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Officers cleared in fatal shooting; Sheriff says St. Clair Shores cops' use of deadly force was justifiable

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Body

Mount Clemens - Police used justifiable deadly force during an incident in which a 29-year-old Detroit man and a St. Clair Shores police dog were shot to death, Macomb County Sheriff Anthony Wickersham said Wednesday.

Theoddeus Gray was killed in a shootout with police Nov. 4 outside the Lakeland Manor banquet hall in St. Clair Shores, according to authorities.

St. Clair Shores Police turned the investigation into the officer-involved shooting to the Macomb County Sheriff's Office, which said it has concluded its probe and cleared officers of any wrongdoing.

Police initially had said Gray shot the dog, Axe, but Wickersham said Wednesday at a news conference it was possible the K-9 had been wounded by police.

"It's unknown who shot the dog but officers were firing because they had been fired upon," he said.

St. Clair Shores Police Chief Todd Woodcox, who also attended the news conference, said surveillance video does not make clear the sequence of when Axe was wounded compared with Gray, but he believes Gray's shot killed the dog.

Woodcox said all five officers who were involved in the incident remain on paid administrative leave and are receiving counseling, which is routine following officer-related shootings.

He said police are following up on credible threats that have been made against the officers, whom the department is not identifying.

St. Clair Shores Police had said officers responded to reports of a man outside a banquet hall on Harper Avenue near 11 Mile just before 6:30 p.m. Nov. 4. About 70 people were inside the hall at the time attending a baby shower for Gray's first child, according to authorities.

"He (Gray) went there expecting a fight, a confrontation," said Wickersham, sharing information that a confidential informant has told the FBI.

"There was going to be a shootout in St. Clair Shores that Sunday night," he said.

During the news conference, authorities played a recording of a 911 call from a worker at the Lakeland Manor hall.

During the call, the woman said a man outside was carrying a long gun she described as like "a Glock or a Beretta," both of which are handguns.

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"He's trying to get back inside ... there is a gunman in the hall, this is no joke," the woman cried, begging police to hurry to the address.

When police arrived, a loud crowd had gathered outside and Gray, who had been acting agitated both inside and outside the hall, was pointed out to them, Wickersham said. When ordered to stop, Gray instead ran from the building north on Harper, according to the sheriff.

As Gray ran, he removed a handgun from his clothing and fired a shot at police, who returned fire and pursued him around the building, Wickersham said, adding that Gray ignored several orders to drop the weapon.

During the foot chase, several rounds were fired by police, wounding Gray, the sheriff said. Axe, who was in pursuit during the shootout, also was wounded.

Both Gray and the dog died from their wounds. Ballistics reports are still pending but Wickersham said Gray died from six gunshots to the head, back and legs. Axe was wounded in the leg and shoulder, possibly by a single gunshot, the sheriff said.

An FN 5.7 handgun - like that carried by deputies in the sheriff's Special Weapons and Assault Team (SWAT) officers - was found underneath Gray's body, Wickersham said. A single round was fired from the weapon before it apparently jammed.

"If the gun didn't jam, he had 20 other rounds to fire at officers," the sheriff said.

No officers or other civilians were injured.

The handgun is registered to a 24-year-old Columbus, Ohio, man who did not report it stolen until contacted by investigators, Wickersham said.

Police believe they may have avoided a much bigger firefight with the potential for multiple injuries.

Video and interviews obtained through the investigation revealed other attendees were armed, Wickersham said. A fully-loaded AK-47 assault rifle was found along the west wall outside the hall.

"We will be using this in future training sessions," Woodcox said.

Gray had a previous conviction on drug charges in Wayne County, according to the Michigan Department of Corrections. He served two years in prison and was released in May 2015, the department said.

mmartindale@detroitnews.com

(248) 338-0319

Graphic

Max Ortiz / The Detroit News

Sheriff Anthony Wickersham said officers fired in response to gunshots.

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