

Questions remain after fatal shootout - Patriot-News, The (Harrisburg, PA) - January 25, 2018 - page A12

January 25, 2018 | Patriot-News, The (Harrisburg, PA) | Christine Vendel | Page A12

DEPUTY U.S. MARSHAL SLAIN

Kevin Sturgis first fired upon police officers from a second-floor perch inside his girlfriend's home, then barged out the front door, gun in hand, where he continued to fire at officers, according to officials and neighbors.

Amid the deadly assault against the U.S. marshal's task force at a home in Harrisburg last week, the rest of the team stayed focused. While some officers tended to the wounded, others refused to let the gunman get away.

Despite the danger, officers answered Sturgis' gunfire in the middle of the street with their own and eventually tracked him down in the dark behind a parked car where he was trying to hide.

An officer shouted, "Don't move," according to one neighbor, then the officer fired a series of gunshots at Sturgis, ending the violent ordeal. Sturgis died in the street.

A deputy U.S. marshal also died and two officers were hit, one wounded.

A week after the tragedy, many new details have been revealed but just as many details remain unknown.

How many times was the gunman shot?

An autopsy of the gunman, **Kevin Sturgis**, 31, of Philadelphia, was completed Tuesday.

The Dauphin County coroner's office confirmed that Sturgis died from "multiple gunshot wounds to the body," according to a statement. The manner of death has been ruled homicide.

The statement did not say exactly how many times he was shot or where the wounds were on his body.

How was Deputy Hill fatally injured when he was wearing a bullet-resistant vest?

Deputy U.S. Marshal Christopher D. Hill was wearing a bullet-resistant vest, along with every member of the team that served the arrest warrant in the 1800 block of Mulberry Street.

But the vests don't cover all areas of an officer's body and in Hill's case, a bullet was able to penetrate a gap near his armhole when gunfire rained down from the second-floor. The bullet penetrated his chest.

Jeff Cook, a Harrisburg officer struck by a bullet to his chest outside the home, however, survived being shot.

“He pointed to me where the bullet struck on his body armor,” said District Attorney Fran Chardo, “and it looked like it would have been a fatal wound if he had not had on body armor. Unfortunately with Chris Hill, the body armor, it isn’t going to cover every area of your body, so it did not save him.”

The officers with the task force wear vests reinforced with steel plates to boost their effectiveness beyond what patrol officers typically wear, because of the high-risk nature of tracking fugitives and serving warrants.

When was the last time a deputy marshal was killed in Pennsylvania?

Hill arguably is the first trained deputy marshal killed in the history of Pennsylvania.

There was one previous marshal killed in 1851, but he was a slave-owner from Maryland who was deputized two days before his death to be able to track down runaway slaves that he believed belonged to him.

The former slaves were hiding in an abolitionist town in Lancaster County. Edward Gorsuch was with a posse that unsuccessfully tried to retrieve them.

Gorsuch’s name is listed on the U.S. marshal’s Roll Call page as the third deputy to be killed in marshal service history.

Across the country, more than 200 deputy marshals have been killed in the line of duty since 1794, including one last year in New York, one in 2016 in Georgia and two in 2015.

How many fugitive task force members served the warrant in Harrisburg?

At a news conference eight hours after the shootout on Mulberry Street, officials said they believed there were seven task force members serving the warrant against Shayla Towles Pierce.

But since then, officials have corrected the record to note that nine task force members were part of the warrant service.

The confusion arose because seven members of the task force came from local and state agencies, and were temporarily assigned to the task force. Meanwhile two members, including Hill, worked directly for the marshal’s service.

Who’s on the U.S. Marshal’s task force?

Various state and local agencies have the choice to donate the time of officers to a U.S. Marshal’s task force.

The arrangement is mutually beneficial, according to officials. The marshal's service, which employs 4,000 federal officers across the country, benefits from the boost in manpower. The local agencies, meanwhile, get valuable experience, and access to marshal service assets and authority.

Some agencies, like Harrisburg, donate an officer full-time to the task force, while other agencies might only donate their officer for a certain number of hours per week.

The Harrisburg officer assigned to the task force, Jeff Cook, is in his sixth year working for the marshal's service during three different stints.

Other agencies that participate in the task force include: York, Lancaster, Lower Paxton, Pennsylvania State Police, the Dauphin County sheriff's office, and county and state parole offices.

The Middle District's marshal's task force travels all across the region serving high-risk warrants for fugitives. It's one of many marshal task forces across the state and country.

Why was the fugitive task force in Harrisburg?

Warrants typically tackled by the task force involve felonies, with those involving violence and children getting the highest priority, according to Deputy Marshal Bill Pugh, an agency spokesman.

But Pugh acknowledged that some cities have lots of felony warrants for violent crimes and the marshal's service isn't called out for most of them. Instead, the task force specializes in suspects who "have fled the jurisdictional boundary," Pugh said.

That's typically when local agencies reach out to the marshal's service for help, Pugh said.

If someone suspected of a violent crime in Harrisburg was believed to be hiding in Philadelphia, Pugh said as an example, it makes sense to call in the marshals since they have arrest powers across city and state borders.

While the warrant in Harrisburg was ostensibly for Pierce for a gun violation and two misdemeanors, her boyfriend who frequently visited from Philadelphia appeared to be a more likely target of a marshal's operation.

Pugh declined to comment about that when asked, but noted that the full story behind the raid would eventually come out at the conclusion of the investigation.

Did the wounded officers return fire inside the house?

When PennLive toured the home where the shooting occurred, a repairman was patching holes in the wall and the home was in disarray after officers thoroughly searched the property.

When officials gave a general rundown of the fatal shooting, they did not indicate whether Hill or York Officer Kyle Pitts returned fire inside when **Kevin Sturgis** first opened fire at them.

Instead, U.S. Attorney David Freed said the officers were hit and then "members of task force

removed the wounded officers from the residence and established a perimeter around the residence.”

The suspect continued firing as members of the task force dragged their fallen comrades out of the house, according to reports.

PennLive was allowed into the home after police finished collecting evidence the next day and the only visible bullet holes were concentrated in the stairwell.

Several bullets penetrated through the back of the stairwell, into a dining room, while some holes in the stairwell punctured the wall at the bottom of the stairs.

A statement from Harrisburg police Monday night said Hill was injured “during the exchange of gunfire,” but the exact sequence of events was still unknown as investigators were just starting to interview officers.

Officers are typically allowed several days after a police shooting before providing a full statement.

How old were the children inside the home?

Pierce has two sons, ages 13 and 9, and both were inside when the task force arrived shortly after 6 a.m.

Officials said Pierce and her children appeared at the top of the stairs and that Pierce was then taken into custody. Pierce and the children then presumably came downstairs, where Pierce was placed into handcuffs, because officials said the officers then were suddenly surprised by the sound of gunfire “that appeared emanate from the second floor.”

Dauphin County District Attorney Fran Chardo noted the recklessness of Sturgis opening fire with children in the home.

“He was firing indiscriminately,” Chardo said. “He’s firing at people he knows are law enforcement officers and firing with children close to the line of fire.”

After the ambulances ferried away the wounded officers, a neighbor saw an officer carry Pierce out the back door. Then neighbor also saw Pierce’s teenage son walk out the back door into the snow without shoes. His younger brother also was escorted out the back.

They boys are now staying with a grandparent, according to neighbors.

How many officers fired shots?

Multiple officers fired at Sturgis after he opened fire at them, Chardo said, but no one has publicly confirmed the number of officers or who may have fired the fatal shots against Sturgis.

That officer, according to some neighbors, bravely marched down the darkened sidewalk amid the chaos using a flashlight to find Sturgis hiding behind a parked car.

"A limited number of officers fired," Chardo said, noting that the fatal shots are something that could be determined through testing."

Harrisburg Mayor Eric Papenfuse previously said his city's officer was among those who fired at the gunman after being shot in the vest.

The officers' exact positions during the warrant aren't publicly known, but neighbors reported seeing three officers in front of the house. One officer was on each side of the front of the house and a third was standing in the middle of the street.

Hill and York Officer Kyle Pitts were inside the house and the exact location of the other four officers are unknown. But it's likely at least two were positioned behind the house.

How did neighbors react during the shooting?

Some neighbors were asleep and roused by the sound of gunfire, while other neighbors were newly awake, preparing coffee when the first shots rang out about 6:10 a.m.

Diane Stinson said she heard three gunshots from inside the home, then she ran onto her front porch to see what was going on, without being terribly concerned for her own safety.

She said she saw the gunman run out the front of the house and down the street. It was dark outside so she couldn't make out exactly what was happening. She saw an officer crouched across the street, saying into his microphone, "Officer down. Officer down." That officer then darted back to her side of the street and eventually fired over a parked PT Cruiser to a location where Stinson later determined the gunman was apparently hiding.

Another neighbor closer to the street shootout said the gunman came out the front door, pointed a gun at an officer in the street and dove off the front porch.

The gunman rolled in between parked cars and occasionally popped up to fire at officers.

The gunman then ran down the street as officers fired at him.

Another neighbor looked out her back window to see officers furiously trying to save Hill's life on the back porch. Another wounded officer was in the backyard. She grabbed her grandchildren and hid in her basement after she heard a volley of gunshots. She didn't want to risk anyone getting hit with errant gunfire.

When police asked her to evacuate her home later, she said the street was littered with shell casings, making it hard to get to her parked car without stepping on them.

What do we know about the gunman?

Sturgis lived in Philadelphia but he traveled frequently to Harrisburg in recent years. He had a 2013 arrest for drug charges in Harrisburg and neighbors said he had spent much of the past five

months on their block, staying with Pierce.

Sturgis was kind to many neighbors on Mulberry Street, even bringing a candle and card to one neighbor on her birthday along with Pierce. The couple serenaded her with the birthday song.

The gunman who killed the officer “wasn’t the man we knew,” the neighbor said, declining to provide her name.

She said Sturgis’ behavior on the block gave them no indication of his criminal record or potential for violence. Instead, Sturgis made a good impression on them, and Pierce’s landlord, who had also met him.

Sturgis had bounced in and out of jail for some of his early offenses but was facing a longer prison sentence for his most recent conviction for illegal possession of a handgun.

He had been dodging authorities on that conviction for a full year.

In the gun case, which dated to April 8, 2014, city police officers stopped a car for a stop sign violation. Officers said they saw the driver, later identified as Sturgis, moving something with his right hand.

They recovered a .40-caliber semi-automatic handgun from the car’s center console.

According to a prosecutor’s memo about the case: Philly prosecutors wanted Common Pleas Judge Giovanni Campbell to sentence Sturgis to five to 10 years in the state prison system.

And that was before the task force would have potentially arrested him with a gun again in Harrisburg last week.

“The mere act of him picking up the gun was in and of itself a felony,” Chardo said. “Even his juvenile adjudication for rape made him ineligible to even carry or touch a firearm ... so this is a person who should have never ever had a gun.”

How are the wounded officers recovering?

York City Police Officer Kyle Pitts has been released from Penn State Milton S. Hershey Medical Center, according to a CBS21 report. Pitt was shot in the elbow and underwent two surgeries. He is facing additional rehabilitation and procedures after the shooting.

A GoFundMe campaign sought to raise \$5,000 for Pitts and has raised more than \$9,000 as of Wednesday. The fundraiser was started so Pitts and his family don’t have to worry while he recovers. His wife, Tiffany, is a detective with York police. The extra money raised will be donated to Hill’s family.

Harrisburg Officer Jeff Cook was examined at a hospital after he was struck on his bullet-resistant vest, but did not need to be admitted. He remains on paid administrative leave, which is the standard procedure for officers involved in police shootings.

Cook will be able to return to work once the district attorney rules on the whether the shooting of Sturgis was justified. Chardo noted, however, that “on its face it appears to be a justified use of force.” Cook also would need to undergo medical and psychological evaluations before returning to work, which is standard procedure.

Will the woman at the center of the arrest warrant face new charges?

It seems unlikely that Pierce, 30, would be charged in connection with the murder of Hill, Chardo told WITF's Scott LaMar. But she could face additional charges for other crimes, he said.

Pierce already was in handcuffs before Sturgis started shooting at police, he said.

“She certainly wouldn’t be an accomplice to the murder,” he told LaMar on Smart Talk. “You would have to have, in order to be an accomplice to murder, you’d have to have the shared intent.

“Whether or not she’s guilty of other crimes, that’s an ongoing investigation,” Chardo said, “And it is ongoing and we’re working diligently toward that.”

The FBI is taking the lead on the criminal investigation while Chardo’s office is focusing on the details of the police shooting.

Copyright, 2018, The Patriot-News Co. All Rights Reserved. Used with permission.