

CITY OF RALEIGH INTEROFFICE MEMORANDUM



To: J. Russell Allen,
City Manager

From: Harry P. Dolan,
Police Chief

Date: October 27, 2010

Re: Preliminary Report of October 21, 2010
Officer Involved Shooting

An officer involved shooting occurred on October 21, 2010 in the 3500 block of Maitland Drive, off New Bern Avenue. The State Bureau of Investigation is conducting a criminal investigation of the shooting and will present the completed investigation to District Attorney Colon Willoughby for review. The Internal Affairs Unit of the Raleigh Police Department is conducting an administrative investigation of the use of deadly force by the officers. When complete, the administrative investigation will be reviewed by supervisory staff. The detective division is investigating the crimes committed by the suspect who was shot. All investigations are on-going. The preliminary review of the incident shows the following:

At approximately 10:55 p.m. on October 20, 2010 Emmeril Latrice Wilcoxson checked into the Hotel 6, located at 3520 Maitland Drive. Ms. Wilcoxson arrived by taxi cab and had a small child with her. According to the desk clerk, she appeared upset when she checked in.

At approximately 4:30 a.m. On October 21, 2010 the desk clerk for the Motel 6 called 911 to report Ms. Wilcoxson was outside in the parking lot of the motel screaming and causing a disturbance. Officer D.C. Painter and Officer P. D. Matthews were dispatched to investigate the disturbance. Officer C. Matthews responded to the scene along with the other officers. Officer D.C. Painter arrived on the scene first, with Officers C. Matthews and Officer P.D. Matthews arriving shortly thereafter. All three officers were driving marked patrol vehicles and were wearing Raleigh Police uniforms.

As she was approaching the Motel 6 Officer D.C. Painter saw a woman on Maitland Drive screaming and waving her arms around. Officer D.C. Painter stopped her vehicle to investigate. Officer C. Matthews and Officer P. D. Matthews pulled up behind Officer D.C. Painter's vehicle.

Officer D.C. Painter got out of her patrol vehicle to speak with Ms. Wilcoxson. As she did so, Ms. Wilcoxson pointed at the Officer D.C. Painter and screamed, "You're going to die tonight. You're going to die tonight. I'm going to kill you." She then suddenly reached her

right hand down toward her left ankle as if she were retrieving something and then ran directly at Officer D.C. Painter with her left hand out in front of her and her right hand cocked back beside her right ear. She continued to scream, "You're going to die tonight." as she charged.

Officer D.C. Painter commanded her to stop and took several steps back. When Ms. Wilcoxson was approximately ten to fifteen feet away from Officer D.C. Painter, Officer D.C. Painter drew her service weapon, and continued to command Ms. Wilcoxson to stop. As it became apparent that Ms. Wilcoxson was not going to stop, Officer D.C. Painter believed that Ms. Wilcoxson posed an imminent threat to her life and fired five shots at Ms. Wilcoxson, striking her multiple times.

Ms. Wilcoxson continued to run directly at Officer D.C. Painter, even as Officer Painter was discharging her weapon. Officer Painter continued to back up and began to circle around to her left as Ms. Wilcoxson continued to advance. As Officer Painter circled to her left Ms. Wilcoxson continued running and became fixated on Officer P.D. Matthews. She then changed direction and ran directly at Officer P.D. Matthews with her hands up by her head and still screaming. Officer P.D. Matthews, who had witnessed what just happened, ordered her to stop and drew his firearm. Ms. Wilcoxson continued to run directly at Officer P.D. Matthews, screaming. Officer Matthews indicated that he believed, based on the interaction he just observed between Officer D.C. Painter and Ms. Wilcoxson, his life was in danger. As Ms. Wilcoxson continued to run directly at Officer P.D. Matthews he fired one shot, striking Ms. Wilcoxson when she was approximately eight feet away. This shot caused Ms. Wilcoxson to drop to the ground in the middle of Maitland Drive.

Ms. Wilcoxson, who remained conscious, continued screaming at the officers and made multiple attempts to get up. While she was sitting on the ground she raised an empty hand, made the shape of a gun and pointed it at Officer P.D. Matthews, repeatedly made a shooting gesture and began to laugh.

Officers immediately requested an ambulance and a supervisor to the scene. Responding officers established a crime scene and rendered first aid to Ms. Wilcoxson, who continued trying to sit up, until EMS arrived. She was transported to Wake Medical Center by EMS. No weapon was found on Ms. Wilcoxson, or at the scene of the shooting.

No officers were injured during this incident. Ms. Wilcoxson was admitted to Wake Medical Center and, at the time of this report, is listed in serious condition.

Pursuant to departmental policy, Officer D.C. Painter and Officer P. Matthews were placed on administrative duty pending the completion of the criminal and administrative investigations.