla, who was left behind.

"Kayla told me, "Daddy shot him," " Webb recalled.

Joey Bennett was pronounced dead at the fire station by paramedics. Carr left the fire station, over the objections of police and paramedics.

Police officers went to Carr's apartment to investigate. When they tried to talk to Carr he ran to a neighbor's house a block away, but police captured him and took him into custody between 10:30 and 10:45 a.m., said Tampa police spokesman Steve Cole. He was brought to police headquarters and interviewed for about two hours by homicide detectives Childers and Bell.

While he had originally told police the child had been killed while playing with the gun, he changed his story, saying the gun went off as he took it from the boy.

Childers and Bell returned with Carr to the apartment about 1:10 p.m. to perform a "walk-through" to re-create what happened when the 4-year-old boy was shot.

Twenty minutes later, detectives placed Carr in the back seat of their unmarked car. The weapon that killed the boy, an SKS semiautomatic rifle, was placed in the trunk of the car. Childers drove the car, Bell sat in the passenger seat. Carr sat in the back seat of the Ford Taurus with his hands cuffed in front of him.

When they left Carr's home, it is believed the detectives traveled south on Nebraska and west on Sligh to get onto the interstate traveling south. They exited the interstate at Floribraska Avenue and a struggle ensued on Elmore Street, which runs parallel to the interstate. The detectives were shot and killed in the car on Elmore Street, just north of Floribraska.

Police are unsure what happened, but in a chilling account told to a local radio station, Carr said he had managed to slip one hand free of the cuffs and grab Childers' gun. He said that he shot Childers and killed him and that Bell was killed after he jumped into the back seat to try to restrain Carr.

Carr then unlocked the trunk and grabbed his rifle and ran. Moments later, he carjacked a 1997 white Ford Ranger on Floribraska and headed north on the interstate.

Police officials at the scene said they believed Childers was shot in the head and Bell was shot in the chest, but Cole would say only that they were both shot in the upper body.

In a wild chase north on Interstate 75, troopers and deputies sniped at Carr from overpasses, and Carr fired his rifle at law enforcement officers and motorists who got in his way.

Trooper James B. Crooks, 23, started pursuing Bennett on I-75 near the northbound exit ramp of State Road 54. Minutes later, the call came that Crooks had been shot, said Lt. Mike Guzman, the highway patrol's public information officer. It is unclear whether Crooks had pulled Bennett over or whether he was shot while in pursuit.

Brooksville resident Mike Bedwell, 36, pulled into a Shell station near the State Road 50 exit ramp about 2:45 p.m. Minutes later, Carr came down the I-75 off-ramp because officers had blocked the interstate.

Bedwell heard officers fire several shots at the suspect's white pickup, blowing out his tires. Carr later told radio stations he was wounded by the shots.

The white pickup continued across a grass median on State Road 50. "He was still going pretty fast," Bedwell said. The suspect's pickup passed within inches of Bedwell's truck and nearly smashed into the gas pumps.

As the pickup kept rolling forward, the suspect jumped out. "He fired at least three shots at the officers -- POW POW POW -- and then ran into the station," Bedwell said.

More than 75 marked police cars descended on the intersection. Eventually more than 170 law enforcement officers were on the scene.

Inside the station, Carr took a hostage, 27-year-old clerk Stephanie Kramer.

The suspect asked to talk to his wife, whom officers brought from Tampa. After arriving she talked to her husband on the phone several times, said Hernando County Sheriff's Office spokeswoman Deanna Dammer.

The four-hour standoff ended just before 8 p.m. when Kramer was released.

The Tampa police bomb squad set off a charge that blew a hole in the rear of the concrete block building. When police entered, they found Carr dead of a self-inflicted gunshot wound.

At 9 p.m., a dozen people gathered outside police headquarters before a memorial to Tampa officers slain in the line of duty. Two dozen bouquets lay at the base of the memorial.

Officer Gina Bennett stood nearby in street clothes, holding a candle.

"Hurts to be an officer," she said. Just then, wind blew out the flame

Signs of Carr's anger date back to the mid-1980s, when his name started to pop up with increasingly frequency on jail logs in Sarasota County.

In 1986, just two months after his 18th birthday, Carr was sentenced in Sarasota to state prison on charges of burglary, assault and grand theft. Carr earned an early release but was back in prison less than a year later for violating the terms of his probation, said Department of Corrections spokeswoman Ginny Maddox.

Carr was back behind bars again in April 1989, this time for 4 1/2 years on charges of cocaine possession, resisting a police officer with violence and battery on a law enforcement officer. In 1990, Maddox said, Carr was set free as part of the state's provisional release program.

Later that year, Carr, who was then living in East Tampa, attacked a man in his house and threatened "to gut" him with a dagger. He was charged with his most violent crime yet: aggravated assault with intent to commit a felony. That offense was his 22nd arrest in the past five years. He was sentenced to two years of community control.

It was while serving that sentence, Maddox said, that Carr disappeared.

A warrant was issued for his arrest on Feb. 25, 1992.

Florida officials lost contact with him, but Carr soon surfaced, violently, in Marietta, an industrial town in southeastern Ohio.

"Apparently he had stomped a puppy to death in front of some kids," Seevers said. "That information was so unusual that it was given to one of our detectives."

Because of that, detectives decided to find out more about Carr. They did a background check and spoke with Sarasota County authorities.

An 18-year-old girl had just been stabbed to death, her body found in a cemetery. Carr had moved in the same circles, and detectives identified him as a suspect, Seevers said.

In Ohio, it wasn't just authorities who noticed Carr's behavior.

William Carpenter, 63, who lived next door to Carr in 1992, said he was crazy.

"He had a ponytail and an attitude," Carpenter said. "I just stayed away from him."

About this time, Carr met Bernice "Denise" Bowen, a married woman with two young children. Bowen had been married to Joseph Bennett, a dishwasher in a town near Marietta, for several years.

The two divorced and Bernice Bowen started seeing Carr about the same time she came into a large amount of money, a settlement from a hospital that allegedly had misdiagnosed her father, said Bowen's mother, Shelba Jean Bennett.

"Joey said it wasn't no use trying to hold her because she told him that she didn't love him no more, that she loved that other man," Mrs. Bennett said.

Carr made sure Joseph Bennett didn't try to reconcile with his wife. "That man threatened my son, threatened to kill him because he wanted Bernice," Mrs. Bennett said.

The threat was taken seriously; Shelba Bennett said Carr was known around town as a man with a "famous punch," a man who broke people's ribs.

Carr and Bernice Bowen moved to Tampa with her two children, Kayla and little Joe. But Shelba Bennett said Bernice Bowen had agreed to give custody of her children to her mother, Connie Bowen.

"That way the kids would be happy. They'd see their two grandmothers and their father and there'd be no trouble," Mrs. Bennett said, crying. "Looks like we was wrong."

According to authorities, Carr had been living in Tampa for about a year on Crenshaw Street.

Neighbors reported behavior similar to what had been observed in Ohio. Neighbor Mike Foy said another resident told him Carr shot a neighbor's dog. Another remembered him showing off his expansive collection of pistols and rifles and talking about outrunning the cops.

"He'd go off on a story ... about running from the cops ... having shootouts with the cops in different states," said Patricia Mercer, 22, who lives on Crenshaw. "He's a control freak ... mental ... crazy."

On Tuesday, Carr and Bernice Bowen brought 4-year-old Joe, wounded from a gunshot to the head, to a Tampa fire station. Later, when police handcuffed Carr for questioning in the boy's death, he already was facing four warrants: three from Ohio and one from Tampa for violating parole. TV cameras captured him being tucked into a squad car.

And of all the violence that erupted in the moments that followed, people who knew Carr still couldn't believe the event that began it.

"I can't see him up and shooting that little boy," said Shelba Jean Bennett, the boy's grandmother. "Even as mean as he was, I don't think he'd kill a little kid."

-- Times staff writers Jeff Testerman and Larry Dougherty contributed to this report, as did Roger Kalter of the Marietta (Ohio) Times.

http://216.239.39.104/search?q=cache:odhYHwqT4S8J:groups.yahoo.com/group/earth_prediction/s/message/42%3Fsource%3D1+%22Trooper+James+Crooks%22&hl=en&ie=UTF-8

MAN SUSPECTED IN DEATHS OF THREE POLICEMEN FOUND DEAD AFTER STANDOFF

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BROOKSVILLE, Fla. (May 19, 1998 11:08 p.m. EDT <http://www.nando.net>) --

A man under arrest and riding in the back seat of a police car wriggled out of his handcuffs Tuesday, shot and killed two officers and then fatally shot a state trooper before taking a hostage at a gas station.

After a nearly four-hour standoff, police stormed the station and found the man dead from a self-inflicted gunshot wound to the head.

The hostage, a female clerk at the station, had been released earlier.

The man was initially picked up for questioning in the shooting death of his 4-year-old stepson.

Police said he had a criminal record dating back to 1986.

After the officers were killed, about 170 police officers surrounded the Shell station near this city about 50 miles north of Tampa.

When negotiations broke down, police shot tear gas into the station, fired off an explosive device behind the building and rushed inside to find the man dead.

WFLA broadcast an interview with the man, who called the radio station and said he shot the two officers in the car after they refused to listen to his explanation of how his stepson died of a gunshot wound.

He said the boy's death was an accident.

"They started calling me a liar ... and I was going to jail and prison," he said.

"I got one of the handcuffs off. I reached up front and got the pistol away from the officer that was driving. The other one jumped in the back seat trying to get it (the gun) away. I shot them both," he said.

Police identified the two officers as Tampa homicide detectives Randy Bell, 44, and Ricky Childers, 46.

The suspect, who identified himself as Hank Carr, said he grabbed his rifle from the trunk of the officers' unmarked car, commandeered a truck and fled north along the highway.

"They (police) were shooting at me every underpass I went under," the man said.

Florida Highway Patrol Trooper James Crooks, 23, tried to stop Carr near a highway exit about 10 miles from the gas station and was killed as they exchanged gunfire, police said.

Carr pulled off the highway when officers blew out the tires of the truck and he fled into the gas station as shots rang out around him.

Police earlier identified the suspect as Joseph Lee Bennett, which he claimed was an alias. Police later confirmed he was Carr, 30, who had a record of burglary, grand larceny, possession of cocaine and resisting an officer with violence.

He told the radio station that his stepson's death was accidental, he did not want to go to prison or be electrocuted. He was allowed to speak by phone to his wife, who was at a police command center set up near the gas station.

The suspect claimed he was wounded in the buttocks, bleeding profusely but initially refused to release the hostage.

"I'll probably give her the guns and let her go out and I'll just lay on the floor here and they can come get me," he said. "But for right now I want to talk to my wife before I do anything."

He and his wife had told detectives the boy, identified by police as Joseph Bennett, was dragging a rifle along behind him when they yelled at him. The gun went off, the couple said, and the boy was shot in the head.

The suspect told the radio station: "That gun was supposed to be empty. I don't understand what happened,"

However at a news conference, police spokesman Steve Cole said the suspect changed his story during questioning at police headquarters.

"He said he had gotten the gun away from the child and it accidentally went off. He shot the child," Cole said.

Cole said the man agreed then to return to his home "with the detectives and walk through what happened."

Police confiscated three rifles from the home, including a Chinese version of the AK-47 assault rifle.

By LISA HOLEWA, Associated Press Writer

DALE DEWAIN CLAXTON

<http://www.fbi.gov/ucr/killed/98killed.pdf>

Law Enforcement Officers Killed and Assaulted 1998

On May 29 at approximately 9:25 in the morning, a 45-year-old patrol officer with the Cortez Police Department was shot and killed as he investigated a possible stolen vehicle. The officer, with nearly 3 years of law enforcement experience, spotted a large water truck matching the description of one stolen the previous day. After notifying dispatch of the sighting and requesting backup, the officer followed the vehicle. Before backup arrived, the suspect vehicle pulled to the side of the road, although the officer had not activated his patrol car lights. Again notifying his dispatcher of events, the officer pulled in behind the vehicle. Before the victim officer could exit his patrol car, a man jumped from the passenger side of the truck and opened fire with a 7.62 x 39 mm automatic rifle, spraying the officer's cruiser with an estimated 29 bullets. The victim officer was fatally hit in the front of the head and the upper chest above his body armor. The suspects, two 26-year-old males and a 30-year-old male, fled the scene and allegedly stole another truck at gunpoint some 5 or 6 miles down the road. One of the 26-year-olds committed suicide at a later date, under unknown circumstances. The other two suspects are still at large.

<http://www.odmp.org/year.php?year=1998&Submit=Go>

<http://www.odmp.org/officer.php?oid=15098>

Patrolman Dale Dewain Claxton

Cortez Police Department, CO

End of Watch: Friday, May 29, 1998

Weapon Used: Rifle; Semi-automatic

Suspect Info: 2 committed suicide, 1 at large

Officer Claxton was shot 18 times and killed after stopping a truck which had been stolen earlier. Before Officer Claxton exited his cruiser one of the three suspects, who are suspected of being militia members, in the vehicle opened fire on him with an automatic rifle, killing him. The suspects then fled but were pursued by other officers.

During an intense gun battle during the pursuit two deputies from the Montezuma County Sheriff's Department were shot and wounded. The suspects stole another pickup truck before escaping into a canyon filled portion of the state.

The National Guard and over 300 officers from four states were assisting in the search for the suspects. One of the suspects was found dead from a gunshot wound to the head in early June 1998 and a second's skeletal remains were found in November 1999.

Officer Claxton is survived by his wife, four children, and a granddaughter.

<http://www.vpc.org/studies/980529.htm>

Section Three: Selected Incidents of Law Enforcement Officers Killed in the Line of Duty by Assault Weapons, 1998 Through 2001

Date: May 29, 1998 **Location:** Cortez, Colorado **Assault Weapon:** SKS 7.62mm rifle On May 29, 1998, one police officer was killed and two were wounded with an SKS 7.62mm rifle. Officer Dale Claxton stopped a truck that had been reported stolen the day before. As Officer Claxton was checking the stolen truck's license plate, a passenger in the truck fired approximately 40 rounds through the front of Claxton's police cruiser. Montezuma County Sheriff's Deputy Jason Bishop responded to the radio call of an officer being shot, and was wounded as his cruiser was hit with approximately 40 more rounds from the SKS. Minutes later, Deputy Todd Martin was wounded in the left arm and right leg. The three suspects, described by authorities as "anti-government, end-of-the-world-fearing survivalists," escaped into Colorado. Two of the suspects were later found dead, while the third, Jason Wayne McVean, is still at large.

Greg Burton, "Posse Scours Badlands for 3 Cop Killers," *Salt Lake Tribune*, May 31, 1998; Julie Cart, "Answers Vanished Along With Four Corners Outlaw," *Los Angeles Times*, November 24, 1999.

<http://www.hotmulletts.com/crimulletts/crimulletts1.htm>

... **JASON WAYNE McVEAN** Wanted in 23 states for fraud after officials found out he impersonated Kenny Loggins for at least 10 years. ...

http://www.amw.com/site/newsbeat/pilon_mcvean/index.html

Convicted of criminal trespass in Durango, CO in 1990

ALAN LAMONT PILON, October 31, 1999

The manhunt has finally ended for one of three men wanted in the shooting death of Cortez, Colorado police officer Dale Claxton and the attempted murder of two Montezuma County sheriff's deputies. Authorities have confirmed that a body found by hunters in San Juan County, Utah on Sunday, October 31st, 1999 is that of Alan Lamont Pilon.

The story begins on May 29, 1998 in Cortez, Colorado. Police say Pilon and two friends, Jason McVean and Robert Mason, shot and killed Officer Claxton as he tried to pull them over in a stolen water truck they were driving.

After the shooting, police say, the renegades abandoned the water truck and stole another truck at gunpoint. In the pursuit that followed, police say, the trio fired at numerous officers, hitting and wounding two Montezuma County Sheriff's deputies. They then headed into Utah into the Cross Canyon area, ditched the truck, and fled into the rugged wilderness on foot. Their rampage began one of the largest manhunts in modern U.S. history, with over 500 local, state and federal officers involved.

On June 4th, 1998, the body of Robert Mason was found in Bluff, Utah. Police say Mason killed himself after shooting and wounding another local officer. When authorities found Mason's body, they say he was dressed in camouflage, a bullet-

proof vest and a Kevlar helmet and was surrounded by pipe bombs, a rifle, and a 9mm Glock.

Despite numerous reported sightings over the last year and a half, authorities have not had any solid information on Pilon and McVean....until Sunday, October 31st. That's when eleven hunters in San Juan County, Utah, who had walked out onto the edge of a mesa looking for deer, stumbled upon a body. The body was lying under a tree and was badly decomposed. It was in an area that is only two miles from where Pilon, McVean and Mason originally abandoned the second truck and set off on foot. According to authorities, the body was dressed in camouflage, a bullet-proof vest and had a Kevlar helmet sitting nearby. There were seven pipe bombs, a semi-automatic rifle and a 9mm handgun in the vicinity. There were also eyeglasses nearby. Pilon is known to wear prescription glasses.

On Monday, November 1st, the body was transported to Salt Lake City, Utah to be examined. On Tuesday, November 2nd, authorities confirmed through dental records that the body was that of Alan Pilon. Authorities say Pilon has been dead since shortly after the May 1998 incident. Authorities aren't saying how he died, although they do say his skull was found in several pieces, which would be consistent with a gunshot wound to the head.

Authorities are still actively searching for McVean, the third man wanted in the shooting death of Officer Dale Claxton.

<http://www.worldfreeinternet.net/news/nws117.htm>

POLICE PULL OUT ALL STOPS IN MANHUNT OF COP-KILLERS

CENTRAL NEWS SERVICE

Fugitives suspected of killing a Colorado policeman, and wounding three others, appear to have eluded a posse of hundreds of pursuers in the rugged terrain of the Wild West. In a demonstration of the power of the police state to protect police, 200 National Guardsmen and 300 local, state and federal police officers from 27 agencies descended on Bluff, Utah, with the impact of a commando raid, in search of the three men believed responsible for the fatal shooting of Cortez, CO, Officer Dale Claxton, and the wounding of two county deputies on Friday, May 29th.

Residents of Bluff, Utah, were furious that the government ordered them to evacuate the artist's colony. In a heavy-handed move, the 300 citizens of Bluff were forcibly evacuated by bus to Blanding, 20 miles north of Bluff. Additionally, the Bureau of Land Management, the federal agency in charge of managing the Federal Government's vast land holdings, evacuated nearby San Juan River of rafters as a precaution, due to sightings of the fugitives earlier with a boat. (Some speculated later that two of the suspects made their escape by boat).

Oddly enough, this incident took place at the same time that the IRS has issued 20,000 apologies to its victims, because it appears at this time that the leading cause of this rampage is the fact that one of the fugitives may owe the IRS \$1,500. The fugitives are 26-year-old Jason Wayne McVean of Durango, Colorado, and Alan "Monty" Pilon, 30, of Dove Creek, Colorado. Police believe that a dispute in which the IRS claims Pilon owes \$1,500 in unpaid taxes may explain his hostility towards the Republic. Pilon and McVean are laborers, and 26-year-old Robert Matthew Mason was a bricklayer; Mason's body was found Thursday at a campsite

along the river, about five miles east of Bluff, apparently the victim of a self-inflicted gunshot wound.

The rampage had its origins on the morning of 29 May, after Officer Claxton had radioed his dispatcher that he was following a water truck that had apparently been stolen from another county. He was waiting for back-up to arrive before stopping the truck, when the suspicious water truck pulled over on its own. One of its occupants jumped out dressed in military-style camouflage, disguised by a face mask and shooting goggles, and proceeded to walk back to Claxton's patrol car, and shoot and kill him with an automatic weapon at point-blank range. The suspects then abandoned the tanker and commandeered a flatbed truck, which they later wrecked after a high-speed chase and shoot-out with police in which two Montezuma County sheriff's deputies were wounded, and six patrol cars got shot up. The gunmen then commandeered a second truck, before abandoning it and fleeing on foot into the dry canyonlands five miles north of Hovenweep National Monument.

The fugitives disappeared and were not heard from again until Thursday afternoon, when a Utah social worker, Steve Wilcox, stumbled upon a pair of combat boots along the river bank, and a prone camouflaged person nearby pointing a rifle at his head. "It looked like a cannon," Wilcox said. "I stomped on the gas and I hadn't gone more than 30 feet when I heard a shot, and a bullet hit just to the right of the vehicle." The officer who answered Wilcox's 911 call was shot and wounded, never seeing the gunman; both of the .308-caliber bullets penetrated the San Juan County deputy's protective vest.

There is speculation about what the men were up to when they stole the water truck, and whether or not the men were connected to any militant organizations. Mark Potok, a spokesman for the Southern Poverty Law Center, which operates a watchdog unit that tracks so-called "hate groups" and right-wing paramilitary groups, told CNN that all three of the fugitives were linked to the Four Corners Patriot Militia. He said Pilon trained with the Militia in 1996. Pipe bombs were seized in searches of Pilon's and Mason's homes Tuesday. Automatic rifles and a shotgun were found in a pickup truck the fugitives abandoned. Police also found hand-drawn maps indicating the men were stockpiling supplies in various locations in the area.

The Cortez city manager, however, said that he had never heard of the Four Corners Patriot Militia, and San Juan County Sheriff Mike Lacy said that police have no proof that the suspects were in a militia. Cortez Police Chief Roy Lane said bomb-making directions from "The Anarchist's Cookbook," were found in Pilon's room at his parent's Dove Creek home. "We found a lot of Internet information to indicate he'd been reading about how to make a bomb, and there were other types of survivalist magazines and all kinds of information like that at his house."

The fugitives literally disappeared into the wilderness, as hundreds of officers combed the head-high brush along the half-mile wide river canyon. Helicopters buzzed overhead and sheriff's pontoon boats scoured the river. A SWAT team took up riverside positions 17 miles southwest at Mexican Hat. Temperatures in the past several days have been so high that police tracking dogs were stymied. The overwhelming police power has struck a nerve, however, because there are murders every day of civilians, which receive nowhere near the same response from the law enforcement community when they take place. The reality in this

case is that the government itself is under attack, and it's a ***no holds barred*** brawl when the bureaucracy itself is under fire. Of course, nothing justifies the crimes of the fugitives. The fugitives are outlaws for *good reason*, homicide being the most serious of *all* crimes; the selective enforcement of the law by police is what calls the sincerity of these institutions into question. Five hundred policeman should be called out within hours the next time a black child is murdered in south central Los Angeles; anything short of that is just an excuse for failing the community, while propping the police-state up on the dead bodies of American innocents.

SOURCE: Information for this article derived from the Associated Press and CNN, 5 June, 1998. Written exclusively for CNS.

<http://www.sltribune.com/2003/Aug/08242003/utah/86561.asp>

THE MYSTERY OF THE FOUR CORNERS RAMPAGE

By Christopher Smart, The Salt Lake Tribune

BLUFF -- If Robert Matthew Mason didn't kill himself, who did?

That question is one of many that keeps alive the mystery surrounding three outlaws dubbed the "Four Corners Fugitives." Five years after the Rambo-style survivalists stole a 2 1/2-ton water truck and shot lawmen in southwest Colorado and southeast Utah, there are few answers as to what Mason and his partners, Jason Wayne McVean and Alan "Monte" Pilon, were trying to accomplish that last week of May 1998. Without warning or provocation, they killed a Cortez, Colo., police officer and wounded two Montezuma County, Colo., deputies before fleeing into the desert of southeast Utah. It remains unclear how the water truck plays into the trio's strange plans, although some investigators speculate it could have been a precursor to an Oklahoma City-style bombing.

Clues to the band's motives may never be known unless the remaining fugitive is found alive, especially since the death of his two accomplices spawned even more questions.

Five days after the Cortez shootout, Mason's body turned up. A SWAT team found him June 4 on the south bank of the San Juan River just upstream from the southern Utah hamlet of Bluff. Authorities announced that Mason had killed himself.

But the Utah Medical Examiner's Office would not back that conclusion. "The gunshot wound to the head had many unusual features, which would suggest that it was not a self-inflicted injury," wrote Maureen Frickke, assistant state medical examiner.

Police insist Mason slid the barrel of a 9mm Glock handgun into his mouth and then pulled the trigger. They dismiss the autopsy report -- which also details blunt-force trauma to Mason's head and bruises on his thighs and mouth -- as conjecture and see little value in probing any further the death of one of the most notorious desperados to roam the region since Butch Cassidy.

But Ann Mason views Frickke's findings as a blueprint of her son's homicide. The Durango, Colo., woman understands her son committed serious crimes but refuses

to accept his death as a suicide. Taking solace from witness accounts that put Mason as the driver rather than a triggerman, she seeks closure to the episode she says destroyed her life.

"To lose a child is horrible," Ann Mason said. "But when your son goes out as one of the bad guys, it's really hard."

Pilon's death adds to the conundrum. His decomposed body was found nearly 17 months later by deer hunters not far from Hovenweep National Monument, about 50 miles from where Mason was found. An autopsy showed Pilon had suffered a broken ankle as well as a single gunshot wound to the head. But outside of one shell casing, his weapon had no ammunition, which seems unusual for a well-armed survivalist.

Law enforcement officials deemed Pilon another suicide. But, again, the Utah Medical Examiner's Office would not confirm that, based largely on the strange angle that the bullet entered the head.

Meanwhile, no one has seen or heard from McVean. That he may have gotten away keeps a pulse pumping through the mystery.

San Juan County Sheriff Mike Lacy believes McVean's bones are bleaching in the hot desert sun somewhere in southern Utah. He is loath to investigate further and is convinced that Mason and Pilon killed themselves.

"You look at criminals, like [Eric Harris and Dylan Klebold] at Columbine [High School] -- they do all this shooting, and when it comes down to the crunch, they shoot themselves."

The sheriff concedes that many particulars in the Four Corners caper don't add up. "But unless we find the other guy, we'll never know. We have 20 different theories of what happened."

Rambo rampage: In the aftermath of the rampage, investigators pieced together rough profiles of the fugitives: They fancied themselves as survivalists and would-be anti-government Rambo guerrilla fighters, preparing for the imminent dissolution of society and the chaos that would follow. They bought guns, loads of ammo and mapped southeast Utah from the Colorado border to the labyrinths of Grand Gulch west of Bluff.

Mason and McVean, both 26 in 1998, were boyhood chums from Durango. Mason had dropped out of high school and found a career in stone masonry. McVean, who authorities believe to be the leader, was a metalworker. With common interests in firearms and militias, they hooked up with Pilon, a 30-year-old mechanic from Dove Creek, Colo.

What they were up to May 28, 1998, when they stole a water truck from Ignacio, a small town southeast of Durango, won't be answered unless McVean is found alive.

Were they going to make it a bomb like Oklahoma City bomber Timothy McVeigh did with the Ryder rental? Were they going to take water to a desert hideout, where they would await the end posed by the then-pending Y2K changeover? Or

would they use it as a battering ram or war wagon to rob the Ute casino at Towaoc 10 miles south of Cortez?

"That's probably as good a theory as any," Cortez police Chief Roy Lane said. "They were on a timetable. There was a timetable where an armored car would go [from the casino] to the bank every day."

Still, it remains difficult to make sense of their actions, Lane said. "None of the three was rational at the time. That's why we have so many theories. People who are rational are trying to determine what these irrational people were up to."

Their plans, whatever they were, may have changed May 29 at 9:20 a.m. as officer Dale Claxton followed the truck in Cortez. The truck pulled over of its own accord, and before Claxton could unfasten his seat belt, he was ripped by an SKS assault rifle fired by a gunman in camouflage battle fatigues and a Kevlar helmet. Claxton was hit more than a dozen times; the last shot was from point-blank range.

Horrified witnesses called 911. The chase was on.

The trio ditched the water truck and swiped an orange 1-ton Ford flatbed. As they careened through the streets of Cortez, one gunman hung out the passenger window while another fired from the truck's bed. Their firepower overwhelmed police.

Two Montezuma County deputies were wounded and a half-dozen others had their cars shot up. The flatbed raced into southeast Utah. As it sped past Hovenweep, gunmen opened up on a park ranger, who was not hit.

By early afternoon -- about 3 1/2 hours after Claxton's death -- investigators found the flatbed truck in a creek in Cross Canyon, 15 miles northwest of Hovenweep. There, they found two sets of footprints, leading some investigators to believe that Pilon had jumped or fallen from the flatbed before Mason ditched it.

Mason and McVean probably split up at that point, said Lane, who believes the pair planned to link up later on at the San Juan River. Adding to the intrigue is that Dolores County, Colo., Sheriff Jerry Martin said a boat might have been part of the escape plan.

Law enforcement agencies from around the West descended upon the Four Corners. By week's end, about 500 officers from more than 50 agencies blanketed the region. But as SWAT teams fanned out, they found nothing.

"Everybody was very apprehensive from the outset," recalled Lacy, the San Juan County sheriff. "There was confusion from the get-go on how many people we were looking at. There was confusion between the two states [Colorado and Utah] and the various agencies."

Beyond that, SWAT teams from urban areas weren't familiar with or prepared for the desert terrain. There were too many officers to control and coordinate.

"There were some management issues," Martin said. "If we had been left alone, my outfit and Lacy's outfit, and done things the way we normally do, it would have been better. We work in this area all the time."

Potential evidence -- such as fingerprints and footprints -- was lost or destroyed at several places by the hordes of police on the scene. "We lost evidence at the truck," Martin conceded.

Battle at the bridge: Despite the huge manhunt, officers turned up nothing. It wasn't until June 4 at about noon that investigators got a break when shots were fired at the car of Steve Wilcox, a Utah social worker. He had driven to a swinging bridge on the San Juan River just east of Bluff to eat lunch.

San Juan County Deputy Kelly Bradford rushed to the area. Inspecting the scene from a sandstone overlook above the bridge, he was shot twice just before 1 p.m.

"I walked toward the edge and heard a high-powered rifle shot ring out. I felt something rip through my shoulder simultaneously to hearing the shot," Bradford wrote in a report. "I dropped to my belly and began crawling toward my vehicle. . . . Within five seconds of the first shot, another shot rang out and my back exploded."

Bradford did not see the shooter. But Lane said it was the work of a marksman. "It was a tremendous shot," he said. "It was 300 yards across a canyon with an open sight."

Helicopters and law enforcement swarmed the area. Just after 5:30 p.m., a SWAT team from Pueblo County, Colo., accompanied by two trackers from the Navajo Nation Police Department spotted a rifle barrel sticking out from behind a sandy berm on the banks of the river. They spread out and launched a rapid assault approach only to find Mason already dead, investigators say.

Law enforcement officials say Mason killed himself. But the autopsy officially lists the cause of death as "undetermined."

Frickke's report also identified a foreign substance in Mason's mouth as well as bruising at its corners. That could suggest that Mason may have been gagged and killed before he was shot in the mouth.

"Paucity of hemorrhage in the tongue at the laceration suggested the possibility that the [bullet wound] may have occurred postmortem," the report states.

In addition, the autopsy detected blunt-force trauma above the eyes about the time of death, bruising between the thighs, and an injury to the right big toe.

Frickke had difficulty explaining the way blood seeped from Mason's body after his death, suggesting the body had been moved or disturbed.

But the SWAT team official whose unit found Mason said the body had not been moved. That report -- by Detective John Pannunzio -- was not issued until Nov. 19, 1998, more than five months after Mason's death.

However, Sgt. Dean Hadley, one of the Navajo trackers, said the body was turned over by members of the SWAT team. "The team leader rolled him over to ID him from a wanted poster," Hadley said.

In a Dec. 21, 1998, letter to Mason's mother, Frickke reiterated her concerns -- including that the bullet had inexplicably expanded in the tongue.

"Because of this unusual finding," she wrote, "I suggested to the representatives of the Colorado Bureau of Investigation, who attended the autopsy, that they determine whether the projectile recovered from Robert [Mason] had, in fact, been fired from the firearm that was lying beside him. I have not been informed of any test results relating to these questions."

Although some law enforcement officials vehemently disagree with Frickke's findings, a review by Michael Dobersen of the Arapahoe County Coroner's Office in Colorado "generally agreed with the determination made by Dr. Frickke."

In a Feb. 12, 2001, letter to Ann Mason, Dobersen said, "some features of the gunshot wound are suspicious," including the bullet fragments in the tongue.

"Also of concern were other injuries to the head which do not appear to be associated with the gunshot wound," Dobersen wrote.

But the San Juan County sheriff doubts ballistics tests will shed any more light on the shooting. Glocks, which police often carry, are made with plastic barrels and do not produce "riflings," the distinct impression left on slugs by firearms with steel barrels.

"A lot of times with Glocks, you can't tell which gun a [slug] came from," Lacy said.

In an undated "abstract" titled "Robert Mason Death Investigation," former San Juan County Deputy William Pierce dampened the autopsy's findings. He suggested the unusual expansion of the hollow-point bullet could have been caused by "plant material, dirt and other fibers" in the barrel.

Pierce also speculated Mason may have fractured his own skull inadvertently. "In reconstructing the events of June 4, 1998, it was determined the blunt force injuries could have been self-inflicted, though not necessarily intentionally."

Mason's thighs could have been bruised when he crossed the swinging bridge, Pierce surmised. "It is natural to assume, as was verified during my re-enactment, that an individual crossing the bridge in haste, carrying various items, would stumble and fall."

So whodunit? In the end, there are three possible explanations for Mason's death: He shot himself. McVean shot him. Or police shot him.

Lacy quickly rules out the last two possibilities.

If a law enforcement officer had killed Mason, he would have been a hero, Lacy explained. "Most officers would brag about it, 'I got the son of a gun.' "

The sheriff also dismisses the motion that McVean shot his partner and then escaped down river.

"There are no other footprints," he said. "We tracked [Mason] all the way [up the San Juan River] back to Montezuma Creek."

But what if McVean approached from another direction, and his footprints became obscured when SWAT teams swooped in? There were so many footprints in the area that the casing from the 9mm Glock was thought, in at least one report, to have been stomped inadvertently into the sand.

That casing never was found.

And there remains the possibility of a boat. Witnesses say they saw Pilon in Bluff two weeks earlier with some kind of watercraft in the back of a pickup.

"I'm convinced they had a boat," said Martin, the Dolores County sheriff. "They had a plan of escape and there may have been a fourth guy."

That Mason was found near the swinging bridge is more than a coincidence, noted Lane, the Cortez police chief. "It was a rendezvous point," Lane said.

Add to that witness accounts of two men in a boat floating under the highway bridge shortly after Bradford was shot near the swinging bridge and the mystery becomes the stuff of lore.

But none of the leading investigators in Utah or Colorado wants to believe that McVean got away. Whether Pilon was shot by one of his partners is something Martin and Lane will at least consider. The fact that he was found without ammo with an unlikely suicide wound could point to murder.

The difference between the two dead desperados is that unlike Pilon, Mason and McVean were longtime friends.

That leaves Ann Mason with the gnawing suspicion that her son may have been beaten to death by lawmen who then faked his suicide.

"I can't say my son is innocent. My son was up to something. But I think he realized it had gone wrong very fast," she said.

Because Mason was one-quarter American Indian and died on a reservation, she wants the FBI to investigate. But the bureau refuses.

"The walls and lack of truth I'm getting are as hard as his death. I haven't gotten any closure," Ann Mason said. "Our story will never have a happy ending, but we need an ending of some kind."

SUSAN L. RODRIGUEZ & RICARDO G. SALINAS

<http://www.fbi.gov/ucr/killed/98killed.pdf> , page 57

Law Enforcement Officers Killed and Assaulted 1998

An agent and an agent-trainee with the U.S. Border Patrol assigned to the Harlingen Station of the McAllen Sector in Texas were killed in an ambush on July 7 at approximately 7:15 in the morning. Two agents and an agent-trainee responded to a call for assistance from the Cameron County Sheriff's Department that was involved in a search for suspects in a double homicide committed earlier in the day. The agents met with a deputy at the family residence of a suspect and were briefed. The deputy explained that he had been in pursuit of a vehicle driven by alleged homicide suspects of whom he had lost sight. The vehicle was subsequently sighted at this residence. The deputy had talked with the father of one of the suspects and was informed that the male was unstable, under the influence of a narcotic substance, and possibly suicidal. Before previously requested backup arrived at the residence, the two agents and the trainee joined the deputy in searching the house. As they exited the home, the suspect opened fire with a .223-caliber semiautomatic rifle from a cornfield across from the residence. The 24-year-old trainee, who had nearly one year of law enforcement service, was struck in the head and died instantly. He was wearing body armor at the time of the attack. One of the two remaining agents was wounded in the neck and leg. The suspect continued firing, hitting the deputy in the upper torso. He then directed fire at the third agent who had sought cover in the cornfield. Additional officers arrived to assist, and a barrage of gunfire was exchanged. The suspect was shot several times and succumbed to his wounds later in the day. Other available agents arrived to secure the area. The 28-year-old wounded agent, a 6-year law enforcement veteran, was airlifted to a hospital where she was pronounced dead on arrival. The deputy has since recovered from his injuries and has returned to duty. Follow-up reports indicate that the 25-year-old offender tested positive for cocaine, marijuana, and alcohol.

<http://www.odmp.org/year.php?year=1998&Submit=Go>

<http://www.odmp.org/officer.php?oid=15116>

Border Patrol Agent Susan Lynn Rodriguez

United States Department of Justice - Border Patrol, US

End of Watch: Tuesday, July 7, 1998

Weapon Used: Rifle; MK-90

Suspect Info: Shot and killed

Agent Rodriguez was shot and killed after a car chase in Texas. Agent Rodriguez and two other Border Patrol agents were assisting a local agency trying to stop the suspects who had just committed another murder. The suspect also shot and killed Border Patrol Agent Ricardo Guillermo Salinas. A Cameron County sheriff's deputy was also shot and critically wounded. The three officers were re-entering their cruisers when the suspect came out of a cornfield and ambushed them. None of them had time to return fire. The suspect was then taken into custody after a gunfight with several other officers at the scene and died later in the day from his wounds.

Agent Rodriguez is survived by a child.

<http://www.odmp.org/officer.php?oid=15118>

Border Patrol Agent Ricardo Guillermo Salinas Jr.

United States Department of Justice - B..., US

End of Watch: Tuesday, July 7, 1998

Weapon Used: Rifle; MK-90

Suspect Info: Shot and killed

Agent Salinas was shot and killed after a car chase in Texas. Agent Salinas and two other Border Patrol agents were assisting a local agency trying to stop the suspects who had just committed another murder. Agent Salinas was shot in the head with an MK-90 assault rifle. The suspect had just shot and killed Agent Susan Rodriguez. A Cameron County sheriff's deputy was also shot and critically wounded. The three officers were re-entering their cruisers when the suspect came out of a cornfield and ambushed them. None of them had time to return fire. The suspect was then taken into custody after a gunfight with several other officers at the scene and died later in the day from his wounds.

<http://www.vpc.org/studies/980707.htm>

Section Three: Selected Incidents of Law Enforcement Officers Killed in the Line of Duty by Assault Weapons, 1998 Through 2001

Date: July 7, 1998 **Location:** San Benito, Texas **Assault Weapon:** AR-15 .223 rifle On July 7, 1998, two U.S. Border Patrol agents were killed with an AR-15 .223 rifle. Ernie Moore, reportedly enraged over a broken love affair, shot and wounded Dan Morin, who had been dating Moore's former girlfriend, and killed Morin's mother and sister. Two hours later, a shootout ensued between Moore and police officers resulting in the death of two Border Patrol agents before Moore was fatally wounded. In addition to a cocaine habit, Moore had a history of emotional problems and displayed Nazi posters and photos of Adolf Hitler in his bedroom.

James Pinkerton, "Two Border Patrol Agents Are Slain During Rampage," *Houston Chronicle*, July 8, 1998; "Assault Rifle Costs Border Town \$35M," *National Law Journal*, March 4, 2002.

<http://www.cnn.com/US/9807/07/border.shooting.03/>

Gunman dies after killing 2 Border Patrol agents Heavily armed officers conducted a massive manhunt

First woman agent slain in U.S. agency's history

In this story: Woman, daughter killed in first shooting

'This is a peaceful community'

Officers 'were clearly ambushed'

July 7, 1998 Web posted at: 10:31 p.m. EDT (0231 GMT) SAN BENITO, Texas (CNN)

Two U.S. Border Patrol agents were killed and a sheriff's deputy was wounded Tuesday following a domestic shooting that left a woman and her daughter dead, police said. The gunman later died of wounds from a shootout with authorities.

Border Patrol agents Susan Lynn Rodriguez, 28, and Ricardo Guillermo Salinas, 24, were killed, bringing to four the number of Border Patrol agents slain this year.

Rodriguez became the first woman Border Patrol agent to die in the line of duty in the agency's 74-year history. Her father is a retired Border Patrol agent, and her husband is an officer with the U.S. Immigration and Naturalization Service (INS), which runs the Border Patrol.

The man identified by police as the lone gunman in the shootings, 25-year-old Ernest Moore, died following surgery at Valley Baptist Medical Center in nearby Harlingen, Texas. He was shot four times. Moore was the son of a Harlingen police officer.

Cameron County Sheriff's Deputy Raul Rodriguez, 32, was wounded and also taken to Valley Baptist Medical Center, where he was listed in stable condition.

'This is a peaceful community'

The incident began when the Rio Hondo police received a 911 call reporting a shooting at a house just outside the Mexican border community of San Benito.

Police Chief Carlos Gonzalez said Moore went to the house at 5:20 a.m. seeking an ex-girlfriend who was a house guest. The woman, whose name was not released, was home at the time of the shooting but was not injured.

"We don't know if he was trying to shoot her or not," Gonzalez said.

Gonzalez said Moore opened fire with an MK-90, a Chinese version of an AK-47 assault rifle, killing 53-year-old Margarita Flores and Dalia Morin, her 31-year-old daughter. Flores' 22-year-old son, Dan Morin, was critically wounded.

"This is a peaceful community," Gonzalez said. "I've been here seven years now and nothing remotely close to this has ever happened."

The rifle was found at the scene, Gonzalez said.

After the shootings, Moore fled in a white Chevrolet pickup truck, investigators said. Police and Cameron sheriff's deputies pursued the pickup south toward Harlingen and called for assistance.

Border Patrol officers spotted the truck and joined in the chase, which ended in a cornfield on Hudson Road in a rural area outside San Benito, a federal spokeswoman said.

Officers 'were clearly ambushed'

As the officers approached the pickup truck, Moore opened fire from the cornfield, killing the two federal agents and critically wounding the sheriff's deputy. Other officers returned fire, hitting Moore four times.

"They never had an opportunity to draw or use (their guns). They were clearly ambushed," said Joe Garza, chief of the Border Patrol in McAllen, Texas. The corn was said to be about 5 feet tall, which provided good cover for Moore.

Cameron Sheriff Omar Lucio said authorities believe Moore was the only person involved in both shootings.

INS Commissioner Doris Meisner was in nearby Laredo, Texas, at the time of the shootings and flew to McAllen upon hearing the news.

She called the slain agents "courageous and heroic officers." She said it was not unusual for Border Patrol agents to assist police on non-border matters.

In this case, the cooperation took "a bitter turn," she said.

Border Patrol Verdict

In Brownsville, a federal jury finds the City of Harlingen to be negligent in the deaths of two U.S. Border Patrol agents; Susan Lynn Rodriguez and Ricardo Guillermo Salinas. Their families say they have waited three years for justice.

Today the jury took less than five hours to return a judgement in favor of the families. The City has been ordered to pay thirty-five million dollars to the families of the two slain Border Patrol agents as well as a Cameron County sheriff's deputy.

Here is the breakdown: twenty million dollars to the family of Susan Rodriguez, Border Patrol Agent. Five million dollars awarded to the survivors of Ricardo Salinas, Border Patrol Agent. Ten million dollars goes to sheriff's deputy Raul Rodriguez. Arturo Salinas, the father of one of the border patrol agents killed in the line of duty, says the jury's decision brought him and his family some relief.

For three years they argued that the assault rifle should never have been in the hands of Ernest Moore, the man who killed his son. Moore, the son of a Harlingen police detective, shot and killed the agent with the weapon, which had been turned into the Department for destruction.

Harlingen City Manager, Roy Rodriguez, does not agree with the verdict. The City Manager says there have been several changes made in the management and personnel at the police department following the shooting. However, he did not want to go into details about additional changes that might come as a result of today's verdict.

<http://www.krgv.net/news/arc0-2002.html>

Border Patrol Shooting Trial

A federal judge in Brownsville will begin examining evidence on February 11th in the 20 million-dollar lawsuit filed against the city of Harlingen. The families of two border patrol agents killed in a shootout in 1998 filed the lawsuit. The case is to determine if the son of a Harlingen Police Detective deliberately used a police issued rifle to kill the two agents and wound a sheriff's deputy. Federal judge Hilda Tagle has already denied three requests by the city to have the lawsuit dismissed.

<http://www.krgv.net/news/arc-20000707.html>

Friday, July 7, 2000

Border Patrol Anniversary

Border Patrol agents around the valley observed a moment of silence for the agents who died two years ago. Two border patrol agents were killed and one Cameron county sheriff deputy was wounded in the line of duty on July 7th, 1998.

They were ambushed by a gunman, Ernest Moore, who had already shot and killed two women in Rio Hondo when law enforcement officials were called to the scene.

Moore was followed to an open field in San Benito and that's where he opened fire on agents Susan Rodriguez and Ricardo Salinas and critically wounded Deputy Raul Rodriguez before he shot himself.

Moore's father was a detective at the Harlingen police department and had stolen the gun from his father.

<http://www.pecos.net/news/arch98a/070798p.htm>

Border Patrol agents killed in shootout

By MADELINE BARO, Associated Press Writer

SAN BENITO -- Two Border Patrol agents were shot to death and a sheriff's deputy was injured this morning in a gunbattle with three suspects who were fleeing from an earlier shooting at a home. Officers wounded one gunman in the exchange, but two others fled through a cornfield and were still being sought as of 11:30 a.m., officials said. The events began unfolding around 5:30 a.m. when officers found two people shot to death in a domestic dispute in Rio Hondo, a Harlingen suburb.

Cameron County Sheriff's Department officers pursued the suspects for about 10 miles to a cornfield south of San Benito, said Letty Garza, a Border Patrol spokeswoman in McAllen.

"Apparently, they got there in a vehicle, then went out on foot trying to elude sheriff's deputies," Ms. Garza said. The deputies called for help and three Border Patrol agents were the first to spot the suspects.

A shootout ensued, with gunfire from an AK-47 semiautomatic rifle killing a female agent and a male colleague, Ms. Garza said. A 32-year-old sheriff's deputy was wounded and in critical condition at Valley Baptist Medical Center in Harlingen, where he was undergoing surgery, hospital spokesman Mike Swartz said.

The suspect was shot four times and also was undergoing surgery at the hospital, officials said. The third Border Patrol agent escaped injury and the other two suspects fled through the cornfield about 20 miles north of the U.S.-Mexico border, Ms. Garza said.

Agents from the Border Patrol, the Department of Public Safety, Cameron County and the Edinburg SWAT team were at the scene. The Edinburg unit has an armored vehicle. Cameron County sheriff's officers declined to say whether there were any hostages or if the suspects may have known residents in the area.

The last time a Border Patrol agent was killed the line of duty in Texas was January 1996, when Jefferson Barr, 33, was shot near Eagle Pass, about 250 northwest from San Benito.

<http://www.caller2.com/texas98/texas20355.html>

Officers attend killer's funeral

Man's survivors include father, brother who are Valley police officers

Associated Press

SAN BENITO - Police officers were among some 100 mourners who gathered Thursday for the funeral of a fellow officer's son, slain after killing two Border Patrol agents.

"It was an uncomfortable situation because there were law enforcement officers on both sides of the situation," said San Benito Police Chief Richard Clark, who attended the graveside service at Mont Meta Memorial Park.

Mourners, some of whom wore their police uniforms, were asked to have compassion and understanding for Ernest Moore's family during the brief service. Moore, who killed two women in addition to the border agents, was the son of Harlingen police Officer R.D. Moore and brother of San Benito Officer Larry Moore.

"It's the family that's still here that needs compassion and understanding," Clark said. "They had no control over what happened. They're also victims."

Funeral services for Border Patrol agents Susan Rodriguez and Ricardo Salinas were set for today in Harlingen and San Antonio, respectively. Attorney General Janet Reno and INS Commissioner Doris Meissner were expected to attend both.

Services also were scheduled today for Margarita Flores and her daughter Delia Morin, who were killed at their Rio Hondo home by Moore Tuesday morning.

Moore, 25, was being sought as a suspect in the Rio Hondo deaths when officers tracked him to his parents' home near San Benito. Officers at the scene said Moore ambushed them from a nearby cornfield, spraying the group with bullets from an assault rifle.

Cameron County Sheriff's Deputy Raul Rodriguez, who was injured in the ambush, remained in stable condition at Valley Baptist Medical Center Thursday. Dan Morin, who was injured in the Rio Hondo attack, remained in critical condition.

Moore apparently was looking for his ex-girlfriend, who was a guest at the house and had started a new relationship with Dan Morin. Daniel Morin, Dan's brother, told the (Harlingen) Valley Morning Star and The Dallas Morning News that it appeared Moore premeditated the attack.

"It was a planned situation," Morin said. "He knew which way to get in the house. He knew what he was doing from the time he got into the place to the time he left."

The Valley Morning Star cited an unnamed source close to the investigation who said postmortem tests found cocaine, marijuana and alcohol in Moore's body.

Rio Hondo Police Chief Carlos Gonzalez said Thursday he did not expect official toxicology results until next week.

BRADLEY THOMAS ARN

<http://www.fbi.gov/ucr/killed/98killed.pdf>

Law Enforcement Officers Killed and Assaulted 1998

A 28-year-old police officer with the St. Joseph Police Department was shot and killed on November 10 at approximately 5:15 p.m. while investigating reports that a man was walking a residential street shooting at passing vehicles. The victim officer, with over 6 years of law enforcement experience, drove his patrol vehicle to the area and was the first to arrive. Just after the officer radioed that he was looking for the shooter, the suspect allegedly stepped out from behind some bushes as the patrol unit passed him and fired seven shots from a 7.62 x 39 mm semiautomatic rifle into the rear of the squad car. One of the rounds struck the victim officer, who was wearing body armor, in the back of the head, mortally wounding him. The 33-year-old male suspect, who was under the influence of alcohol and narcotics at the time of the incident, continued to fire at other officers and citizens present. He was fatally shot in the head by a responding officer.

<http://www.odmp.org/year.php?year=1998&Submit=Go>

<http://www.odmp.org/officer.php?oid=15174>

Officer Bradley Thomas Arn

St. Joseph Police Department, MO

End of Watch: Tuesday, November 10, 1998

Weapon Used: Rifle; MK-90

Suspect Info: Shot and killed by other officers

Officer Arn was shot and killed as he responded to a call of a man walking down the street firing an assault rifle. Officer Arn was the first officer on the scene and was shot once in the head while still driving his cruiser. The suspect continued walking down the street, shooting randomly, until he was cornered by other responding officers and shot and killed. The suspect, dressed in camouflage and firing an automatic assault rifle, had an additional shotgun and bullets strapped to his body. Officer Arn is the first St. Joseph officer to be shot and killed in the line of duty since 1944.

Officer Bradley Arn served six years and was a Gulf War veteran. He is survived by his wife and two-year-old twin daughters.

<http://www.ithaca.edu/students/csmethu1/arn.htm>

Bradley Thomas Arn Murder

Colin Smethurst 4/9/02

A crazed gunman opened fire on a crowded intersection in downtown St. Joseph today killing a police officer and wounding four.

The officer, Bradley Thomas Arn, 28, was responding to a report of shots being fired at the intersection of 22nd and Union streets.

The gunman reportedly climbed down from the Calgary Baptist Church roof with a semi-automatic rifle and proceeded to open fire randomly upon the intersection.

He then ran to an adjacent parking lot between Kovac's Grocery Store and The Family Dollar.

"He was shaking the gun in the air like he was taunting people. O my God, it was like he was getting high off of it," said Connie Cox of 723 North St. who watched the whole scene from her front door.

The gunman was dressed in camouflage, wearing a backpack, with the assault rifle strapped around his shoulders. He was also carrying a knife in his belt and had his pockets stuffed with ammunition.

One of the bullets entered the back windshield of Arn's patrol car and hit him in the back of the head, killing him instantly. The car then lurched forward, jumped the curb, and hit a boat in a nearby parking lot.

"I heard the shots," said education reporter Dick Thompson. "He pointed the gun at a white car on 22nd Street. then I saw the gunman fire at the car. A lady was holding her chest and running down the street"

Two people were hurt seriously in the ordeal. Jack Martin, 56, who was shot three times, is in intensive care. Valerie Sharp, 26, suffered shrapnel wounds to her eye and was airlifted to Kansas City, Mo. for treatment. Two others endured minor injuries.

Soon after Arn was gunned down, an unidentified St. Joseph police officer shot and killed the gunman in the yard next to the church, ending the terror.

1st Lt. Jim Connors said that authorities would use fingerprints to identify the gunman since he was not carrying identification. Connors also said that an internal investigation would be conducted regarding the gunman's death but praised the officer's work.

"They did a good job and did what they were trained to do," Connors said.

Arn leaves behind a wife and twin daughters. He had been serving on the force for six years.

The last time an officer was shot to death in the line of duty was March 18, 1944. Alva N. Mead, who had been on the force for just 11 days, was gunned down by a 15-year-old boy.

Police officer fatalities are down this year. As 155 died in the line of duty compared to 160 deaths last year.

Officials urge anyone with information on the tragedy to contact the St. Joseph Police Department.

<http://www.ilstu.edu/~msreid/SLUG.htm>

RAMPAGING GUNMAN STUNS ST.JOSEPH

At 5:11 last night, a lone gunman began a rampage in St. Joseph claiming the life of Officer Bradley Thomas Arn, 28, and injuring three others.

Those injured were Jack Martin, Valerie Sharp and Kenny Cordonier, an of duty firefighter that was in the neighborhood.

Witnesses say the gunman was on a crazed rampage firing shots at random running through the streets taunting onlookers.

1 of 2

RAMPAGING GUNMAN STUNS ST. JOSEPH

One onlooker referred to it as "firecrackers" as the gunman rattled off round after round from a semi-automatic weapon and a shotgun he had in his possession.

Several shots were fired at Arn who was responding to a 911 call regarding shots fired in that general vicinity.

One of the bullets caught Arn in the back of the head and sent his car out of control, resulting in his tragic death.

Witnesses then say that police in the parking lot of Calvary Baptist Church shot the gunman as the terror came to an end .

Police are still trying to identify the gunman through fingerprints because the gunman had no identification on his person.

At this time, descriptions of the shooter are sketchy and if known the identity has not been released by police

This type of shooting spree is the first of its kind in St. Joseph and will not likely be forgotten.

http://www.findarticles.com/cf_0/m4PRN/1999_Oct_13/56261149/p1/article.jhtml

Seven Police Officers From St. Joseph Police Department Winners Of Prestigious TOP COPS(R) Award; Honoring America's Finest.

Oct 13, 1999

WASHINGTON, Oct. 13 /PRNewswire/ -- Seven officers from the St. Joseph Police Department will be honored with law enforcement officers from nine other states in the Sixth Annual TOP COPS Awards(R) by the National Association of Police Organizations (NAPO), NAPO Executive Director Robert T. Scully announced today.

Officers Rebecca Caton, Shawn Hamre, Henry Pena and Roy Wedlow, Sergeants Steven Gumm, Billy Paul Miller and Terry R. White were nominated by Office Richard Bradley of the St. Joseph Police Department, of St. Joseph, Missouri to receive the TOP COPS Award(R) for their work in November 1998.

The above mentioned officers and an eighth, Officer Bradley Arn, arrived at the intersection of 22nd and Colhoun in response to a high-priority call regarding an armed man who was randomly shooting at vehicles. While Officer Arn searched the area, he was ambushed and killed by the sniper. As the other officers rushed to the scene, the sniper continued to spray approximately 200 rounds of bullets into the crowds, from his MAC-90 assault weapon, until he was shot dead from 44 yards away by Sergeant Miller. Officer Arn is survived by his loving wife Andrea and two-year-old twin daughters Molleigh and Mallorie. "I am very happy to have such an award," said Officer Ron Wedlow. "I thank Officer Richard Bradley for nominating us for this award. As a Peace Officer I will continue to do what I must to serve and protect the people and the fellow officers in my community."

The officers will be honored with fellow winners and honorable mention recipients for their outstanding service and heroic acts of courage on the job at a ceremony in Washington on Friday, October 22. The prestigious event will be co-hosted by Masters of Ceremony Richard Belzer of NBC's Law and Order; Special Victims Unit and Lynne Russell of CNN's Headline News. Barring any schedule changes, also in attendance will be S. Epatha Merkerson of NBC's Law and Order, and Yaphet Kotto of NBC's Homicide: Life on the Street. Many other television celebrities are still confirming.

The TOP COPS Awards(R) pay tribute to law enforcement officers from across the country for outstanding service to their communities during the preceding year. The TOP COPS(R) were nominated by fellow officers and selected from hundreds of nominations by an Awards Committee. Officers from the top ten cases have been chosen as the 1999 NAPO TOP COPS(R). In each remaining state, one case has been selected, from which an officer or group of officers will receive Honorable Mention awards.

NAPO, a national law enforcement group, represents more than 250,000 sworn law enforcement officers from 4,000 police associations and unions across the country. Based in Washington, DC, NAPO fights for the rights of law enforcement officers through federal legislation, legal advocacy and education. TOP COP Awards(R) proceeds will benefit the Police Research and Education Project, NAPO's sister educational organization, the National Law Enforcement Officers Memorial Fund and Concerns of Police Survivors.

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<http://www.hannibal.net/stories/111898/policeofficer.html>

St. Joseph police officer receives highest honor

Last modified at 1:04 a.m. on Wednesday, November 18, 1998

ST. JOSEPH (AP) –

Sgt. Billy Paul Miller raised his .45-caliber pistol, ducked out from behind the corner of a grocery store and fired.

He had shot a suspect once before, but this was different. The gunman crouching 145 feet away on a church lawn had already fired hundreds of rounds from an assault rifle and now had his sights trained on a group of police officers.

Three passersby had already been wounded. And a block away, Officer Bradley Arn lay in his police cruiser, dying of a bullet wound to the head.

Miller's shot found its mark. William E. Lattin Jr. fell dead, his rampage over.

"From 145 feet away, under fire, he stopped this crazed individual," Police Chief Jim Montgomery said Monday night at a ceremony honoring Miller, 33, an 11-year veteran. "Tonight we honor a hero."

Arn's widow and 2-year-old twin daughters were among the crowd packing the Council Chambers at City Hall as Miller received the Medal of Honor, the St. Joseph Police Department's highest honor.

Miller described what he saw when he arrived the evening of Nov. 10 in the busy neighborhood where Lattin had begun shooting.

"People were hiding behind walls, hiding behind cars, running and pointing," Miller said. "This man had to be stopped."

After blocking traffic with his cruiser, he spotted Lattin focusing on a group of officers hunkered down by the wall of a grocery store across the street. Miller had a better angle.

Followed by Officer Shawn Hamre, he hurried to a far corner of the building. When he ducked his head around the corner, he saw Lattin behind the church.

Miller drew his gun, ducked back around and fired off two rounds. On the church lawn, Lattin fell.

"He (Miller) did what he had to do and saved a lot of lives," said Miller's father, William Miller, a retired 35-year veteran of the force.

It wasn't the first time the younger Miller found himself with little choice but to shoot. Eight years almost to the day before Lattin opened fire, Miller shot a man who took aim at him across the hood of a car.

That shooting took place Nov. 9, 1990, when Miller responded to reports of a domestic dispute and shots being fired. He had chased John Wilson Jr., 26, around the house when Wilson raised a high-powered rifle and took aim. Miller fired back, and Wilson died from the wounds 10 days later.

Miller was given the department's Medal of Valor for his bravery.

The following November he received a commendation from the Fraternal Order of Police for helping talk an armed man out of a hostage situation.

"It is a tragic irony of fate that Sgt. Miller twice has been forced into this type of situation," said Clarence Fueston, the department's professional standards officer, who reviewed both shootings.

Fueston said after his review of the Lattin shooting that he would recommended the city better equip its officers to face suspects armed with high-powered weapons.

The 12-gauge shotguns and .45-caliber handguns now carried by St. Joseph officers are insufficient, Fueston said. Few officers, he said, would have been capable of the "remarkable marksmanship" Miller demonstrated.

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<http://www.hannibal.net/stories/111298/gunmantargeting.html>

Thursday, November 12, 1998

St. Joseph gunman may have been targeting police

ST. JOSEPH (AP) –

William E. Lattin Jr., dressed in fatigues, strapped two guns to his body, walked seven steps down the stoop of his apartment and opened a barrage of gunfire that has disturbed the calm of this Missouri River town.

"It's like when you're a child and you lose your innocence," Juanita Talley, 57, said inside a donut shop Wednesday. "You lose a little faith in humanity."

Lattin's shooting rampage Tuesday evening ended with two dead -- a police officer and Lattin himself. Three other people were wounded.

Police say they still don't know for sure what prompted Lattin, 33, to open fire while walking down a block in his neighborhood. He may have been targeting police officers, Lt. Jim Connors said.

"The indication from some statements by civilians indicate he'd look at some people and wave them on," he said "He seemed to be going for vehicles that resembled police vehicles. That is what we believe at this time, that this was an assault on police officers."

Witnesses said Lattin shook the rifle in a taunting manner before exchanging fire with police behind a church about a block from the intersection where the shootings began. He was shot and killed as he stepped from behind a tree.

Police officer Bradley T. Arn, 28, the first officer to respond to reports of gunshots shortly after 5 p.m., was killed when Lattin fired several times at his squad car with a rifle. One shot penetrated the right rear window and struck Arn in the head.

Lattin had been arrested recently on suspicion of assault and carrying a concealed weapon, Connors said. Little else was known about him.

Police say that Lattin's mother, father and brother hadn't kept in close contact with him for about 18 months, even though all of them live in this city of 70,000 people on the Missouri River. Lattin's family told police he was always a loner.

"I haven't seen him for quite some time, but we're doing all right," Lattin's father, William Lattin Sr. of St. Joseph, told The Associated Press in a phone interview.

When asked if he knew why his son went on a shooting rampage, the elder Lattin said, "No, I have no idea why he did this, and I'd rather not talk anymore."

William E. Lattin Jr. had an assault rifle and a 12-gauge shotgun strapped to his body, as well as a knife and several rounds of ammunition around his waist. He carried a black powder pistol in a bag. Police said the assault rifle was bought recently at a local pawn shop.

Investigators blew open the door on Lattin's apartment early Wednesday. Police had gotten information that Lattin had possibly wired his door. But no explosives were found in his apartment.

Investigators did find another pistol, more ammunition, black powder supplies, knives and a gas mask in the apartment, Connors said. Lattin lived alone in the apartment, which overlooks the site of the shooting.

"We believe he was out there for a purpose," Connors said. "The gas mask indicates he wanted to get back to his apartment to possibly hold off officers."

Talley, who is from the Ozarks, said she left there six months ago because of the crime. "I feel violated, I thought I was safe here," she said.

Police identified the wounded bystanders as Valerie Sharp, 28, of St. Joseph, who was hit in the eye by shrapnel and was in stable condition Wednesday in a Kansas City hospital; Jack Martin, 57, of St. Joseph, who was in serious condition at a St. Joseph hospital Wednesday after surgery.

for wounds to the abdomen, chest and forearm; and off-duty firefighter Kenny Cordonnier, who was treated for a bullet wound to his arm and released.

Arn was a seven-year veteran of the force and father of 2-year-old twins. He was pronounced dead soon after he arrived at Heartland Regional Medical Center, hospital spokeswoman Kelley Stuck said.

"I feel so sorry for that policeman's wife and those little 2-year-old girls," Talley said. "St. Joe is good, though, about rallying around their people. We'll get through this."

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BRIAN ERNEST BROWN

<http://www.fbi.gov/ucr/killed/98killed.pdf>

Law Enforcement Officers Killed and Assaulted 1998

A 27-year-old patrol officer with the Los Angeles Police Department was shot and killed in Culver City on November 29 at approximately 9:30 p.m. in connection with a drive-by shooting incident. The officer, who had over 3 years' service with the Department, and his partner were pursuing a vehicle after observing the occupants shooting from it. When the suspects lost control of their vehicle and came to a stop facing the officers' patrol car, a passenger in the suspect vehicle allegedly exited and opened fire on the officers with a .223-caliber semiautomatic rifle. The victim officer, who was wearing body armor, was fatally struck by a shot to the front of his head. The 23-year-old man was shot and killed by other officers present at the scene. He had a history of arrests for Attempted Murder and one conviction for Second-Degree Murder. The driver of the suspect vehicle sped away from the scene with police in pursuit. The chase ended following a second shooting in which the 21-year-old suspect was wounded. He was arrested and charged with two counts of Murder, four counts of Attempted Murder, and Shooting from a Vehicle.

<http://www.odmp.org/year.php?year=1998&Submit=Go>

<http://www.odmp.org/yeardisp.php?year=1998>

Officer III Brian Ernest Fenimore Brown

Los Angeles Police Department, CA

End of Watch: Sunday, November 29, 1998

Weapon Used: Rifle; Semi-automatic

Suspect Info: Shot and killed

Officer Brown was shot and killed during a gunfight after witnessing a drive-by shooting. Officer Brown and his partner witnessed the shooting, in which one person was killed, and began to chase the suspects. The suspects opened fire on the two officers, striking Officer Brown in the head and grazing his partner.

One suspect was shot and killed and the other carjacked another vehicle, prompting another chase. The second chase ended when the suspect crashed at Los Angeles International Airport and was shot and wounded during another exchange of gunfire. The second suspect was convicted and sentenced to life.

http://www.lapdonline.org/salute/fallen/b/brown_brian_memorial.htm

http://www.lapdonline.org/releases/1998/98_11/ofcr_brown_killed.htm

LOS ANGELES POLICE DEPARTMENT PRESS RELEASE

Monday, November 30, 1998

Los Angeles Police Officer Brian Brown Killed in the Line of Duty

On November 29, 1998, at approximately 9:30 P.M., Pacific Area uniformed Officers Brian Brown, serial number 32054, 27 years of age, three years with the Department and Francisco Dominguez, serial number 34396, 26 years of age, one year with the Department, working Unit 14A45, were travelling on Centinela Avenue when they heard gunfire. They immediately observed a male Hispanic with

a rifle enter the passenger side of a dark-colored Honda. The Honda fled, with the officers in pursuit. Pacific Area uniformed Officers Peter McCoy, serial number 33409, 28 years of age and one and one-half years with the Department, and Jason Thompson, serial number 33510, 26 years of age and two years with the Department, working Unit 14X54, joined the pursuit, which terminated when the driver of the Honda lost control of the vehicle. The passenger, still seated in the vehicle, immediately opened fire on the officers with an assault weapon. Officer Brown was struck by the gunfire and was fatally wounded. Officers Dominguez, McCoy and Thompson returned fire, resulting in the death of the suspect.

The driver of the Honda fled on foot from the scene to a nearby convenience market where he stole a taxi cab. Pacific Area uniformed Officers Michael Porter, serial number 30729, 30 years of age and five years with the Department, and Steven Wills, serial number 33368, 29 years of age and 2 years with the Department, assigned to Pacific Area CRASH, joined other Pacific Area officers in a vehicle pursuit of the suspect. The pursuit ended in the lower level of Terminal One in the Los Angeles International Airport when the taxi cab collided with a privately-owned vehicle. The suspect fled on foot in the roadway with several officers in foot pursuit behind him. Reaching the middle of the main thoroughfare, the suspect turned and faced the officers, pointing a dark-colored object at them that appeared to be a handgun. In defense of their lives, Officers Porter and Wills fired their service pistols at the suspect, striking him numerous times. He was taken into custody without further incident and transported to a local hospital, where he was admitted in serious condition.

At this time, the suspects have not been positively identified. There were no other injuries as a result of this incident.

Los Angeles Police Department, Robbery-Homicide Division is investigating the incident.

http://www.lapdonline.org/releases/1998/98_12/da_files_charges.htm

LOS ANGELES POLICE DEPARTMENT PRESS RELEASE

Wednesday, December 16, 1998

Los Angeles County District Attorney Files Charges Against the Murderer of Los Angeles Police Officer Brian Brown

Los Angeles- Murder with special circumstances charges were filed today against 21-year-old Inglewood man in connection with last month's fatal shooting of Los Angeles Police Officer Brian Brown, the District Attorney's Crimes Against Police Officers Section announced.

Head Deputy District Attorney Jeffrey C. Jonas said although the charges were filed against Jaime Mares (DOB 6-28-77), the defendant remains hospitalized and there is no word on when he will be well enough to appear in court. Mares was shot at Los Angeles International Airport over the long Thanksgiving weekend while allegedly trying to flee police.

Mares is charged in case No. BA 178539 with two counts of murder, including the murder of the officer and fatal shooting of a man whose death sparked the chain of events leading to Brown's killing; three counts of attempted murder; one count

of evading an officer; and one count of grand theft auto. The special circumstances alleged were murder of a peace officer in performance of his duty and multiple murder. Since it was filed as a capital case, it was recommended the defendant be held without bail.

Brown, 27, was shot and killed during the second of three shootings that began the evening of Sunday, November 29, near Culver City and culminated at the airport.

Brown and his partner, Francisco Dominguez, chased two men in a car around the 3900 block of Centinela Avenue, where Gerardo Sernas was shot to death. One of the men was armed with a rifle, authorities said.

The fleeing car was chased to the Fox Hills shopping mall, where it stopped and the man with the rifle fired, killing Brown. The officer was shot in the head.

Dominguez and two other officers who had joined the pursuit returned fire, killing the rifleman, identified as 23-year-old Oscar Zatarain, an alleged gang member.

Mares fled on foot, then commandeered an airport taxi that was parked outside a fast-food restaurant, investigators said. He fled, followed by police, and eventually crashed the vehicle at Los Angeles International Airport, police added. He was shot as he was running away, authorities said.

The murder counts charged against Mares stem from both the shooting of the officer and Sernas. Jonas said Sernas was visiting the area and the reason he was shot was not clear.

Although the case was filed as a capital crime, a decision on whether to seek the death penalty will not be made until after a preliminary hearing and when the case moves closer to trial.

<http://www.streetgangs.com/topics/2001/080401bbrow.html>

Gang Member Gets 2 Life Terms Without Parole in Slayings Courts: Judge holds Jaime Mares Jr. responsible for the deaths of Officer Brian Brown and a passerby.

By STEVE BERRY TIMES STAFF WRITER, August 4 2001

An Inglewood street gang member was sentenced Friday in Los Angeles Superior Court to serve two life terms in prison without the possibility of parole in connection with the murders of a police officer and an 18-year-old passerby.

Superior Court Judge William Pounders also ordered Jaime Mares Jr., 24, to serve the two life-terms consecutively.

The second life sentence has little practical meaning. But it reflected Pounders' complete rejection of contentions by Mares' mother and lawyers that the defendant deserved consideration because he did not fire the gun that killed Los Angeles Police officer Brian Brown or Gerardo Cernas, the innocent passerby, during a drive-by shooting Nov. 29, 1998. His mother, Isabel Mares, said, "My son was a child, full of love, but weak in mind and thought."

She said he had low self-esteem, and she blamed herself for failing to guide her son away from gang life. But she said her son did not kill anyone himself and she

repeated his contentions in trial testimony that he was not a willing participant in the murders.

Her son has argued that he was tricked into going on the drive-by by fellow gang member Oscar Zatarain. He said Zatarain told him they were simply going to deliver some guns to a friend's home.

En route, they directed him into a rival gang's territory on Centinela Avenue near the Culver City border where Oscar and another passenger opened fire on Cernas and his friend, Nobel Hernandez, Mares said.

Neither of the victims were gang members. Mares could not identify the second passenger, prosecutors contended there never was such a person.

Mares said he was forced at gun point to flee from police, and that he escaped from his companion when he spun the car out near Fox Hills Mall. Zatarain was killed by police in the gun battle that followed.

The jury didn't believe Mares' story and convicted him in May.

Although he will spend the rest of life in prison, he had been facing a possible death sentence.

But the jurors who convicted him, later voted to spare his life and recommend life in imprisonment without parole.

In addition to the two life terms that he will serve without parole, Pounders also imposed additional prison terms for four counts of attempted murder, grand theft auto and fleeing to elude police. Technically, those convictions brought him two additional life terms plus more than 40 years.

In the sentencing, Deputy Dist. Attys. Danette Myers and Keri Modder, said Mares deserved no mercy because he made his choices, picking gangs over life with a loving, supportive family.

They said he has a history of past violence, including another drive-by shooting, that shows he would not reform and would remain a threat to society.

Mares's lawyers, Marcia Morrissey and Victor Sherman, said Mares was making an effort to leave the gang life behind.

They said he was holding down a full-time job at the time of the shootings, and won the support of his employers, who testified in his behalf.

The defense attorneys have filed an appeal.

Judge Pounders didn't accept any of the pleas on Mares' behalf, saying he personally shot at Cernas's companion, but missed. He said the defendant also willingly arranged to obtain the car for the shootings.

Before sentencing, Pounders' rejected Mares' request for a new trial. His lawyers contended that Pounders erred by failing to let the jury consider the charge of second degree murder during deliberations.

<http://www.copsrus.com/pnn.html>

Officer Brian Brown Shot Down After Pursuit

(PNN) Los Angeles, Calif.-November 30, 1998

Officer Brian Brown, 27, was murdered in the line of duty the evening of November 29, 1998. Officer Brown became the third Los Angeles Police Officer killed in 1998, and the 191st LAPD officer to die in the line of duty since 1907.

Officer Brown joined the Los Angeles Police Department on September 5, 1995. He worked Central, Van Nuys, and 77th Street Divisions before being promoted to Training Officer and transferring to Pacific Division on October 25, 1998.

Brian was a veteran of the United States Marine Corps and earned a Purple Heart for injuries sustained while rescuing injured members of his unit during a fire fight in Somalia. He was a tactics and firearms instructor in the Marine Corps.

At approximately 9:30 p.m., Officer Brown, driving, and his probationary officer partner, 26 year-old Officer Francisco Dominguez, were on uniformed patrol when they heard gunfire, saw a subject with a rifle enter a Honda vehicle and speed away. The officers pursued the Honda and were joined in the pursuit by two other Pacific Division officers, Officers Jason Thompson and Peter McCoy. The pursuit terminated in Culver City when the driver of the Honda lost control of his vehicle and spun out. The driver fled and the passenger, earlier seen entering the Honda with the rifle, remained seated in the vehicle and opened fire on the officers with a Ruger Mini 14 assault rifle. Officer Brown was shot in the head and the shooter, Oscar Zatarain, was then killed by gunfire from Officers Dominguez, Thompson, and McCoy.

The driver of the Honda vehicle carjacked a taxi cab a short distance from the officer involved shooting scene, pushed the cab driver out, and sped away in the stolen cab. The cab was pursued by other LAPD officers responding to the shooting scene. The suspect drove the taxi cab to Los Angeles International Airport where the taxi cab struck several vehicles in the terminals. The suspect abandoned the cab, fled and then turned on officers at which time the suspect was shot. He was taken to the hospital where he is in serious condition.

Officer Brown was transported to UCLA Medical Center where he later died. One individual was killed at the time the officers first heard the gun fire. In addition to the Ruger Mini 14, officers found an AK-47 in the Honda vehicle and a large number of shell casings.

Brian Brown was a single parent of a 7-year-old son, Dylan. Dylan told officers he was proud of his dad but was afraid for him because since he was a policeman he might get hurt. Dylan, brought to the hospital by Brian's father, asked officers, "Why did my daddy have to die?".

We have the same question, "Why did he have to die?" In fact, why do any police officers have to die? Brian Brown is the third Los Angeles police officer to be shot to death this year. Officer Steve Gajda, 29, was shot and killed early New Years morning by a Hispanic murder suspect gang member outside a party. This past August Officer Filbert Cuesta, 26, was killed by a Hispanic gang member outside a party. And in the latest killing, both suspects are Hispanic and reportedly are gang members. The deceased suspect has an attempted murder record.

Some people better wake up. If those who would denigrate the police for their own power or politics are allowed to continue their denigration of the police, unabated, then their will be a price to pay by each of us. Disrespect for the police weakens our first line of defense and our system of government; it may be our only defense before the current cracks widen greatly.

http://www.findarticles.com/cf_dls/m1346/2_44/53631704/p1/article.jhtml

Officer Down.

(incidents of gang-related crime and attacks on police officers are increasing in Los Angeles, California, while overall crime statistics are decreasing)

Los Angeles Magazine, Feb, 1999, by David Cogan

VIOLENT CRIME IS DROPPING IN L.A., RIGHT? NOT IF YOU'RE A COP

ON NEW YEAR'S EVE 1998, LAPD OFFICER STEVE GAJDA WAS ASSIGNED to a detail responsible for containing celebratory gunfire on L.A.'s Eastside. It would be his last assignment. * Wheeling up to a raucous Boyle Heights party, Gajda spotted Mario "Boxer" Machado, a 17-year-old local gangbanger, running toward a nearby house. Gajda--a seven-year veteran of the force--pursued on foot. Machado was wanted in connection with a murder and had told friends he would not be taken alive. As Gajda approached, Machado turned and fired a volley of shots from his .25 caliber semiautomatic handgun, hitting the officer in the head. Two backup officers shot and killed Machado; Gajda died at County-USC Medical Center just before 3 p.m. on January 1, 1998.

The murder ushered in a year of marked escalation in attacks on L.A.'s men and women in blue. Last November, LAPD officer Brian Brown was gunned down by a gang member armed with an assault rifle after a car chase near Culver City, the third cop to be killed by gangs in 1998, a grisly bookend on a year of hundreds of assaults on LAPD officers.

Gangs remain a significant factor in the attacks, which dipped along with other crimes in Los Angeles in 1995 but have increased each year since. In the first eight months of 1998, gang members committed 117 assaults on police officers--including battery, assault with a deadly weapon and attempted murder--a 14.7 percent increase over 1997.

"It's an epidemic," says Dennis Zine, director of the LAPD Police Protective League. "Our officers are being assaulted and shot at on a daily basis."

The chilling statistics run counter to the drumbeat in the media that violent crime is down in Los Angeles and around the country. With the Staples Center opening downtown next fall and L.A. the possible host of the 2000 Democratic National Convention, a perception of a safer city is, if nothing else, thought to be good for business.

The contradictory statistics can be explained by the fact that, while the number of crimes has declined, the offenses that remain have become more extreme, law enforcement officials say. Residents of Santa Monica, the normally tranquil beach city, understand this all too well--six people were murdered there last October

alone. Where gangbangers once stole cars, now they commit carjackings, which are up 24.7 percent from 1997.

Witness intimidation and killing--up more than 40 percent over the past five years--have become regular means of criminal defense for some gangs. The murder of a witness's father in October's Asian Boyz gang trial made that point quite clearly. Burglaries, meanwhile, have morphed into home-invasion robberies. "Gangs change tactics to create different ways of generating revenue," says detective Steve Sena of the LAPD's Rampart gang unit.

With extreme violence becoming the norm the LAPD is equipping itself with new tools. Urban police rifles, which allow officers to shoot suspects at great distances, are now standard issue for all patrols. The cops, in any event, have come to expect trouble. Yung Mun, an LAPD officer who works gang patrol in the department's South Bureau, is blasé about an episode that occurred earlier this year in which he scuffled with an armed gang member before taking the suspect into custody. These days, he shrugs, such incidents are "just part of the job."

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<http://zev.co.la.ca.us/PressReleases99/042699gang.htm>

Noting that the injunction targets 75 of the most active and dangerous members, including 23 juveniles, Yaroslavsky said that the Culver City Boys are the most active gang on the West side, comprising some 300 members aged between 13 and 40, responsible for numerous drive-by shootings over the past 20 years.

An entrenched presence in the LAPD's Pacific Division for some 30 years, the Culver City Boys were responsible for the Thanksgiving 1993 firebombings of African-American families' homes and cars, some but not all affiliated with the Venice Shoreline Crips. They are also known for continuing turf battles with neighboring gangs such as the Santa Monica 13, Helms-13, Venice Shoreline Crips, Venice-13 and Inglewood-13. Last fall, for example, a feud with the Santa Monica 13 resulted in eight shootings, including four fatalities and six injuries, in one three-week span alone. Another feud with the Inglewood 13 left LAPD Officer Brian Brown dead.

<http://www.venicebeach.com/news/cgi-bin/archives.cgi?category=all&view=5-01>

Jury Convicts Man in Officer's Death

- John Sweeney <mailto:asia@labridge.com>

Mares was reportedly the getaway driver in a drive-by shooting on Centinela Avenue in Mar Vista near Pacific Division headquarters in late November, 1999. The drive-by victim, Gerardo Sernas died at the scene with seven gunshot wounds to the head.

Officer Brian Brown and his partner pursued the suspects from Mar Vista to Fox Hills Mall in Culver City. Mares' companion, Oscar Zatarain, allegedly opened fire on Brown near the mall, killing him instantly with a single bullet wound to the head.

LAPD officers later shot Zatarain to death. Mares drove to LAX where he was shot and apprehended.

The penalty phase of the trial is scheduled to begin Thursday. Mares may be held responsible for the deaths of the three people who died in the incidents.

Officer Brown, a single father, left a young son, Dylon. His death shook the Pacific Division of the LAPD.

John Sweeney is a freelance writer living in Venice Beach, California, and the Editor of [eVeniceTimes <http://venicebeach.com/search/jump.cgi?ID=1157>](http://venicebeach.com/search/jump.cgi?ID=1157)
Thursday, May 17, 2001

<http://www.camemorial.org/htm/brown.htm>

Officer III Brian Ernest Brown
Los Angeles Police Department

Date of Birth: September 3, 1971
Date Appointed: September 5, 1995
End of Watch: November 29, 1998

Los Angeles Police Officer III Brian E. Brown was honored by more than 3,000 Southern California law enforcement officers who attended his memorial service on Friday, Dec. 4, at Forest Lawn - Hollywood Hills.

Brown was the victim of a gang shooting on Sunday, Nov. 29, as he and his partner, Francisco Dominguez, chased two gunmen. The gunmen who had just committed a fatal drive-by shooting in Culver City peppered the squad car with assault-weapon fire. Brown, who didn't have time to get out of his car or draw his weapon, was struck in the head.

Brown died at the University of California, Los Angeles, Medical Center shortly after the incident.

"The officers were outmatched by the gunmen who were firing a Ruger mini-14 assault rifle and a semiautomatic attack weapon," Capt. Gary Williams told the press. They were armed with only 9mm and .45-caliber handguns to defend themselves.

One of the gunmen, Oscar Zatarain, 23, of Rancho Cucamonga, was shot and killed at a nearby shopping mall by Dominguez and two other officers.

Chief Bernard Parks stated, "This officer, along with his partner, basically came upon a homicide scene, pursued some suspects that they thought were involved in that scene."

The second gunman commandeered a taxi at a nearby convenience store. After shoving the cabby out of the car, the gunman led police on a five-mile chase to the Los Angeles International Airport, where he rammed several parked cars at Terminal One outside the Southwest Airlines area.

He then bolted from the wrecked cab and ran about 200 yards before he was struck by at least four bullets fired by police. The man, whose name was not released, was stable after surgery at UCLA Medical Center, Chief Parks reported.

Brown, who had been with the department for three years, is the third L.A.P.D. officer to die during 1998. Mayor Richard Riordan said in a statement, "Officer Brown was killed in cold blood by a criminal with no regard for others."

THOMAS EDWARD GOODWIN

<http://www.fbi.gov/ucr/killed/98killed.pdf>

Law Enforcement Officers Killed and Assaulted 1998

A 31-year-old officer with the Goshen City Police Department was slain at approximately 10:15 a.m. on December 11 while canvassing a mobile home park in which a shooting had occurred. When law enforcement officials arrived at the scene, they found one subject in a mobile home park office being treated by medics. The man indicated that additional victims were in a second office, and information indicated that the incident was a drive-by shooting. After responding to victims in the second office and ascertaining that a vehicle had been hit by gunfire, some officers began to rope off the crime scene. Other officers, including the veteran officer with nearly 8 years of law enforcement experience, began to canvass the area. Suddenly, a loud shot rang out, and the victim officer fell to the ground bleeding profusely from a wound in the rear of his head caused by a shot from a 7.62 x 39 mm semiautomatic rifle. No one saw the shooter, and the officers on the scene could not determine the direction from which the shot originated. They took cover until they could pull the victim officer to safety. Once they retrieved the victim officer, the officers administered CPR, put him in a squad car, and took him to an area hospital where he was pronounced dead on arrival. Subsequently, the suspect's location was discovered, and a standoff ensued until he was apprehended hours later. A 20-year-old male was arrested and charged with Murder.

<http://www.odmp.org/yeardisp.php?year=1998>

Patrolman Thomas Edward Goodwin <officer.php?oid=15191>

Goshen Police Department, IN

End of Watch: Friday, December 11, 1998

Cause of Death: Gunfire

Weapon Used: Rifle

Suspect Info: Transferred to mental hospital

Officer Goodwin was shot and killed after responding to a shooting call at a mobile-home park. As Officer Goodwin was roping off an area as a crime scene the suspect appeared and opened fire, striking him in the head. He was transported to a local hospital where he later died. The suspect then holed up in his trailer for several hours, holding SWAT teams at bay. He was finally flushed out and arrested after tear gas was fired inside. In early 1999 the suspect was transferred to the Indiana State Mental Hospital in order to be evaluated for his ability to stand trial.

<http://home1.gte.net/joking1/goodwin-t.htm>

Officer Thomas Edward Goodwin

Officer Goodwin was shot and killed after responding to a shooting call at a mobile-home park. As Officer Goodwin was roping off an area as a crime scene the suspect appeared and opened fire, striking him in the head. He was transported to a local hospital where he later died. The suspect then holed up in his trailer for several hours, holding SWAT teams at bay. He was finally flushed out and arrested after tear gas was fired inside

Dec. 11, 1998--Patrolman Thomas Goodwin of the Goshen Police Department was shot and killed by a sniper at the Brookside Mobile Home Park.

<http://www.goshennews.com/news/files/2001/2/2-13-2001/news3.html>

Competency hearing held for murder defendant

By ROD ROWE

Goshen News Staff Writer

Lawyers questioned at least one witness Monday afternoon in a closed mental competency hearing for Frankie Salyers, 22, Goshen, who is accused of fatally shooting Goshen police officer Thomas Goodwin on Dec. 11, 1998.

A witness believed to be a doctor from a state mental health facility appeared and spoke in Elkhart County Superior Court 3 in the closed hearing Monday afternoon. Only court personnel, deputy prosecutors and defense attorneys were allowed in the hearing, which dealt with the civil proceeding on the defendant's mental competency.

Judge George Biddlecome presided in the hearing, which concluded late Monday afternoon. None of the participants were able to comment.

State rules call for a review of a defendant's mental status at least once every 12 months. Unless a defendant is declared competent to face criminal charges, the murder case is stalled and does not move forward.

Salyers is charged with the policeman's murder in a criminal case which was filed in Elkhart County Circuit Court. Both courts are in the county courthouse in Goshen, but are presided over by different judges.

The Salyers criminal proceedings are in the charge of Senior Judge Gene Duffin. Judge Duffin was the circuit judge when the charges were filed. He now serves in the part-time senior judge's post.

Salyers remains in state custody at the Logansport State Hospital.

http://www.southbendtribune.com/98/dec/121798/local_ar/140234.htm

©South Bend Tribune -- December 17, 1998

'He was just doing his job'

By DAVID TYLER

Tribune Staff Writer

GOSHEN -- Officer Thomas Goodwin's colleagues made the call he couldn't make for himself.

When the gray hearse bearing Goodwin's body on a funeral procession through downtown Goshen reached police headquarters on Wednesday, the eight-year veteran received what's known as the "10-42" ceremony -- his last sign-off.

In police code, 10-42 is the call for "end of tour of duty." That's the signal every officer gives when he returns to the station at the end of a shift. Goodwin never got the chance to give that code last Friday.

"On December 11th, 1998, Officer Tom Goodwin died in the line of duty," a dispatcher said, her voice echoing from loudspeakers and over Goshen police's

radio frequency. "His badge and unit number were 9102. Officer Thomas Goodwin is 10-42. He has gone home for the final time."

Goodwin was shot and killed by a sniper on Friday. Frankie Allen Salyers, 20, of Goshen has been charged with murder.

The late officer was remembered in funeral services at Brenneman Memorial Missionary Church. He was laid to rest at West Goshen Cemetery in a moving graveside service.

At the grave, all the attending law enforcement officers stood at attention as Goodwin's hearse was brought in. A small plane performed a flyby of the cemetery, and a riderless horse was led into the cemetery. Riding boots were turned backwards in the stirrups to symbolize the loss of Goodwin.

After officers presented the American flag to Goodwin's family, the assembled company of police filed by Goodwin's casket, each leaving a flower on top.

The white carnations, stained with a bit of red to symbolize Goodwin's spilled blood, formed a foot-deep pile on top of the casket.

Elkhart Police Officer Scott Hupp hugged a comrade from the Elkhart County Sheriff's Department after the service.

"It just hits home that it could be any one of us at any time," Hupp said. "He had no warning. He was just doing his job."

An estimated 1,200 officers from at least three states joined in the mourning, which brought the small city to a virtual standstill.

"We came out of respect. Out of a sense of duty," said Indianapolis Patrolman Steve Spears, who with three fellow officers formed a part of a motorcycle brigade which escorted Goodwin's hearse.

Thousands of residents lined the streets to watch Goodwin's funeral procession. The procession included more than 400 police cars and fire vehicles and hundreds of private vehicles.

At Main Street, outside the Elkhart County Courthouse, they filed under a giant American flag suspended from the ladders of two firetrucks. The procession wound past the Goshen Police Department before leading to the cemetery.

"Most of the time, the officer is a total stranger, but we came down to show our support," said Kalamazoo Sgt. Ron Jacobs, who came to Goshen with his department's honor guard. His group spent last weekend at the funeral of a Detroit police officer.

But it wasn't only the police who came to pay their respects.

"Our hearts and prayers go out to the family," Sara Speckman, mother of a Middlebury police officer said. Speckman sat in a Jeep with an American flag draped over the hood and a black rag tied to the antenna.

In front of Speckman's Jeep some one left a candle burning in a cut-off plastic pop bottle on top of a manhole cover.

A sign in front of the Goshen police booth on Main Street read: "You are brave. You are trusted. You are loved."

Dana Hunt left her job at the Elkhart County Assessor's office to view the procession.

"I didn't really know him, but he died serving the community," Hunt said. "The least we could do is pay our respects."

"I just hope the family knows there are prayers going up," she said.

Just down the block, Darby Showalter, 9, waited with his mother, Sheila, and his little brother Kegan, 2. When first asked, Darby told his mother that he thought he did not want to watch the procession.

"But when I was at school this morning, I changed my mind and asked the principal if I could come," Darby said. He planned to give a full report to his fourth-grade class at Millersburg Elementary School when he return there later in the day, he said.

Darby said it was important for him to come, "because police risk their life every day," he said.

"Yes, but this doesn't happen here in Goshen, does it?" Mrs. Showalter said.

Meanwhile, Trenton St. Germain, whose father Brent is a Goshen firefighter and paramedic, sat on the back of one of two firetrucks from which a 20-foot by 30-foot flag would later be suspended to honor the fallen police officer.

The 9-year-old and his parents thought his viewing the procession was as important as his attending classes at Goshen Waterford Elementary School.

"We wanted to expose him to the fact that firefighters and police officers are real people," said Sgt. St. Germain. "They get hurt, they get killed, and it is a sad fact that is can happen to all of us."

Because of Friday's tragedy, Trenton said his parents had reaffirmed to him the dangers associated with his father's job and those of other safety officials.

"The fatal shooting really brings it home. You know, you hear about this kind of thing everywhere else, but not here," said Mr. St. Germain.

"But, Goshen's not the little town it once was unfortunately. It's getting bigger and bigger."

Tribune Correspondent Ann Jacobson contributed to this story.

[Shootings come near 3-year anniversary of officer's slaying](http://www.goshen.com/stories/2001/12/07/local.20011207-sbt-MARS-A2-Shootings_come_near_.sto)

[</stories/2001/12/07/local.20011207-sbt-MARS-A2-Shootings_come_near_.sto>](http://www.goshen.com/stories/2001/12/07/local.20011207-sbt-MARS-A2-Shootings_come_near_.sto)

(Local: 2001/12/07)

GOSHEN -- It was almost three years ago today that the city of Goshen was rocked by another senseless shooting, one that left Goshen police officer Thomas Goodwin dead. On Dec. 11, 1998, a cold, clear Friday morning, Goodwin and five other officers responded to a report of gunshots being fired in Brookside Manor Mobile Home Park.

[Psychiatrist says Salyers still unable to stand trial](http://www.goshen.com/stories/1999/12/03/local.19991203-sbt-MARS-D4-Psychiatrist_says_Sa.sto)

[</stories/1999/12/03/local.19991203-sbt-MARS-D4-Psychiatrist_says_Sa.sto>](http://www.goshen.com/stories/1999/12/03/local.19991203-sbt-MARS-D4-Psychiatrist_says_Sa.sto)

(Local: 1999/12/03)

GOSHEN -- The man accused of killing Goshen police Officer Thomas Goodwin is still incapable of standing trial, according to the most recent report from a state

psychiatrist. Dr. Steven M. Berger, of Logansport State Hospital, filed a report with Elkhart County Circuit Court Senior Judge Gene Duffin last week saying that Frankie Allen Salyers, 21, still exhibits signs of being a "withdrawn schizophrenic," who neither understands the charges against him nor is capable of assisting his attorney in his own defense.

[Elkhart County homicides soar </stories/1999/01/03/local.19990103-sbt-MWKA-D1-Elkhart_County_homic.sto>](/stories/1999/01/03/local.19990103-sbt-MWKA-D1-Elkhart_County_homic.sto)

(Local: 1999/01/03)

ELKHART--After a recent downward trend, homicides more than tripled in Elkhart County in 1998. Law enforcement officials said the increase is tough to evaluate because of the unpredictable and violent nature of homicide, coupled with the effects of a fast-growing county population.

[Suspect in shooting was troubled youth </stories/1998/12/16/local.19981216-sbt-ELKH-D1-Suspect_in_shooting_.sto>](/stories/1998/12/16/local.19981216-sbt-ELKH-D1-Suspect_in_shooting_.sto)

(Local: 1998/12/16)

GOSHEN -- Suspected killer Frankie Allen Salyers was "just a kid who couldn't be reached" and who eventually dropped out of school, his former high school principal said. Steve Lambert, principal of Rock Hill High School in Ironton, Ohio, recalled Salyers as an "at-risk student" -- the type of kid who got into trouble for offenses such as truancy and aggravating his teachers but nothing violent.