

1 **INTERVIEW OF: OFFICER JIM PERKINSON**

2 **INTERVIEW BY: STEVE LYNN AND DETECTIVE JIMMY WISECARVER**

3 **ALSO PRESENT: DOUG FOLEY**

4 **DATE: OCTOBER 25, 2011**

5 **MR. LYNN:** All right. It is October 25, 2011, at 12:12 in  
6 the morning. Senior Inspector Steve Lynn of the district  
7 attorney's office. Jimmy Wisecurve (*sic*) -- we are getting  
8 tired, aren't we? -- Jimmy Wisecarver in the Antioch PD. And  
9 you are --

10 **OFC. PERKINSON:** Officer Jim Perkinson.

11 **MR. LYNN:** Can you spell that for me, Jim.

12 **OFC. PERKINSON:** It's P-e-r-k-i-n-s-o-n. Badge number's  
13 3398.

14 **MR. LYNN:** And with you is --

15 **MR. FOLEY:** Doug Foley, F-o-l-e-y, with Rains Lucia Stern.

16 **MR. LYNN:** All right, Jim, we're just going to go through  
17 some of the events that went on -- that occurred on the 24th.  
18 Can you just start with telling me where you work, how long  
19 you've been here, and what time your shift started yesterday.

20 **OFC. PERKINSON:** Okay. I'm a patrol officer with the  
21 Antioch Police Department. I've been here for ten years. I  
22 work day shift. I started at 5:30 in the morning.

23 **MR. LYNN:** Okay. And at some point in the late afternoon,  
24 an event occurred. Where were you when you heard about the  
25 shooting -- or -- or the incident that occurred earlier?



1           **OFC. PERKINSON:** I received a phone call from ■  
2 ■ ■  
3           **MR. LYNN:** Okay.  
4           **OFC. PERKINSON:** -- ■ . ■  
5 ■ ■ . He called me  
6 and told me that there was a subject that he knew I was looking  
7 for, and he told me that the subject was behind 2409 Lemontree  
8 Court. I'm sorry. I'm asleep.  
9           **MR. LYNN:** That's okay.  
10          **DET. WISECARVER:** That's okay.  
11          **MR. LYNN:** That's all right. Take your time.  
12          **OFC. PERKINSON:** He said that he was watching him on ■  
13 ■ I was on L Street on my way to an alarm call  
14 when he -- when I got -- got the phone call from him. I talked  
15 to him for a second, and I told him that I was in the area and  
16 I would check it out real quick. I think I got off the phone  
17 with him, and I pulled in behind -- in the alleyway back behind  
18 Pepper -- or Peppertree and Lemontree Court.  
19               And initially, I drove past the address that he  
20 described. I turned around and came back down, and then I saw  
21 the address he was describing and saw a bicycle. Because he  
22 had described the subject to be on a bicycle.  
23               I'm looking -- I get out of my patrol car in my full  
24 uniform. I'm looking around, and I'm not seeing anybody around  
25 at all. Prior to actually going on scene, I advised dispatch



1 that I was going to preempt from the alarm call for a  
2 possible -- for a possible wanted subject in the area of  
3 Lemontree Court.

4           Officer Bedgood answered up on the radio and said he  
5 would be en route to cover. While I was out of my patrol car  
6 walking around, I saw Officer Bedgood pull into the court on  
7 the front side, and then he walked between a couple of the  
8 units and kind of met me beside 2409. I told him I didn't see  
9 the subject. He asked what he looked like. I said he was a  
10 white guy with a mustache and that he was in dark clothes.

11           Officer Bedgood told me that he thought he had saw  
12 somebody matching that description out on the street in front  
13 of the complex. He went back out that way. I think at that  
14 point, I went back to my patrol car and got my cell phone out  
15 again and called [REDACTED] again and told him I wasn't  
16 seeing this guy he had said was in the area. [REDACTED] told me  
17 that he was still watching the [REDACTED] and had never  
18 seen the subject come out of the carport.

19           The carport was wide open. There's no roll-up door.  
20 It's -- it's wide open. And I'm looking in there, and I'm not  
21 seeing anything at all. He says, "Well, there's some storage  
22 lockers over there."

23           So I go over to the storage lockers, and I try to  
24 open them and they're both locked. I -- I don't know if I got  
25 off the phone with him and then called him back and said, "Hey,



1 these doors are locked."

2           There -- there probably could've been a couple -- two  
3 or three -- different conversations on the phone. So he told  
4 me, "They're probably in there because I've been watching this  
5 and nobody came out. Maybe they're in there doing some  
6 narcotics or something."

7           I went back, and I monkeyed with the door again, and  
8 I thought I heard some movement in there. So at that point I  
9 backed away from the door, and I actually popped -- my door  
10 popped for my K-9 vehicle and called my dog out to me.

11           **DET. WISECARVER:** Dog's name.

12           **OFC. PERKINSON:** Bo.

13           **DET. WISECARVER:** B --

14           **OFC. PERKINSON:** O. My dog came to me at the entrance to  
15 the garage. He already had a tab on him, so I grabbed ahold of  
16 his tab, and I challenged the door, basically making a K-9  
17 announcement, "Hey, Joshua. I know you're in there. Come out  
18 now before I send the dog in."

19           I made the announcement probably two or three times,  
20 and then all of sudden, the door just flung open and a female  
21 came running out. It -- it happened so fast I really -- I know  
22 the female was young, but I honestly don't know her race  
23 because as the female came out, I saw a gun in his right hand.  
24 He initially put the gun up to his temple and started  
25 saying, "I'm -- I'm going to do this. I'm going to do this."



1           And at that point, I'm retreating to get out of  
2 the -- the carport garage. And I kind of took cover on the  
3 corner. I'm at the corner, and at some point I get on the  
4 radio, and I'm yelling, you know, "I've got a guy with a gun.  
5 Give me a Code 33."

6           I got out my gun, and I'm pointing my gun, and I'm  
7 telling him, "Drop the gun. Drop the gun."

8           He says, "I'm not going out like this. I'm going to  
9 do it."

10          And I -- I'm -- I yelled at him -- I must have yelled  
11 at him for a long time because when I went over the radio,  
12 Bedgood came running up, and he took a position on the man door  
13 on the -- I guess it would be the left side if you're facing --  
14 facing it. It was -- he was on my left at a man door, and he  
15 was kind of almost even with the storage locker door.

16          I saw him come up there, and -- and I'm yelling at  
17 the guy and I'm holding my gun out and I've got my dog and I'm  
18 thinking, you know, I -- I don't want to send my dog because  
19 the guy's got a gun and if he's holding it right here, it's not  
20 that hard for it to go straight down at my dog and I'm not  
21 going to send my dog. Let's see if we can talk him out.

22          And -- and I told him multiple times, "Put the gun  
23 down. Come out with your hands up. You won't get hurt."

24          And it seemed like forever, but then it seemed like  
25 everybody was there instantaneously. It's like a time warp. I



1 don't know.

2 **MR. LYNN:** Right.

3 **OFC. PERKINSON:** But all of a sudden there was a lot of  
4 people there. I know -- I know Walters showed up, and he took  
5 position by Bedgood. And I saw Vanderpool come up, and he  
6 initially took a position by that door, and then he ultimately  
7 moved up to where I was at.

8 And I was -- initially, I was the only one at that  
9 door. I think [REDACTED] [REDACTED] -- [REDACTED] -- I  
10 [REDACTED]. I think it's [REDACTED]. I  
11 think they came [REDACTED] And then I think somebody yelled at  
12 [REDACTED] a little bit.

13 And then Vanderpool came, and he put a rifle over my  
14 head. When he put a rifle over my head, I kind of started to  
15 back out to give him the shot because at this point, it's no  
16 longer a dog call. I needed to get the dog out of the way.

17 And as I'm pulling out, the gun comes down, and I'm  
18 pulling away, and then all of a sudden there was just shots  
19 everywhere.

20 **DET. WISECARVER:** So which gun comes down?

21 **OFC. PERKINSON:** The -- the gun Joshua Peterson's holding.

22 **DET. WISECARVER:** Okay.

23 **OFC. PERKINSON:** It comes down from his temple now. And  
24 it -- it's in his right hand. He's holding it in his right --  
25 at his temple with his right hand, and then it starts to come



1 down like this as I'm backing away, and then everybody starts  
2 shooting. And I could just -- all I can hear is the ringing  
3 from the AR that was right over the top of my head, I think, as  
4 the shots went off.

5 At that point I -- I heard somebody yell on the  
6 radio, "Shots are fired." I'm running back. I put my dog in  
7 the car, and as I'm putting my dog in the car, I'm telling  
8 dispatch, "We need Code 3 medical."

9 I come back up to the same area where I was  
10 initially. And at that point, I realize Sergeant Morefield's  
11 there because he has a shield, and they do a stack. There was  
12 three guys, and I think it was Fortner -- Fortner, Morefield,  
13 and I'm not sure who the third guy was. They go up with the  
14 shield because the guy's now laying in the -- in the closet,  
15 not moving, but everybody's still kind of staying back. And  
16 then they go -- they approach the closet with the shield.

17 And as somebody throws a gun out, at that point I  
18 come in realizing it's probably a little bit safer. Somebody  
19 drugged (*sic*) him out of the -- out of the closet, and he's  
20 laying facedown with his face towards the -- the closet with  
21 his feet going out towards the alley. I grabbed his left arm,  
22 and I believe it was Fortner that put his right arm into a cuff  
23 and then we put him into cuffs. And at that point Fortner  
24 looks at him to see if there's something we can do for first  
25 aid, but this -- it was pretty obvious it was too late.



1       **MR. LYNN:** Okay. All right. Good job. And we're going  
2 to go back and kind of go through the whole thing again. You  
3 were real thorough there. It was a good job. We just want to  
4 make sure we cover everything.

5               All right. [REDACTED]

6 [REDACTED]  
7       **OFC. PERKINSON:** Yeah. [REDACTED] They

8 [REDACTED] which is that --

9       **MR. LYNN:** Okay.

10       **OFC. PERKINSON:** -- development right there.

11       **MR. LYNN:** The development over on -- Contra Loma Estates.

12       **OFC. PERKINSON:** Right.

13       **MR. LYNN:** Right. [REDACTED] so

14 I'm assuming [REDACTED]

15 because [REDACTED].

16       **OFC. PERKINSON:** Yes.

17       **MR. LYNN:** Now they do a [REDACTED] --

18       **OFC. PERKINSON:** They --

19       **MR. LYNN:** -- task? At least what's part of the their --

20       **OFC. PERKINSON:** They have [REDACTED] and  
21 from time to time, they'll just [REDACTED] and see if  
22 they [REDACTED] on or whatever. They call us  
23 about things that are going on if [REDACTED] and  
24 whatnot.

25       **MR. LYNN:** Okay.





1       **OFC. PERKINSON:** And now that you say something about  
2 that, I do remember Josh saying something about seeing him --  
3 something about him having dope. He -- he did a hand-to-hand  
4 or something like that.

5       **MR. LYNN:** Josh?

6       **OFC. PERKINSON:** I'm sorry. Josh is the guy that got  
7 shot. [REDACTED] said that Josh had dope.

8       **MR. LYNN:** Okay. So -- so you have an open line of  
9 communication with [REDACTED]

10       **OFC. PERKINSON:** Yes.

11       **MR. LYNN:** And you do that by cell phone.

12       **OFC. PERKINSON:** Yes.

13       **MR. LYNN:** And that's your private cell phone --

14       **OFC. PERKINSON:** (Inaudible.)

15       **MR. LYNN:** -- that you provide him.

16       **OFC. PERKINSON:** Yeah. I --

17       **MR. LYNN:** But you --

18       **OFC. PERKINSON:** -- but he --

19       **MR. LYNN:** -- but you allow [REDACTED] you for certain  
20 things.

21       **OFC. PERKINSON:** Yes.

22       **MR. LYNN:** Okay. And he did that today.

23       **OFC. PERKINSON:** Yes.

24       **MR. LYNN:** Okay. And said he recognized this person as  
25 somebody that you guys had discussed before?



1           **OFC. PERKINSON:** Right.

2           **MR. LYNN:** Okay. And he -- he sees him out there, and you

3 had communicated to him that he was wanted, did you say?

4           **OFC. PERKINSON:** Yes.

5           **MR. LYNN:** Okay. So that's why he was calling you.

6           **OFC. PERKINSON:** Right.

7           **MR. LYNN:** So you respond.

8           **OFC. PERKINSON:** Correct.

9           **MR. LYNN:** Okay. So you come out there, and just so

10 I'm -- I'm right. The open door of these carports --

11           **OFC. PERKINSON:** Uh-huh.

12           **MR. LYNN:** -- that would be on what side of the street?

13           **OFC. PERKINSON:** The -- the carport actually faces the

14 alley that's behind.

15           **MR. LYNN:** Right.

16           **OFC. PERKINSON:** And then there's a fence, and then

17 there's, like, a runoff area for flood control --

18           **MR. LYNN:** So, I mean --

19           **OFC. PERKINSON:** -- behind --

20           **MR. LYNN:** -- so the alleyway, is that to the south?

21           **OFC. PERKINSON:** Yeah. It's going to face south, and it's

22 actually going to face the freeway. Yeah.

23           **MR. LYNN:** Okay. Just so I'm -- so I started doing that

24 kind of stuff. I know what I'm talking about. So the -- the

25 man door is going to be on the west.



1           **OFC. PERKINSON:** Yeah.

2           **MR. LYNN:** Okay. All right. So you pulled up to the  
3 south part of the carport.

4           **OFC. PERKINSON:** Correct.

5           **MR. LYNN:** And [REDACTED] was telling you that he saw the guy  
6 in the garage and you drive by and you don't see anybody in the  
7 garage.

8           **OFC. PERKINSON:** Right.

9           **MR. LYNN:** Okay. And then what did you do after the first  
10 pass?

11          **OFC. PERKINSON:** I went -- I think I drove by there, and  
12 then I turned around and came back. And then at that point, I  
13 noticed the bicycle -- because he made mention that this guy  
14 Joshua's on a bicycle and that he had just locked it up --

15          **MR. LYNN:** Okay.

16          **OFC. PERKINSON:** -- right by the carport.

17          **MR. LYNN:** Okay.

18          **OFC. PERKINSON:** Well, as I come back around the second  
19 time, I noticed a bike. And I don't know if I just didn't see  
20 it the first time or if I was more looking for a body at that  
21 point, but now that I hadn't seen bodies, I'm looking for  
22 anything else he was talking about, and then I noticed the  
23 bike. So I stopped --

24          **MR. LYNN:** Okay.

25          **OFC. PERKINSON:** -- right at that carport.



1       **MR. LYNN:**   Okay.

2       **OFC. PERKINSON:**   I get out of my car, and I'm kind of  
3 looking around, and I'm still not seeing people around at this  
4 point.

5       **MR. LYNN:**   Okay.   And you -- you had a partner show up at  
6 some point from the --

7       **OFC. PERKINSON:**   Yeah.   Officer Bedgood showed up  
8 probably -- I would say within a minute or two of -- of when I  
9 initially went on scene.

10       **MR. LYNN:**   Okay.   And did he stay there the whole time?

11       **OFC. PERKINSON:**   Yeah.   I -- I think he was in the general  
12 area.   As we talked at one point, he kind of went back out  
13 towards the front side of the buildings looking, and then I  
14 went back, and I ended up talking to [REDACTED] again.

15               And [REDACTED] telling me, "No.   He's in that carport.  
16 He didn't leave, and I'm still watching the -- the  
17 [REDACTED] "

18       **MR. LYNN:**   Okay.   So Bedgood's most likely out on the  
19 north side, doing a search of that portion.

20       **OFC. PERKINSON:**   Yeah.   And -- and the actual street and  
21 out --

22       **MR. LYNN:**   But he --

23       **OFC. PERKINSON:**   -- in the alley.

24       **MR. LYNN:**   -- communicates to you got to be in there.

25       **OFC. PERKINSON:**   He's got to be there.



1       **MR. LYNN:** Okay. So you go back in there, and at some  
2 point -- you -- you went back in there first time, without --  
3 with or without your K-9?

4       **OFC. PERKINSON:** I went without the K-9 initially. I --  
5 I'm thinking this guy's not really here. You know, he's -- he  
6 must've missed him leaving. He's not here. There's no cars in  
7 here. He's not hiding under anything. It looks pretty wide  
8 open. But then he's, like, "There's these lockers in there.  
9 Go look at the lockers."

10               Well, initially, they're (inaudible) locked, so --

11       **MR. LYNN:** Key locked? Did you notice?

12       **OFC. PERKINSON:** In No. 3, it looks like it's a door  
13 handle. If I remember right, it was a door handle. And the  
14 No. 2, which was south of No. 3, it wasn't a normal door lock.  
15 It might've had, like, a -- like, just a key to, like, dead  
16 bolt.

17       **MR. LYNN:** Okay. And he ended up being in No. 2.

18       **OFC. PERKINSON:** Number -- No. 3. He was in the --

19       **MR. LYNN:** (Inaudible.)

20       **OFC. PERKINSON:** -- further north one.

21       **MR. LYNN:** Okay.

22       **OFC. PERKINSON:** And that one was the one with the door  
23 handle on it.

24       **MR. LYNN:** Okay. But for all intents and purposes,  
25 they're locked and secured --



1           **OFC. PERKINSON:** Right.

2           **MR. LYNN:** -- appeared to be secured, so you don't have  
3 access.

4           **OFC. PERKINSON:** No. And I tried the door, and when I  
5 tried the door at the same time -- I initially tried it just  
6 because [REDACTED] "Oh, they might be in there."

7                       So I tried them, and they're -- I call him back, and  
8 I'm like, "They're locked up."

9                       Like, "No. They're -- they're in there. They're  
10 probably in" --

11           **MR. LYNN:** Okay.

12           **OFC. PERKINSON:** -- "one of those lockers."

13                       So I go back, and I try the handle again, and I hear  
14 something in that locker, and that's when I back away a little  
15 bit and bring the dog out of the car.

16           **MR. LYNN:** Okay.

17           **OFC. PERKINSON:** And at this point I -- I know this guy's  
18 wanted, and he runs. So I don't want to give him the chance to  
19 run. Figured if I --

20           **MR. LYNN:** Right.

21           **OFC. PERKINSON:** -- make a K-9 announcement and let him  
22 know the dog's here, maybe we can just end this real quick and  
23 he'll come out and give up.

24           **MR. LYNN:** Okay. And your announcement's loud, clear?

25           **OFC. PERKINSON:** Loud and clear.



1       **MR. LYNN:** You -- you have a standard announcement you use  
2 with your K-9.

3       **OFC. PERKINSON:** "Antioch Police Department. K-9 unit.  
4 Come out now, or I'm going to send in the dog."

5               And I said that -- there might be some minor changes  
6 to the words, but something similar --

7       **MR. LYNN:** Sure.

8       **OFC. PERKINSON:** -- to that two or three times before --

9       **MR. LYNN:** Okay. Actually, multiple times clear.

10       **OFC. PERKINSON:** Multiple.

11       **MR. LYNN:** Okay. So --

12       **DET. WISECARVER:** Was your dog barking at the time?

13       **OFC. PERKINSON:** Yes.

14       **DET. WISECARVER:** Can -- you think your dog was barking  
15 over your announcement, or do you feel that your announcement  
16 was clear?

17       **OFC. PERKINSON:** No. My announcement was clear. But he  
18 could also hear the dog barking, so I mean, he -- there was no  
19 doubt that there was a dog --

20       **DET. WISECARVER:** (Inaudible.)

21       **OFC. PERKINSON:** -- there and I -- it wasn't like I was  
22 bluffing that there was a dog.

23       **DET. WISECARVER:** Yeah.

24       **MR. LYNN:** Okay. So then clear announcements, and then  
25 what happens?



1       **OFC. PERKINSON:** That's -- the door's closed, and probably  
2 after the third announcement or so, the door opens and all of a  
3 sudden, this girl's coming out. As the girl's coming out, I'm  
4 not really paying that much attention to her. I look at  
5 Joshua, and that's when I see a gun, and he brings a gun up --  
6 straight up to his temple.

7       **MR. LYNN:** Okay. Is it a big open doorway? Fairly  
8 standard?

9       **OFC. PERKINSON:** I would say that the -- the door -- it's  
10 more like a closet, so it's not quite a full door. So I would  
11 guess that -- what's that? Maybe two-and-a-half feet.

12       **MR. LYNN:** Twenty-four to 30 inches usually (inaudible).

13       **OFC. PERKINSON:** Yeah. Yeah.

14       **MR. LYNN:** Okay.

15       **OFC. PERKINSON:** Yeah. It's -- it's not a full-size,  
16 like, entry door to a house.

17       **MR. LYNN:** Is she a big girl?

18       **OFC. PERKINSON:** No. She was small. She was young. She  
19 was small, but I couldn't tell you the race or the clothes.

20       **MR. LYNN:** She bolts in which direction?

21       **OFC. PERKINSON:** She went straight across the carport and  
22 right out the man door.

23       **MR. LYNN:** Okay. So away from you?

24       **OFC. PERKINSON:** Yeah. Away. And -- honestly, I mean, if  
25 she would've had a gun or something, I was so focused on him --





1       **MR. LYNN:** Because you immediately --

2       **OFC. PERKINSON:** Well, I recognized him from past  
3 contacts, and he was who I knew I was looking for, and then I  
4 kind of locked in on his eyes -- or not his eyes, his gun.

5       **MR. LYNN:** He puts it up to his head?

6       **OFC. PERKINSON:** To his temple. He was holding it up  
7 right up to his temple.

8       **MR. LYNN:** Did he say anything?

9       **OFC. PERKINSON:** He said, "I'm -- I'm not going out like  
10 this. I'm going to do this. I'm not going out."

11       **MR. LYNN:** Which meant to you --

12       **OFC. PERKINSON:** He's not going to surrender. He's going  
13 to either kill himself or he's going to make me kill him.

14       **MR. LYNN:** Okay. So what do you do initially?

15       **OFC. PERKINSON:** Well, at some point I draw my gun,  
16 retreating, and get on the radio, let dispatch know, "I need a  
17 Code 33. I have a guy with a gun."

18               And I -- I honestly don't know if I said that he's  
19 trying to barricade himself in the garage or not. I don't  
20 know. I know I said he had a gun, asked for a Code 33, and I  
21 retreated for some kind of cover.

22       **MR. LYNN:** Cover. Okay.

23       **DET. WISECARVER:** When he's in that closet there, he --  
24 I'm assuming you're -- as you're describing it, my  
25 understanding is he's still inside that closet?



1           **OFC. PERKINSON:** He -- he never came out. He never exited  
2 at all.

3           **DET. WISECARVER:** So how much of his body can you see from  
4 where you're at? Is it partially concealed? Completely  
5 exposed?

6           **OFC. PERKINSON:** I wouldn't say I could see everything.  
7 He was kind of standing -- I want to say he was facing south,  
8 and the door kind of opens north, so I think at some point, he  
9 tried to pull the door closed, but he never pulled it all the  
10 way closed.

11                   And so he kind of pulled it a little bit closed, but  
12 there was never a doubt that I could always see the gun. He  
13 always had that gun out, and I could see the gun the whole  
14 time.

15           **DET. WISECARVER:** So with him holding that gun to -- to  
16 his head, you're -- you're kind of describing it as -- as you  
17 were motioning right now just for clarity for the recording --  
18 you're holding your right hand to your head. He's holding the  
19 gun in his right hand, like, I know you said earlier. And is  
20 he still facing you?

21           **OFC. PERKINSON:** Yes. He's -- continues to face south,  
22 and the gun is in his right hand, and it goes straight up to  
23 his right temple.

24           **DET. WISECARVER:** So he's facing you, and then the other  
25 officers are kind of off in that pedestrian door; right?



1           **OFC. PERKINSON:** Yeah. And I don't know how -- because  
2 I -- I never went to that doorway and really looked. I don't  
3 think they had a real clear view, but I can't tell you for  
4 sure. I think that door is pretty even -- the -- the man door  
5 width where those closets are.

6           **DET. WISECARVER:** Uh-huh.

7           **OFC. PERKINSON:** And if the door was open, I think you  
8 would have no problem seeing him, but if the door was closed,  
9 I -- I think it would distort the view just a little bit.

10          **DET. WISECARVER:** And you think that he tried to close the  
11 door but he wasn't successful.

12          **OFC. PERKINSON:** Well, I -- I don't know if he tried to  
13 actually close it or if he was just -- maybe he saw the other  
14 officers coming up into that door, and maybe he didn't want to  
15 see them. I -- I mean, I don't know. I don't know what he's  
16 thinking obviously, but --

17          **DET. WISECARVER:** Right.

18          **OFC. PERKINSON:** -- I don't know. I don't feel like he  
19 was actually trying to close the door.

20          **MR. LYNN:** Okay.

21          **OFC. PERKINSON:** Because I don't think he pulled -- but I  
22 think he pulled it back somewhat. Because I think initially  
23 when that girl came out, I think the door swung all the way  
24 open and she ran out. And then as I'm retreating, seeing the  
25 gun, I think at some point, the door either kind of comes back



1 closed and he grabs ahold of it or he reached out and grabbed  
2 it. But the -- the door was -- went wide open for a minute and  
3 then it wasn't anymore.

4 **DET. WISECARVER:** Okay.

5 **MR. LYNN:** When you -- you first saw the gun and you're  
6 backing out with your K-9, was he in a position -- you  
7 described him with a right hand holding the gun to his head --  
8 was he in a position to -- where it would've been difficult or  
9 easy for him to drop that weapon towards you?

10 **OFC. PERKINSON:** It would've been very -- I mean, I was  
11 right in line that if -- if his arm would've came down, it --  
12 it would've been straight at me.

13 **MR. LYNN:** Straight at you. Okay. So you obviously  
14 backed out quickly. You -- you mentioned you contacted radio  
15 (inaudible) cover with your K-9. Were you giving orders as you  
16 backed out, or you just moved out of the way?

17 **OFC. PERKINSON:** I'm just yelling at him, "Drop the gun.  
18 Drop the gun."

19 **MR. LYNN:** Okay.

20 **OFC. PERKINSON:** And, I mean, I yelled at him -- it was  
21 minutes that I was yelling at him, "Drop the gun," and --  
22 excuse me -- and there was a couple of times where he  
23 says, "I'm not going out like that. I'm going to do this."

24 And I'm yelling at him, "Just drop the gun. Come out  
25 with your hands up. You won't get hurt. Drop the gun." And



1 he just -- he would not -- he just kept on, "I'm going to --  
2 I'm going to do it. I'm -- I'm not going to go out like this,"  
3 and --

4 **MR. LYNN:** So he made that -- those statements multiple  
5 times?

6 **OFC. PERKINSON:** Multiple times.

7 **MR. LYNN:** Okay. And at this point, your -- your back at  
8 your position to cover other officers who are responding to the  
9 west man door --

10 **OFC. PERKINSON:** Right.

11 **MR. LYNN:** -- as you're calling it? And then you said one  
12 officer came around behind you with a long -- long gun?

13 **OFC. PERKINSON:** Yeah. That was Officer Vanderpool that  
14 came up.

15 **MR. LYNN:** Okay.

16 **OFC. PERKINSON:** He's kind of tall, so it's not hard for  
17 him to put that gun over my head either.

18 **MR. LYNN:** So this causes you -- as you said -- to back  
19 out a little bit further again?

20 **OFC. PERKINSON:** Well, at this point -- this is -- and as  
21 I'm watching this unfold, this isn't going to be a dog call  
22 anymore. I need to get the dog out of there because I also  
23 know that my dog doesn't really care for gunfire. And I know  
24 that if this goes to gunfire, my dog's not going to react very  
25 well. Ultimately, when it did go to gunfire, I really don't



1 know how my dog reacted.

2 I mean, I -- I'm surprised that he didn't go after  
3 where the noise was coming from because, typically, he takes  
4 that noise as a threat to him, and he's -- in training  
5 scenarios that we've done, he typically goes after that gun, so  
6 I'm surprised with the gun being over my head like it was that  
7 he didn't go up after that officer. I -- I don't know if maybe  
8 I was pulling him back and -- at that point that he didn't have  
9 that opportunity, but --

10 **MR. LYNN:** Okay. So let me just make sure I got this.  
11 Vanderpool's over the top of you with a long rifle. He's tall.  
12 So you're backing out a little bit. How many -- is there any  
13 other officers at your position at this point?

14 **OFC. PERKINSON:** Not that I'm aware of. I know -- at some  
15 point [REDACTED] ended up there, but I think somebody  
16 [REDACTED] from there. So I  
17 think he had come to my position at one point, but then he  
18 backed away. And I -- at this time when shots were fired, I  
19 think Officer Vanderpool and myself were the only ones at that  
20 corner of the building and there was another group of officers  
21 that were at that man door.

22 **MR. LYNN:** Okay. At the point when the shots were fired,  
23 could you still see the suspect?

24 **OFC. PERKINSON:** Yes.

25 **MR. LYNN:** Okay. And tell me what happened right prior to



1 the shots being fired.

2 **OFC. PERKINSON:** Right prior -- as I started to back away  
3 to give Officer Vanderpool that corner -- as I started to back  
4 away, his hand started down this way. As his hand came down,  
5 that's when the shots went out. When the shots went out, I  
6 pulled the dog away. And maybe that's why he didn't go up at  
7 Vanderpool was because at that point I'm knowing that my dog's  
8 not going to like this, and I got to get him out.

9 **MR. LYNN:** Okay.

10 **OFC. PERKINSON:** Because I can kind of almost think about  
11 it, and it's like I was pulling out as that all started to  
12 transpire.

13 **MR. LYNN:** Okay.

14 **OFC. PERKINSON:** And that's probably me just getting the  
15 dog out of there before he turned on somebody he shouldn't.

16 **DET. WISECARVER:** When -- when you say -- when you say he  
17 dropped his hand, I'm assuming -- you're talking about  
18 Joshua -- Joshua Peterson's hand comes down with the gun from  
19 his own head, out in the -- and the -- you're -- you're  
20 motioning as the gun comes forward like -- as if he was  
21 pointing the gun --

22 **OFC. PERKINSON:** In my view his -- the gun was coming down  
23 at this point now to start threatening officers. He was  
24 dropping the gun. At this point I think maybe he's -- I mean,  
25 I don't know if he's thinking, but what my feel of it was that



1 he wasn't getting the reaction or the results that he wanted by  
2 holding the gun to himself and he brought the gun down,  
3 pointing it out in the direction of myself and Officer  
4 Vanderpool.

5 **MR. LYNN:** What type of gun was it?

6 **OFC. PERKINSON:** It was a semi-auto black handgun.

7 **MR. LYNN:** Okay. And -- and you said that when he dropped  
8 it, it was in your and Vanderpool's direction.

9 **OFC. PERKINSON:** Correct.

10 **MR. LYNN:** Could you tell what officer fired first if --

11 **OFC. PERKINSON:** I honestly believe that Officer  
12 Vanderpool did, but that just could've been because my ears  
13 were hurting so bad.

14 **MR. LYNN:** He was closest to you.

15 **OFC. PERKINSON:** Yeah.

16 **MR. LYNN:** And there was multiple shots?

17 **OFC. PERKINSON:** There was multiple shots.

18 **MR. LYNN:** Could you tell how many? Could you --

19 **OFC. PERKINSON:** I have no idea.

20 **MR. LYNN:** Okay. Did the -- the -- the time lapse of the  
21 shots, was it two seconds? five seconds? three minutes? five  
22 minutes?

23 **OFC. PERKINSON:** It wasn't minutes. I would honestly say  
24 that it seemed like it was 10, 15 seconds. But, I mean, that's  
25 a long time when you're --





1       **MR. LYNN:** Right.

2       **OFC. PERKINSON:** -- when you're shooting but --

3       **MR. LYNN:** And right prior to the shots being fired, were  
4 there any other officers giving commands to the suspect?

5       **OFC. PERKINSON:** You know, I honestly don't know. I -- I  
6 think I was so focused on him that if anybody else was yelling  
7 anything, I wasn't paying attention enough.

8       **MR. LYNN:** Okay. And then so shots were fired, and at  
9 some point the shots terminate?

10       **OFC. PERKINSON:** Yes.

11       **MR. LYNN:** Could you tell if the suspect fired his weapon?

12       **OFC. PERKINSON:** I honestly don't believe he did.

13       **MR. LYNN:** Okay. And was there any type of commands at  
14 the end or toward the end or right after the shots were fired?  
15 Any --

16       **OFC. PERKINSON:** I do remember hearing somebody  
17 yell, "Stay down. Don't move. Don't move."

18               And that's basically at the point where we -- they  
19 did a stack behind the -- the shield. And then after -- there  
20 was a 30-second pause, and there's no movement. Then there --  
21 there was movement into the garage (inaudible) --

22       **MR. LYNN:** Why would there be a pause?

23       **OFC. PERKINSON:** To make sure that he wasn't playing  
24 possum I suppose.

25       **MR. LYNN:** Okay. And was anybody taking command of the



1 situation at this point?

2 **OFC. PERKINSON:** Yeah. I -- I believe Sergeant Morefield  
3 was trying to get the stack --

4 **MR. LYNN:** Okay.

5 **OFC. PERKINSON:** -- orchestrated.

6 **MR. LYNN:** Okay. And it was two -- two or three guys you  
7 said in the stack?

8 **OFC. PERKINSON:** I believe it was Sergeant Morefield,  
9 Fortner, and I -- I don't know who the other person was. I  
10 know -- honestly, if you ask me who was holding the shield, I  
11 couldn't tell you.

12 **MR. LYNN:** Okay. So they stacked up on the south side of  
13 the bigger doorway?

14 **OFC. PERKINSON:** At that point, yeah. They moved to the  
15 point where myself and Officer Vanderpool had been. And that's  
16 where they developed the stack and moved forward from there.

17 **MR. LYNN:** Do they give any commands as they move forward?

18 **OFC. PERKINSON:** "Stay down," I think is all I remember  
19 hearing.

20 **MR. LYNN:** Okay. And obviously, they got to the suspect,  
21 and --

22 **OFC. PERKINSON:** Somebody pulled the gun out -- threw the  
23 gun out. As that gun came out, Officer Fortner is pulling the  
24 guy out. And then he pulls the guy out of the closet, grabs  
25 his right arm, and I run up and grab his left arm, and then we



1 put him in handcuffs.

2 **MR. LYNN:** Okay. Had you secured your K-9 at this point?

3 **OFC. PERKINSON:** Yeah. I had done that probably seconds  
4 after the -- the fire -- the gunshots started.

5 **MR. LYNN:** Okay.

6 **OFC. PERKINSON:** And quite possibly even I was retreating  
7 as the gunfire was going on to get rid of the dog. Like I  
8 said, my dog's not real keen on --

9 **MR. LYNN:** Okay. Suspect's -- you got him secured. He's  
10 obviously down.

11 **OFC. PERKINSON:** Medical's on its way.

12 **MR. LYNN:** Okay. So AMR's been notified.

13 **OFC. PERKINSON:** Yeah. They were -- they were coming.

14 **MR. LYNN:** And did they arrive in -- and you've been an  
15 officer for a long time. Is it consistent with their normal  
16 response times?

17 **OFC. PERKINSON:** Yes.

18 **MR. LYNN:** Okay. And at that point what was your duty?  
19 Did -- were -- did you stay there? Did you go? You were  
20 relieved?

21 **OFC. PERKINSON:** I don't think I initially went back into  
22 the garage for a bit. I think at that point, Corporal Dee  
23 arrived on scene, and then he kind of detailed me to start  
24 setting up the crime scene tape and getting a -- a crime scene  
25 set up and keep people out so --



1       **MR. LYNN:** So standard securing the scene.

2       **OFC. PERKINSON:** Right. So I did the -- a bunch of the  
3 crime scene tape, and then I pretty much just stayed on scene  
4 as scene security.

5       **MR. LYNN:** Okay. Let me think for a second. Do you have  
6 any questions?

7       **OFC. PERKINSON:** No.

8       **MR. LYNN:** Jimmy.

9       **DET. WISECARVER:** I think you covered everything.

10       **MR. FOLEY:** Just really quick. A couple of times you said  
11 he had the gun to his temple and then he dropped the gun. What  
12 do you mean by "dropped the gun"?

13       **OFC. PERKINSON:** He held the gun at his -- at his temple  
14 for the longest time and just as -- just before the shots came  
15 out, he is still facing south and he had the gun at his temple  
16 and the gun started coming down like this. And just as fast as  
17 the gun started coming down, I think all the officers saw the  
18 threat and that's when the shots (inaudible) --

19       **MR. FOLEY:** So you motion that the gun's still in the his  
20 hand.

21       **OFC. PERKINSON:** The -- the gun was most definitely still  
22 in his hand.

23       **MR. FOLEY:** So he's not dropping it to the ground --

24       **OFC. PERKINSON:** No. He --

25       **MR. FOLEY:** -- to surrender?



1           **OFC. PERKINSON:** -- he is -- he's bringing it down in a  
2 direction to -- to be a threat.

3           **MR. LYNN:** And just so we're clear, Jim. You've got your  
4 hand basically at 90 degrees like someone would hold their  
5 hand -- and your elbow out, away from your side with the gun  
6 pointing at his head. When you -- you're dropping from your  
7 elbow to your wrist, you're dropping --

8           **OFC. PERKINSON:** Just the forearm --

9           **MR. LYNN:** -- forearm down --

10          **OFC. PERKINSON:** -- and wrist.

11          **MR. LYNN:** -- so -- so now the gun would be parallel to  
12 the ground.

13          **OFC. PERKINSON:** Correct.

14          **MR. LYNN:** I'm just trying to describe what you're showing  
15 us so we're clear because it's on tape.

16          **MR. FOLEY:** And when you -- I -- I think the clarification  
17 was just that when you say "dropping the gun," it wasn't as if  
18 he was dropping the gun like you were ordering him to. He was  
19 dropping the gun as lowering the gun to point it at your  
20 direction.

21          **OFC. PERKINSON:** Yeah. It could've been a bad  
22 terminology.

23          **MR. FOLEY:** Well, I mean --

24          **OFC. PERKINSON:** I would say lowering the gun was --

25          **MR. FOLEY:** And you're tired.



1       **OFC. PERKINSON:**  -- make a lot more sense.

2       **MR. LYNN:**  We knew what you were talking about.  We get

3 that.

4       **MR. FOLEY:**  But in your --

5       **OFC. PERKINSON:**  Yeah.  So he was lowering the gun --

6       **MR. FOLEY:**  -- but in --

7       **OFC. PERKINSON:**  -- as a threat.

8       **MR. FOLEY:**  -- in -- in your interpretation of the -- his

9 movement was that -- that gun was pointed in yours and

10 Vanderpool's direction like you said; therefore --

11       **OFC. PERKINSON:**  In a threatening manner.  Yes.

12       **MR. LYNN:**  Did you consider that an immediate threat --

13 life-threatening situation?

14       **OFC. PERKINSON:**  Most definitely.

15       **MR. LYNN:**  Okay.

16       **DET. WISECARVER:**  Nothing else.

17       **MR. LYNN:**  All right.  I think that's good.  We are at

18 0045 hours.  (Inaudible) 25th.

19                               (Conclusion of Recorded Material.)

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