



STATEMENT FORM

GENERAL OFFENSE # 2017-219301
RELATED EVENT#

Date: 06/22/2017	Time:	Place SPD Force Investigation Team Office
Statement of: <input type="checkbox"/> Complainant <input type="checkbox"/> Witness <input type="checkbox"/> Victim <input checked="" type="checkbox"/> Officer <input type="checkbox"/> Other:		
Name (Last, First MI) McNew, Steven		DOB
Statement Taken By: Detective Jason Dewey	Serial 7426	Unit C171A
Transcribed by (Taped/Translated Statements) Corinne Holmberg	Serial 7349	Unit B721Y

DEWEY: All right. This is Detective Jason Dewey of the Seattle Police Department Force Investigation Team. This will be the follow up interview to case number 2017-219301, uh, reported to have taken place on Jan-, June 18th, 2017 at approximately 0950 hours at 6818 62nd Avenue Northeast, #4303. Uh, this will be the follow up interview of Officer Steve McNew, uh, serial number 7451. Um, present in the interview is myself and if you could start, Steve, and, uh...

CORBIN: Steve Corbin with FIT. I acknowledge I'm being recorded.

DEWEY: And then to my right and, uh, say your name and acknowledge that you're being recorded.

DAVISSON: Sergeant George Davisson, Force Investigation. I understand it's being recorded.

STUCKEY: Um, Officer Kevin Stuckey, Seattle Police Officer's Guild, and I understand I'm being recorded.

MCNEW: Steven McNew, I understand that I'm being recorded.

BUCK: Ted Buck, acknowledged.

BEEEMSTER: Uh, Tracy Beemster, OPA. I'm aware of the recording.

HIRJAK: Sorry, I'm, I was reading something and thinking of something else. Steve Hirjak, from FIT. I understand I'm being recorded. Um, Officer McNew, I wish to advise you that you're being questioned as part of an official investigation of the Seattle Police Department. You will be asked questions specifically directed and narrowly related to the performance of your duties or fitness for office. Are you willing to provide a voluntary statement regarding this incident?

MCNEW: No.

HIRJAK: OK. Here's a copy for you. As you're not willing to provide a voluntary statement, I order you to answer my questions and those of the detectives and sergeant conducting this interview. If you refuse to answer questions relating to the performance of your official duties, you will be

Witness
Witness

X



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subjected to department charges, which could result in your dismissal from the department. Do you understand?

MCNEW: I do.

HIRJAK: And would you acknowledge I provided you with another copy of the Police Officer Bill of Rights.

MCNEW: You have.

HIRJAK: OK. I'm gonna step out of the room.

DEWEY: All right. For the recording, uh, Lieutenant Hirjak has left the room. All right. Officer McNew, uh, do you recall, I know we've already had an interview, uh, do you still recall the level of detail we're lookin' for, you know... Do you recall that we weren't there, so we really want you to paint the picture as detailed as possible, use all your senses, things like that?

MCNEW: I do.

DEWEY: OK, um... I wanna start to, going back as far as how you were dispatched to the call. Can you... describe h-how you were dispatched to the call again?

MCNEW: So, I wasn't actually dispatched to the call. I was on another call, an alarm call over, um, in my area and it came to my attention that Union 3, Officer Anderson, was dispatched to a call and Officer Schickler, who I was with at the time, mentioned that another sector may have been dispatched to back Officer Anderson. Uh... at that point, I went ahead and looked at the Computer Aided Dispatch to try and figure out, uh, who was going to back him. I saw that it was actually not another sector but, um, Officer Jason Hoppers. I noted that based on the map, uh, when I looked up the call, that Officer Hoppers was further away than I was. Uh, at the time I believe I was in the 1000 block of 68th Street Northeast. Um...so I went over radio and, um... I offered to clear Officer Hoppers from the call and respond because I was closer. Once I did that, radio, I believe, acknowledged, uh, and I started to drive out to the location. I was, uh, generally familiar with the area that it was at over in Magnuson Park, so I drove to the area. Uh, when I initially pulled up to the complex, um, you come in off of 65th, you turn northbound, I believe, on 62nd, and you pull up to a complex with several high-rises and townhomes. Uh, there is a posted board in front of one of the units that has the listed addresses for, or the number f-for that location. I looked at the numbers. Uh, I confirmed on my screen that it was not one of the, I believe, four buildings, uh, in that immediate area and I remembered there's another building in the back. So I proceeded, um, down the driveway. The driveway heads east towards Magnuson Park and then takes a sharp right turn southbound, um, and there's some dumpsters there and you approach a, uh, a courtyard. At that time, I saw Officer Anderson's patrol car and I pulled in behind it and Officer Anderson got out of his vehicle and approached my vehicle. Uh, at that time, the only thing that I...

BUCK: Remember the question. You were asked about dispatch.



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MCNEW: How I got dispatched, right? That's how I got dispatched.

DEWEY: OK. So... You were dispatched as a secondary officer because there was a hazard associated with this address.

MCNEW: Correct.

DEWEY: Uh, what, when you go to a call that has a hazard associated with it, w-with the residence or the person, what are, what are the typical considerations that go through your mind when you respond to those types of scenes?

MCNEW: Well, the first consideration is what the hazard is, um, or the nature of it. At that point, I didn't know and, uh, Officer Anderson then informed me. But you try and, uh, ascertain what the nature of the hazard is and any potential risks to your person, um... The location, uh, plays into that. Previous history of the subject plays into that, um... And essentially, uh, the facts of the call. On face value, you try and, uh... look at the... the dispatch of the call, what the... request is. In this case, uh, I believe it was a request to investigate a burglary, um... So, yeah. It's the location history, th-the nature of the location, previous history with the subject, uh, how many officers would be appropriate for the type of investigation that you're conducting, uh, and those are your main... main considerations.

DEWEY: Y-, do you have any considerations for what kind of resources to bring?

MCNEW: Depending on the situation, uh, that could be a factor, yes.

DEWEY: OK. Did you consider any of those resources?

MCNEW: At this point, uh, based off of what we...

BUCK: I'm sorry, can, uh, wh-when you mention resources, are you talking about people, or equipment, or what...

DEWEY: So TASERS, officers, uh, s-...

BUCK: OK, so in a very broad sense.

DEWEY: It's... In a very br-, like, what kind of resources that are available to you... a-as, yes.

BUCK: OK. Thank you.

DEWEY: You're welcome.

MCNEW: By policy, I carry a non-lethal option on me and so do, by policy, every officer's supposed to have some (unintelligible) form of non-lethal, um... As far as resources, when it's...



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considering people, a lot of that is weighed based on... the event, the event you're responding to. So in this case, uh, we were responding to the report of a cold burglary, um, something that had already occurred, where the citizen wanted to report it. Uh, the nature of this one that made it different from any others is just the fact that there was a hazard information, uh, so it was requested that a backup officer, uh, attend as well, which was my role at that point, was to be a backup officer to observe and ensure that, uh, Officer Anderson could safely conduct his investigation.

DAVISSON: So what would make your response to a cold burglary different from, uh, a burglary that's active? Like, what kind of different considerations would (unintelligible)?

MCNEW: The main consideration is the pres-, possible presence of a suspect. Uh, if you've got an active burglary, there's considerations as to, um, blocking off any avenues of escape for the suspect, um... Possible victims inside, uh, that may need rescue or-or other attention, um... In a cold burglary, essentially what you're doing is you're-you're showing up to get a story. You're showing up to the location, you're gonna contact the complainant, you're gonna get their story of what happened, and you're gonna try and look for any evidence, um, related to that, um... Versus an active burglary, where that part will come later, but the point in the meantime is to make sure everyone's safe and to see if you can capture a suspect. And in those, we generally take several officers, possibly canine, um... So that's the difference.

DEWEY: Did you consider requesting a TASER officer?

MCNEW: No.

DEWEY: Why not?

MCNEW: Like I said, on face value, we were... responding to the report of a burglary, um... For lack of a better description, it's generally referred to as a paper call. It's a call where we're going to document the circumstances of a crime that occurred. The fact that the occupant had officer safety information is not unusual. Um, it's not unique, um... Officer safety information, mental health information, previous contacts with police, uh, is very common. Most of the people we deal with have some sort of previous history.

DEWEY: OK. Have you ever responded to this specific address before?

MCNEW: I've responded to the building but not this particular unit.

DEWEY: OK. And have you ever met or dealt with the subject before?

MCNEW: Not to my knowledge, no.

DEWEY: Now, how familiar are you working with Officer Anderson?



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MCNEW: I've been working with Officer Anderson, I think, since he got off of FTO. I believe it's approximately a year, a year and a half. Uh, I've responded to several calls, he's responded as my backing officer to several calls. Um, when you work in the same squad with somebody, um... you're around them continuously.

DEWEY: OK. Regarding the items that were reportedly stolen, uh, can you describe where they were located or reported to have been located? And did it, like, appear that they had been there?

MCNEW: So part of the investigation is trying to, one, take the statements of th-the victim and then assess as best you can, um, if the items were there. So the items that were reported, uh, as you enter the unit, there's one door entrance. Uh, as you enter the unit, you've got, immediately to your right hand side, the kitchen and then in front of that, to the south, is the living room. Uh, I believe there was a TV stand against the west wall of the living room. She stated, I... to the best of my knowledge, the, there was an Xbox, um, located there and then at some p-, or in the same time, she also stated that she had a PS, I believe she said PS4 that was taken, um, from a back bedroom. Uh, not uncommon for people to have multiple, uh... gaming units. My job primarily there as a backing officer is to allow Jason to do his investigation. I'm there more as an over watch. Yes, I'm observing, 'cause I'm a police officer, I'm always observing. So when she took us to the location, she took us even, uh, so when you come into the front door, if you take an immediate left it leads down a long hallway there. I believe there's two bedrooms and a bathroom. And at some point, she offered to take us down there, so we allowed her to lead us down the hallway, uh, to which she pointed out... in the back bedroom, which would've been the southeast corner of the unit, um... against the west wall, and in that particular bedroom was a TV stand. Uh, there was lots of cables. I tried to give it a-a look over while still maintaining my, uh, my job as a cover officer, um... for Officer Anderson. I tried t-to assess whether or not there was a unit there. Typically, we look for cables that are left behind, that kinda thing. And to the best of my recollection, there was a TV there. Uh, there were several cables, um... And th-the bedroom was in slight disarray. So at that point, it w-, it was hard to tell. Um, there wasn't anything at that point with either spot that either dispelled the possibility that this was a burglary or confirmed it.

DEWEY: OK. And did you notice any damage to the door or anything?

MCNEW: When we initially entered and Officer Anderson began interviewing the subject, she explained to him that she had gone out to the store and either had left her door unlocked or possibly left her door unlocked, and in my position at that point, I was nearest to the door. Officer Ander..wa...Anderson was about to the entrance of the kitchen and I believe the subject was on the other side of the counter, or near there, too. And, uh, when she said that it was left unlocked, I took a step back and I looked at the doorjamb, uh, and I believe even asked her to confirm, 'Did you leave it unlocked?' And I believe she said yes. She, at some point during that, I believe, pointed to the jamb, um, because I was looking for any marks of pry marks, anything like that, and, uh, I think her generic response was, 'Someone must've gotten in.' And I believe she kinda pointed to the general area. At that point, I think there was some marring on the door, but, um, I couldn't tell if it was related to the burglary or if it was old, new, or otherwise.

DEWEY: OK.



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DAVISSON: Hang on one second. Uh, you mentioned that the... the bedroom was in disarray, in slight disarray.

MCNEW: The entire unit was, but I believe the bedroom was... was somewhat messy. I think even on top of the TV there was a bowl of food that looked half eaten and a week old, I mean...

DAVISSON: OK. With regards to the state of the apartment, uh, responding to burglaries, can you, uh, describe how you would normally, or how you've seen burglaries, uh, whether or not, uh... the items that appeared in disarray appeared to be related to the burglary or something else?

MCNEW: Sometimes when you respond to a burglary, depending on the state of the house, you can tell if things have been, uh, what we would call gone through, uh, or ransacked is a more common term. Where drawers have been opened, items have been removed, they've been left open, um, where it becomes clear that... that, in context of the greater unit, is unusual. Uh, in this one, it seemed that there were... objects, personal property that was all about. Um, there was nothing in that unit that stood out from anything else. Uh, and I say that as... If somebody had gone through the TV and pulled the TV out or pulled the... the gaming unit out, I wouldn't have been able to tell the difference in that and the general state of the apartment, which seemed to be, um... somewhat un-kept, um... disorganized in general, with relation to personal property about the apartment.

DAVISSON: And then, uh, regarding the burglary, the details, do you recall what she reported related to the burglary, as in timeframe?

MCNEW: I don't.

DAVISSON: OK.

MCNEW: I don't have any recollection of that.

DAVISSON: No recollection.

DEWEY: Uh, so I'd look t-to go, here, back to, so... your statement earlier. You mentioned how the day had gone, you know, the length of time, you know, the... your memory was, it all happened really fast, um... Now that you've had some time to sleep a-and stuff, um... Do you recall where and how she produced the knife?

MCNEW: Um... Unfortunately sleep hasn't come easy, um, but at this time, I-I still don't have a clear recollection of how that... that part of the event occurred.

DAVISSON: So can you describe that to me? Like, what were you doing just before you saw the knife and then how did, like, what did you see when you first saw the knife?

MCNEW: At the time the knife got produced, um... what I remember in my head is that I was slightly, or at the entrance of the kitchen. Uh, at this point, I was still taking in the whole apartment. I was



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taking in, uh, the locations she said that things were taken. I was also taking in the general disarray. There was... I remember something that caught my attention. There was a pan or something on th-the stove, piled up on top of other stuff, that had what I could only... assume was some sort of dinner th-that looked very old. I remember at the time thinking it looked like meatloaf, uh, that was, you know, several, several days old. So I'm taking all this in, and at the same time, still listening and hearing Officer Anderson getting the final, what I believed were the final details of the interview. He was asking her about her phone number, confirming date of birth, that kinda stuff. Um, so I'm observing this other stuff and then next thing I know... there's a commotion and she's got this knife in her hand. And as I stated in my original interview, I-I know things were being said at that point. I know I drew my weapon, um, and I know I brought it up on target. Um, and as far as the knife goes, I remember seeing a knife. I believed at the time that it was approximately three to four inches and at the first time I saw it, I believe it was in her right hand, or at least the knife that I initially saw, um... But the specifics of where it came from exactly, at that time she was standing on the opposite side of the counter, to the best of my recollection, uh, away from the door, um... But it went from, where I'm just observing a scene, just taking, you know, note of the layout of a scene and hearing my partner asking questions that, if I were doing the interview, would have been the final, you know, the conclusion, just confirming details so that we can put in a report, and next thing I know is, you know, my gun's out, she's on the other side of the counter, she's got this knife, um... We're yelling, she's yelling, um... And then... the rest of the encounter began at that point. It was a-a very, very sudden change. It was very unexpected, from the several minutes of the interview up to that point where she was normal, she was, and I say normal, she was recalling details, um, she was answering questions, she was calm. Um, she was addressing Officer Anderson's questions, she was addressing my occasional question. Uh, her movements all seemed normal, um, and then there's a knife.

DAVISSON: So you mentioned you were lookin' around and then you heard a commotion, or there was a commotion. What do you mean by that?

MCNEW: What I, what I mean by that is I-I'm looking, so my eyes a-are scanning the apartment. I-I'm taking in the detail of the way the apartment looks, and then the next thing that I have a solid memory of is, she's there with this knife and she's moving and her face is... has changed completely from just being, you know, somewhat calm, uh, answering questions to, um... And in my head, it's hard even afterwards to remember the words that were gettin' said back and forth, but I just remember this impression of, just great emotion on her face. And her face was, you know, grimaced and... and there were things being said... And at the same time, you as an officer are instinctually, y-you're drawing your weapon. You know, this person's, you know, six, seven feet away from you and has just pulled out a knife and has started yelling and her... her emotion has changed, uh, completely. Her demeanor has changed. Her physical, uh, posture has changed, uh, so when I say commotion, that's the commotion. It's that you're pulling your gun out, you're thinkin' (unintelligible), you know, you're thinkin' to yourself, like, holy cow, you know, this is... really, you know, just going downhill in a, in a hurry.

DEWEY: So you mentioned her emotions changed and her posture and her demeanor changed, um... Is there any way you could describe what that looks like, as de-, you know, and as detailed as possible?



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MCNEW: During the interview, h-her body language was nonthreatening, uh, very nonthreatening, uh, just very nonchalant. Her responses and her tone in her responses was, um... that of calmness, um... There was no indication of tenseness, uh, in her voice or her body. She moved freely. She walked, uh... walked about the apartment and answered questions. I didn't feel any intensity in her voice, um... She went from... as you and I sitting here just relaxed in our posture, we're talking, I'm asking, or you're asking me questions, I'm responding to questions, to... H-her body became tense. Her face, I j-just remember that, like... It seemed grimaced and her eyes were, you know, tightened and her face was tightened and she was... I know she was yelling at us, I just... I've heard my audio, so I-I know some of the things she was yelling at us now, but at the time, I just, you're seeing... You're hearing it, but it's not, it's not registering. You're seeing just th-the physical, um... Like, th-the pain in her face, you know, it's just very tight and, uh, I believe the knife, you know, she had the knife in h-her right hand. Um, and it wasn't just, you know, it wasn't sitting down by her side. Her body wasn't relaxed. Her shoulders weren't down and calm. You know, everything about her just looked tight, uh, and the arm was up and she was, you know, yelling at us, um...

DAVISSON: I wanna...

MCNEW: That is the best as I can...

DAVISSON: Say something else. I'm sorry. You said the pain in her face. What do you mean by that?

MCNEW: When I s... So when someone's got a relaxed face, th-their cheeks, their eyes, everything's calm. This went completely opposite. Everything was tight, um... It's hard to describe, um, you know, I can describe physiologically, you know, her muscles were tightened, her eyes were tightened, um, her mouth was tightened. But i-it's really hard to convey without seeing it. I think we've all seen when someone becomes very upset and their face tightens and they begin yelling and everything about their posture, uh, becomes very... constricted and... It's a hard one t-to try and express...

DAVISSON: Sure, sure.

MCNEW: Without... without seeing it.

DAVISSON: More specifically, had she been injured at that point in time?

MCNEW: Not to my knowledge, no.

DAVISSON: OK.

DEWEY: So... Then you mentioned that she's holding the knife. Do you recall how she's holding the knife?

MCNEW: I don't. Uh, she was holdin' it by the handle. Uh, I saw... the blade end of the knife, but I don't recall specifically, um... how it was in her hand.



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DEWEY: Do y-, do you recall, was the blade facing up from her hand? Was the blade facing down from her hand?

MCNEW: I don't recall.

DEWEY: OK. Could you see her other hand at that time?

MCNEW: I don't know. I was focused in, wh-when this initial moment happened, um, it was almost, I mean, I saw her, but... You see the weapon and i-it fills your vision, uh, because that's what we do, is w-we... see threats. We see the thing that's the most threat to us. And while I could see, you know, I could see her posture, I could see her face, you see that blade and you focus in on it. So if I could see the other hand, I certainly wasn't focused on it at that point. I saw the first thing that, you know, wh-when I locked onto that knife, th-that's what I saw.

DEWEY: So you could see the blade and, uh, and you just, you mentioned it was about three or four inches in length. Could you see the handle?

MCNEW: I don't recall.

DEWEY: OK. And then you mentioned she came overhand with the knife, and, uh, can you describe that motion?

MCNEW: Th-the knife was up. Um, at the point in my initial interview when I explained she came overhand, at some point, uh, when I was on the other side of the counter, um, using the counter as a barrier between us, her hand... came very clearly up and my interpretation was that, at that point, she was gonna throw it at me.

DEWEY: So I see you're makin' a motion with your hand.

MCNEW: I am, I-I'm...

DEWEY: For the purpose of audio, can you describe...

MCNEW: I-I'm raising my arm, um... So essentially, uh, and the reason I interpreted that she wanted to throw it is that the level of her hand came clearly above her shoulder, um... in a motion, based on the physical layout of the apartment with the barrier between me, that when she came up, in the (unintelligible), the knife was then in an over... overhand position, over her shoulder, about level with her head at the very least, uh, that motion, to me, was like the windup of a baseball player that's about to throw something and... at that moment, that's when I-I ducked.

DEWEY: OK. Can you describe that ducking motion?

MCNEW: Um... What I remember about it is that I remember seeing her and when the arm went up, I remember thinking in my head, she's gonna throw this at me, um... And I believe I twisted my body, uh, at the waist, bent my legs, and lowered the front half of my body in a twisting motion



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away, to protect my face. And I believe I brought up my... left hand to guard, um, to guard my face against the possibility of that knife coming down on me.

DEWEY: OK. And so did you lose sight of her?

MCNEW: After that moment, yeah.

DEWEY: How long do you think... you lost sight of her for?

MCNEW: A fraction of a second.

DEWEY: OK. So once you saw her again, can you describe what she was doing with her... her body? Her hands?

MCNEW: I recall ducking and expecting to feel the knife and I didn't feel the knife so I immediately came back up. In listening to my audio, I-I remember, I have a memory in my head of her having two knives in her hand. And after being able to listen to my audio, I believe it was at that point where, uh, we were able to start trying to get emergency calls over the radio and I said, 'She has knives.' Uh, if memory serves me right. But my recollection is that when I came back up, I see her again on the other side of the counter, but now I'm taking a fresh look at her and I remember seeing similar knives, or similar length knives in both hands at that point.

DEWEY: And so can you describe the other knife?

MCNEW: The only thing that I have any memory of is that they were similar. I don't... I don't recall... what the handle looked like. I just, I remember that they were, they appeared similar in length, um... to the best of my recollection.

DEWEY: OK. A-and y-you were... You were holding your hands in front of you in fists. Can you describe, you know, as far as what that looked like to you.

MCNEW: To my memory... Like I said, i-it all happened so fast and you're tryin' to take it in a-as quickly as you can 'cause you're tryin' to survive this thing. Um, it was knives in both hands, um... blades forward, and I believe, uh, she had the knives presented forward of her body, so to do that, uh, what I'm trying to describe is that in my mind, i-it's much like this. So m-my arms are bent at the elbows. The knives would've been forward of her body, um, in a presentation towards me.

DEWEY: Do you recall if the blades were facing you?

MCNEW: I believe they were, yeah.

DEWEY: OK.

BUCK: I'm sorry, pointed toward? (unintelligible)



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DEWEY: Pointed toward you.

BUCK: OK.

DEWEY: Sorry. Correction noted, thank you. So... So you're getting out on the radio, calling for help. What were her actions at that time?

MCNEW: So... At that time, she's on the other side of the counter and I'm gettin' on the radio, calling for help. And I believe she's still yelling at us and she's startin' to move. So she's in the living room. She's on the, what would be the south side of the counter in the living room. I'm on the north side in the kitchen. And she's beginning to move towards the east end of the counter, which is the, uh, passageway that takes you from the living room into the kitchen, to the door, into the rest of the apartment, um... She was moving towards that. And we were yellin' at her, um... And I believe the radio traffic happened r-right in that period of time.

DEWEY: OK. A-and you said you were in the kitchen?

MCNEW: Yeah. At that time, I was in the kitchen.

DEWEY: OK. So when... when she's making this movement and you're in the kitchen, like, h-how did that... affect where you were?

MCNEW: As I'm processing the steps of this, and like I've said before, in my head I'm going through all these decisions or going through all these options, um, where do I go, what are the dangers, where is she going, um... where is my partner at, um... As she's doing this movement, I'm processing... through these steps and in my head, I'm... wanting her to stop, I'm wanting, you know, we're yelling at her. We're yelling at her to try and get this thing t-to slow down and to stop. And she's continually moving. So I'm going through the decision where, initially, when I was in the kitchen, you know, the knife comes out, you address the subject, to the thought process of, the door is to my left and then I remember very distinctly remembering at that point that there's two, what I thought were infants at the time, at her feet. Um, so she's presented the police with weapons. She's yelling at us. And now I've got a couple of options. At that point I had a barrier between me, um, to prevent her directly coming to me. I've got the door to my left, which is a possible escape route where my partner should be. And I'm thinking to myself... what to do next. And I remember very distinctly thinking, there's kids at her feet, I can't run out of here. And she keeps moving. So as she's moving, those decisions a-are getting modified. So she's moving away from where the kids are, but now she's moving to a position where she's about to cut me off. And I'm in the kitchen and the angle that she has is where she's closer to that cutoff point than I am. So the escape becomes improbable or impossible. And she's closing that gap. And in my head, the thought is as she's going over towards Jason, but then th-the realization came that she's about to take another step. And the longer I wait, you know, the longer we're yelling at her, she's taking this step and she's very soon gonna have me cut off completely, to where I'm trapped in a-a kitchen that... to the best of my recollection might've been three by seven-foot-long in that space, um, with a bar height counter on one side and walls on the other two. And so that was the thought process as she was moving. That's, you know, that's where my head was at.



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DEWEY: OK.

MCNEW: And so at the end of that it becomes, if she comes any further, one, she's gonna be able to get me, and two, I know my partner's over here, so I'm gonna get to the point where she's gonna have my partner in direct crossfire, which presents me with... no good option for survival. Potentially, my partner, if he decides to shoot, I'm in direct crossfire. If I shoot, I'm putting my partner at risk. And that's what was going through my head at the time when she was moving.

DEWEY: OK. And when you said, when, that she was gonna, she could get you, what do you mean by that?

MCNEW: So what I mean by that is that she would have access to me directly. She would have no barriers in front of me. And the concern with that at the time, based on the level of threat she's presenting, is that she would be in a position to use the knives to severely injure me and or kill me.

DEWEY: OK. Now, how far was she when, from Officer Anderson, when he was interviewing her, towards the end there, do you recall?

MCNEW: To the best of my recollection, I think she was either at the corner of the counter or just around it, uh, but on the end section and he was... maybe three feet, four feet away from her.

DEWEY: OK. And then when she produced the knife, do you recall how far she was?

MCNEW: From Officer Anderson?

DEWEY: From Officer Anderson.

MCNEW: Quite frankly, when... when I realized that there was a knife in this encounter, uh... your vision greatly diminishes, and what I mean by that is not that I could see less, but the focus of your vision, uh, diminishes. I knew based on my senses of hearing, um... and I don't recall if I saw his direct movement, I knew he was, I knew he was over to my left somewhere. But my focus was her and the knife.

DEWEY: OK. How far do you think she was from you?

MCNEW: At that point, um, it couldn't have been more than four or five feet.

DEWEY: OK. Now, can you describe her clothing in more detail?

MCNEW: The only thing that I remember distinctly about her clothing is that she was wearing some sort of coat. And I don't know, um, brand or, I-I remember it being dark. And she was wearing this coat. Uh, it wasn't... uh, it wasn't a very large coat, as far as i-in, like, puffiness, but I remember in my head that... thinking it looked somewhat like a North Face jacket, which would



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be like a-a medium to... uh, small down type jacket, um... If I remember correctly, I wanna say it was... a length approximately to her upper thigh and/or pelvic region, um... And as far as pants, I don't, I don't recall pants, or shoes, or...

DEWEY: Do you recall if the coat was buttoned or unbuttoned?

MCNEW: I don't remember seeing it open. Um, all I remember it was... It was together. Her pockets... If it was unzipped, um, I didn't notice. I remember she had a... what seemed to be kind of a long pocket, at least on the side that I was most of the time, um... kind of right about where her stomach would be. Um, and I just recall because at some point she had put her hand in it and so I had noticed, uh, and then she took her hand out. But I don't recall if it was buttoned, or... I don't remember it...

DEWEY: OK.

MCNEW: Seeing it flopping about.

DAVISSON: Uh, do you recall if it had a hood?

MCNEW: I don't.

DAVISSON: OK. Now you can ask that (unintelligible).

DEWEY: I was gonna ask the next question there, yeah, um... So you mentioned she put her hand in her pocket (unintelligible). At any point in time, I mean, did you have any frisk factors? Was she the suspect in a crime?

MCNEW: Oh, absolutely not. No. She w-, she was the victim, reporting party. Um, the reason I... We were observing her, uh, given her officer safety information. We go in and we make an assessment. You know, we're observing her, we're observing her demeanor, and everything about her demeanor presented as she... stated in her call. She was the victim of a burglary and wanted to report it, um... Frisk factors would've been, you know, sh-she's not a suspect. She can put her hand in her pocket. I note it because I'm a police officer and I note when peoples' hands, you know, disappear or go in pockets. But even with that... that part of her encounter, when she put her hand in her pocket, I remember noting it, but then her hand came out. And, you know, we're always watching hands, but I'm not going to... frisk someone who's a cooperative victim, who's providing the details of the burglary. And she didn't do anything with her hand at that point that would give me further concern. Um, so yes, while I noted it because that's what we do, w-we see those kind of things, it didn't give me concern.

DEWEY: OK. And typically what kind of things do you need in order to frisk somebody?

MCNEW: Frisk factors can be a lot of things. For a potential suspect, um, frisk factors can have to do with how many officers are present, um, the clothing that someone's wearing, if it's possible that it could be, um, hiding a weapon, identifying suspicious bulges, anything that may look like somebody concealing a weapon, um... There's certain crimes, you know, often drug related, uh,



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offenses, drugs and weapons tend to go together, um... So the severity of the crime, um... The location, the time of day, uh, previous knowledge of the suspect having weapons can play into that, um... But again, we're talking about suspects. You frisk suspects. You don't go in and frisk a victim, um... You assess, in this case... what are we here for? We're here for a burglary. We've got somebody who's cooperating, who's calm, who's reporting that burglary. She sticks her hand in her pocket, or even wearing a slight coat, lots of people wear coats in their home. Coats, sweaters, that kinda thing. I didn't get presented with anything... Until the point of the deadly force encounter, there was nothing there that, in my training, made me feel that she was a danger to us, or that gave me alarm.

DEWEY: OK.

DAVISSON: Um... So specifically getting back to the knife when you first noticed it, um... You had two different motions that you made and I just wanna clarify those for audio. Uh, originally you had, uh, your arm out in front of you. Can you describe that? When you first saw the knife, how as she being, how was she holding the knife when you first saw it, to where, then you believed that she was throwing it at you? Does that make sense? So can you describe that to the best of your ability for the audio?

MCNEW: So...

BUCK: Just to clarify, Sergeant, but you're asking before the baseball type throw he described...

DAVISSON: Yes.

BUCK: You want him...

DAVISSON: So he made a motion with that and he didn't describe that. And then he described bringing it up.

BUCK: OK.

DAVISSON: And I just want him to describe how he saw it when he first saw it. He described the baseball motion well, but I want...

BUCK: Got it.

DAVISSON: I want it for the audio what she looked like when you first saw that knife.

MCNEW: So my first memory of the knife, um, and I'll try and describe this, obviously, as best I can for the audio. My first observation was that it was presented high enough that it caught my attention. She was roughly at the end of the counter, um, so I would have to say that she had the knife approximately chest high. Um, she was holding it by the handle with the point outwards, um, and she's very animated at this point. Once... once her demeanor changed, it became very animated, so there was movement, but I just remember seeing that knife and it would've been approximately chest high. It would've been presented blade forward, forward of her body, uh,



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and up to the side of her body, uh, elbow... elbow bent, um... It wasn't... I can tell you what it wasn't. You know, her arm wasn't just hanging down to her side. It was in a way where I saw this knife and I interpreted it that it was being presented, uh, in a threatening manner towards us, so... Beyond the general region of where I can remember it and being presented, you know, forward and off to the side of her body, that's what I recall about it.

DAVISSON: Which way was she facing at that time?

MCNEW: She would've been facing north. So she's on the end of the countertop t-to the tip of the countertop, uh, towards the opening. She would've been facing us. So we were on the north side of her at that point.

DAVISSON: So she was facing both of you at the time?

MCNEW: I mean, like I've said before, uh, once you see the knife, you know, your partner, you know, you know he's there but you don't know... We were both, he was still talking to her and I was just to the side of him at th-, at the point when this encounter started. So as far as pointing it at both of us, she was pointing it at me. So wherever Jason was in relation to me at that point, um, would determine whether she was pointing it at him or not.

DAVISSON: Do you recall how far you were away from Jason at the time?

MCNEW: I think when it initially happened we were within feet of each other.

DAVISSON: OK. And then, um... So she was facing, roughly facing you with the knife when you first saw her. When she was going, uh, when she appeared to want it, want to throw the knife, which way was she facing?

MCNEW: She was squared off to me.

DAVISSON: OK. And then you duck away, you look back, do you recall who or what she was facing at that time?

MCNEW: She was still squared towards us. She was still... She was squared, north facing in the, i-it's hard 'cause we're in an interior apartment, so I'm sorry, I'm trying to, you know, process where that is layout wise, but she would've been facing northbound.

DAVISSON: And then, um... At the time th-that you fire shots, do you recall what part of her body was visible to you? What... uh, not necessarily what your target location was, but which way was she facing at the time?

MCNEW: The front of her body was facing towards me.

DAVISSON: OK. All right. I think that's all I have at this time. We'll do a step out.



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DEWEY: OK. OK, so at this time, then, myself, Sergeant Davisson, your SPOG rep, attorney, and the OPA rep are gonna step out. I'll remind you that the recording will stay on. Uh, Detective Corbin will remain in here, but again, try to limit conversation if possible for transcription purposes, OK?

(unintelligible talking in background)

CORBIN: Feel free to use the bathroom if you need to.

MCNEW: Sure, thank you.

(long pause)

DEWEY: OK, for the record, we are... Everyone's back in the room, um... Do you recall the color of the blade?

MCNEW: Metal. I mean, like a... shiny, silver type metal.

DEWEY: OK. And do you recall the, what kind of lighting there was in the room at the time?

MCNEW: I don't.

DEWEY: OK. Uh, during the time you were... in the apartment, did you observe any weapons?

MCNEW: Nothing that I r-recall taking note of.

DEWEY: OK. Did you scan for weapons?

MCNEW: Not specifically for weapons, no. I mean, I was scanning the apartment just in general.

DEWEY: OK, um... What I'd like to do now is-is ask, in your earlier statement you mentioned that you had yelled out to Officer Anderson to tase her.

MCNEW: TASER, yeah.

DEWEY: TASER. Uh, what I'd like you to do if... real, if possible, can you, to the best of your ability, draw a sketch of where you recall everyone being when you yelled out to tase her, or TASER?

BUCK: Uh, could I ask a s-, just for clarification here, my recollection from listening to it and Karen's recollection from the initial interview is that he said TASER, as in a device, TASER. Not tase her.

DEWEY: Sorry, TASER.



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BUCK: Can we get that clarified first?

DEWEY: Did you say TASER like the brand or tase her?

MCNEW: TASER, T-A-Z-E-R.

DEWEY: OK. So TASER. So, then... thank you for that. So can you draw a sketch please, then, of where you recall being or where you recall everyone being when you yelled out, 'TASER!'

MCNEW: OK. (long pause) Uh, for the purposes, I'm just gonna limit to the kitchen doorway and living room.

DEWEY: Sounds good.

MCNEW: And then, to my recollection, Jason was in this vicinity here.

DEWEY: OK.

DAVISSON: Was the door open or closed?

MCNEW: Uh, I've been asked that question and honestly I don't recall.

DAVISSON: OK.

MCNEW: From this point, um, the only thing I can say is I was in here, I was focusing on her, and I don't recall having direct sight of Jason.

DAVISSON: So, well, never mind. We'll leave it the way. Can you just, uh, label door, then? And put initials where you believe, you know, in that general area. Then, just... that would be him.

DEWEY: OK. And then, uh, signature, serial, number and date, please. And it's the 22nd.

MCNEW: Sorry, what was the date?

DEWEY: June 22nd. I don't have anything further, do you? Um, OK. At this time, I don't have anything further. Do you have any questions?

MCNEW: Uh, no.

DAVISSON: Or anything that you want to get on there.

MCNEW: Um, not at this point, no.



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DEWEY: OK. Well, then that will conclude the interview. Today's date is still June 22nd, 2017 and the time is now 1130 hours.