

Police cleared in K-9 dog case

Hall, Christina . Detroit Free Press ; Detroit, Mich. [Detroit, Mich]29 Nov 2018: A.1.

[ProQuest document link](#)

FULL TEXT

Macomb County law enforcement authorities have cleared St. Clair Shores police officers in the fatal shooting of a Detroit man earlier this month in what they said Wednesday was an exchange of gunfire that also left a K-9 dog dead.

County Sheriff Anthony Wickersham discussed the investigation during a news conference Wednesday at the sheriff's office. St. Clair Shores Police Chief Todd Woodcox also attended.

The investigation raised the possibility that Axe, the St. Clair Shores police dog, may have been killed by friendly fire instead of by the suspect as originally reported.

The results of the investigation come less than three weeks after the Nov. 4 shooting of Theoddeus Gray, 29, of Detroit outside Lakeland Manor in St. Clair Shores.

Authorities had originally said that officers opened fire on Gray after he shot Axe, a police dog, with a handgun. But at Wednesday's news conference, Wickersham said it is unclear who shot Axe and that officers began firing at Gray after he pulled a gun from his waistband and fired a shot at them while running away.

He said Gray was shot six times — once each in the head, left back, left arm, left thigh, right thigh and right foot. He said there was no puncture from a K-9.

Wickersham said five officers fired a total of 48 shots during the Nov. 4 incident. None of the officers was hit. After the dog was struck, he ran back toward Lakeland Manor and was found by a side door, Wickersham said. Axe was taken to an animal hospital and died.

Wickersham said ballistics information is pending on bullet fragments found inside the police dog on its left front leg and right shoulder blade.

Gray's FN57 5.7mm pistol is believed to have jammed after he fired the first shot, Wickersham said. He said the gun was found under Gray, and that a loaded, AK47 semi-automatic rifle was found next to the banquet hall, though he released no additional details about that weapon.

Wickersham said in the first engagement with police, Gray was running with Axe behind him. Offscreen in a video, a round was fired, hitting the ground. He said Gray fired in the direction of officers, who took cover and fired.

The sheriff said Gray was struck and continued to flee. He said officers gave Gray commands to drop the weapon and a witness heard the yelling and saw Gray's weapon come up in the second confrontation with police.

"If the gun didn't jam, he had 20 more rounds to fire at law enforcement," Wickersham said, adding that the gun Gray had is the same type of weapon used by the sheriff's SWAT team.

Vince Colella, an attorney representing Gray's family, said he and the family "look forward to reviewing all the evidence" and are "very disappointed" based on what they saw Wednesday. He delayed in giving his opinion until he sees what the evidence shows.

But Colella said he has "so many questions," such as whether the frantic 911 call from a banquet hall employee who said Gray had a long gun, was occurring simultaneously on the video released Wednesday by the sheriff's office as Gray and a group of people were seen congregating around the door. He said he didn't see a gun in any of the video he saw.

Gray was attending a baby shower for his first child at the time of the incident.

Family spokesman Oliver Gantt previously said that Gray was shaking hands and greeting people, according to

information he received from Gray's family. Gantt wasn't there, but he said something happened in the hall —an exchange of words —between Gray and his pregnant girlfriend's family.

Based on information coming from an FBI agent and a confidential informant source, Wickersham said, police believe Gray was expecting a fight or confrontation of some sort. He said Gray was agitated inside and outside and that multiple party guests were in possession of weapons.

"There was gonna be a shootout in St. Clair Shores that night," Wickersham said.

City police said officers responded to the hall after receiving calls of a man with a rifle outside. About 70 people were inside, police said.

"Upon officer arrival, a male matching this description was observed standing outside the banquet hall," an initial news release from St. Clair Shores Police stated. "The male ignored several demands from officers and attempted to flee the scene on foot."

Authorities said the police dog was released to go after Gray just before the gunfire erupted.

Gray's relatives, contacted through spokesman Gantt, declined to be interviewed for a prior Free Press article.

Wickersham said at the news conference that his agency reached out to Gray's family, sending letters through an attorney, to get their side but they have yet to contact the sheriff's office.

Colella said he's not certain what letters Wickersham was referring to, adding he hasn't received any letters from the sheriff's office requesting anything of them. He said there was a call from a deputy sheriff requesting names of witnesses that could speak to them, but Colella wasn't aware of any additional witnesses.

"We have nothing further to add to the investigation," he said. "The onus is on the department to take those witness statements. It's not up to the family to do the investigation for them."

Gray's family also hired an independent medical examiner.

Gray had runs-in with police, including a two-year prison sentence on a drug charge in 2013.

On Nov. 14, a memorial service complete with law enforcement canines and bagpipes, was held for Axe, a 4-year-old German shepherd, at the packed Assumption Greek Orthodox Church in St. Clair Shores. The hour-long service occurred three days before the funeral for Gray.

The tragedy brought together many in the lakeside community, who adorned their homes and businesses with blue lights in support of Axe and police, but raised questions by others, including Gray's family, about what happened that night.

"It's tragic anyone lost their life," Woodcox said Wednesday, adding that the sheriff's investigation will be used for future training with his officers.

The incident was among five officer-involved shootings in Michigan in November, four of them fatal. The most recent one occurred on Monday, when a state police trooper shot and wounded a 26-year-old man after a car chase on I-96 in Livonia. Authorities say the man had shot and wounded his wife and then abducted her from her job in Livonia. Both the man and his wife remained hospital, police said Wednesday.

Contact Christina Hall: chall@freepress.com. Follow her on Twitter: [@challreporter](https://twitter.com/challreporter).

CREDIT: Christina Hall

DETAILS

Subject:	Shootings; Police dogs; Law enforcement; Police; Investigations; Deadly force
Location:	Macomb County Michigan Michigan St Clair Shores Michigan
Publication title:	Detroit Free Press; Detroit, Mich.
First page:	A.1

Publication year:	2018
Publication date:	Nov 29, 2018
Section:	Obits
Publisher:	Gannett Co., Inc.
Place of publication:	Detroit, Mich.
Country of publication:	United States, Detroit, Mich.
Publication subject:	General Interest Periodicals--United States
Source type:	Newspapers
Language of publication:	English
Document type:	News
ProQuest document ID:	2139005202
Document URL:	https://search.proquest.com/docview/2139005202?accountid=14026
Copyright:	Copyright 2018 - DETROIT FREE PRESS - All Rights Reserved.
Last updated:	2018-11-29
Database:	Global Newsstream

LINKS

[Check SFX for Availability](#)

Database copyright © 2019 ProQuest LLC. All rights reserved.

[Terms and Conditions](#) [Contact ProQuest](#)