



State of North Carolina
General Court of Justice
Twenty-Sixth Prosecutorial District
MECKLENBURG COUNTY

SPENCER B. MERRIWEATHER III
DISTRICT ATTORNEY

700 EAST TRADE STREET
CHARLOTTE, NC 28202
TELEPHONE: 704-686-0700
FAX: 704-686-0716

June 29, 2021

Chief Johnny Jennings
Charlotte-Mecklenburg Police Department
601 East Trade Street, 3rd floor
Charlotte, NC 28202

Re: Frankie Jennings Death Investigation

Dear Chief Jennings:

Pursuant to N.C.G.S. 7A-61, my office has reviewed the investigation surrounding the shooting death of Frankie Jennings on March 23, 2021. The case was investigated by the Charlotte-Mecklenburg Police Department (CMPD) under complaint number 2021-0323-1106-03. The purpose of this review was to examine whether the actions of United States Marshals Service Task Force Officer Eric Tillman were unlawful when he shot and killed the decedent while attempting to serve the decedent with active warrants at 2235 The Plaza in Charlotte, North Carolina.

The U.S. Marshals' Carolinas Regional Fugitive Task Force (the "CRFTF") is a task force led by the U.S. Marshals Service and comprised of law enforcement officers from various local agencies. The stated purpose of the CRFTF is the apprehension of violent fugitives. Members of the CRFTF present when this officer-involved shooting occurred included Senior Inspector Eric Tillman of the U.S. Marshals Service, Detective Mark Ruffin of the Mooresville Police Department, Officer Matthew Harris of the Gaston County Police Department, Officer Jamie Terry of the North Carolina Department of Public Safety, Deputy Tate Mills of the Union County Sheriff's Office, and Detective Stephen Helms of the Monroe Police Department.

On March 23, 2021, the CRFTF was attempting to serve multiple active warrants on the decedent, Frankie Jennings. Those warrants were for charges that included assault with a deadly weapon on a law enforcement officer, discharging a firearm within city limits, and two counts of possession of a firearm by a convicted felon. The substance of active warrants or pending charges against a decedent in a case such as this are often irrelevant and would not typically be contained in this report. However, as will be detailed herein, the involved officers reported that their knowledge of these warrants, and the facts underlying them, informed officers' actions in this case. Therefore, the officers' knowledge of the pending warrants and their knowledge of the

facts and circumstances underlying those warrants must be discussed for a thorough analysis of this incident.

As is their regular practice, the CRFTF conducted a briefing regarding Mr. Jennings to ensure task force officers had the necessary information to locate, identify, and safely serve the active warrants on Mr. Jennings. The briefing included informing team members of the warrants the team would be serving on the decedent, as well as the allegations underlying the warrants. Pursuant to the briefing, participating task force officers were aware that the pending warrant for assault with a deadly weapon on a law enforcement officer stemmed from an incident in Carolina Beach, North Carolina in which the decedent was alleged to have grabbed an officer's arm before fleeing in a car, resulting in the officer being dragged approximately 30-40 feet before being thrown to the ground and causing injury to the officer. With regard to the warrants for discharging a firearm within city limits, the CRFTF officers were generally aware that that warrant stemmed from an incident in which the decedent was alleged to have fired a weapon into a vehicle.

On March 23, 2021, the CRFTF located a person they believed to be the decedent driving a black Mercury Mariner. CRFTF members followed the vehicle and were soon able to confirm that Mr. Jennings was the driver of the Mariner. They then observed him switch vehicles and begin operating a Mercedes Benz CLK. At approximately 11 a.m., CRFTF officers observed the Mercedes, driven by the decedent, and the Mariner, driven by his fiancée, Nayja Johnson, pull into and park at a gas station located at 2235 The Plaza.¹ The decedent and Ms. Johnson parked parallel, on opposite sides of the gas pump, and the decedent exited the Mercedes to pump gas into the Mariner. At that point, CRFTF officers, who were wearing tactical gear displaying law enforcement identifiers and operating unmarked cars equipped with blue lights, converged into the parking lot of the gas station. Upon seeing the officers, the decedent ran back toward the Mercedes and entered the driver's seat. Deputy Tate Mills and Senior Inspector Eric Tillman engaged with the decedent in a brief struggle at the driver's side door of the Mercedes. During the struggle, the decedent was able to put the Mercedes in gear and the car began to move forward at which point Senior Inspector Tillman fired three rounds from his service weapon at the decedent. The decedent was shot three times and pronounced deceased on the scene. A loaded [Ruger P94 40S&W semi-automatic handgun](#) was located in the center console cupholder of the decedent's Mercedes.

A. The role of the District Attorney under North Carolina law

The District Attorney (DA) for the 26th Prosecutorial District is a state official and, as such, does not answer to city or county governments within the prosecutorial district. The District Attorney is the chief law enforcement official of the 26th Judicial District, the boundaries of which are the same as the County of Mecklenburg. The District Attorney has no administrative authority or control over the personnel of the United States Marshals Service or

¹ It is the practice of this office not to name civilian witnesses who do not identify themselves publicly in media interviews or otherwise as it could have a chilling effect on witness cooperation in other cases. Nayja Johnson has identified herself publicly in relation to this incident in an interview given to WCNC on May 6, 2021.

other police agencies within the jurisdiction. That authority and control resides with each city, county, or with respect to the United States Marshals Service, the federal government.

Pursuant to North Carolina statute, one of the District Attorney's obligations is to advise law enforcement agencies within the prosecutorial district. The DA does not arrest people or charge people with crimes. When the police charge a person with a crime, the DA decides whether or not to prosecute the charged crime. Generally, the DA does not review police decisions not to charge an individual with a crime. However, in officer-involved shooting cases, the DA reviews the complete investigative file of the investigating agency. The DA then decides whether he agrees or disagrees with the charging decision made by the police. If the DA concludes that uncharged conduct should be prosecuted, the case will be submitted to a Grand Jury.

If no criminal charges are filed, that does not mean the District Attorney's Office believes the matter was in all respects handled appropriately from an administrative or tactical viewpoint. It is simply a determination that there is not a reasonable likelihood of proving criminal charges beyond a reasonable doubt unanimously to a jury. This is the limit of the DA's statutory authority in these matters. The fact that a shooting may be controversial does not mean that criminal prosecution is warranted. Even if the District Attorney believes a shooting was avoidable or an officer did not follow expected procedures or norms, this does not necessarily amount to a violation of criminal law. In these circumstances, remedies (if any are appropriate) may be pursued by administrative or civil means. The DA has no administrative or civil authority in these matters. Those remedies are primarily in the purview of city, county, or federal governments, police departments, and private civil attorneys.

B. Legal standards

The law recognizes an inherent right to use deadly force to protect oneself or others from death or great bodily harm. This core legal principle is referred to as the right to "self-defense." A police officer does not lose the right to self-defense by virtue of becoming a police officer. Officers are entitled to the same protections of the law as every other individual. An imminent threat to the life of a police officer entitles the officer to respond in such a way as to stop that threat.

Under North Carolina law, the burden of proof is on the State to prove beyond a reasonable doubt that a defendant did *not* act in self-defense. The Supreme Court of North Carolina defined the law of self-defense in State v. Norris, 303 N.C. 526 (1981). A killing is justified under North Carolina law if it appeared to a person that it was necessary to kill in order to save himself or another from death or great bodily harm. The law requires that the belief in the necessity to kill must be reasonable under the circumstances. Id. at 530.

C. Use of deadly force by a law enforcement officer

The same legal standards apply to law enforcement officers and private citizens alike. However, officers fulfilling their sworn duty to enforce the laws of this State are often placed in situations in which they are required to confront rather than avoid potentially dangerous people and situations.

The United States Supreme Court stated, “[t]he ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight.” Graham v. Connor, 490 U.S. 386, 396 (1989). The Court further explained that “[t]he calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation.” Id. at 396–97. A situation in which an officer is confronting an armed person with uncertain motives is by definition dangerous, and such a circumstance will almost always be tense, uncertain and rapidly evolving. In these circumstances, we are not deciding whether the officer’s belief in the need to use deadly force was correct but only whether his or her belief in the necessity of such force was reasonable.

In conducting a legal analysis, this office must take its guidance from the law, and a decision must not be based upon public sentiment or outcry. The obligation of a District Attorney is clear; he must simply apply the law to the known facts.

What the law demands is an evaluation of the reasonableness of the officer’s decision at the moment he or she fired the shot. The Supreme Court of the United States has provided guidance on what is objectively reasonable and how such an analysis should be conducted. That guidance indicates that it is inappropriate to employ “the 20/20 vision of hindsight,” and an analysis must make “allowance for the fact that police officers are often forced to make split-second judgments.” Graham v. Connor, 490 U.S. at 396.

As stated by the Fourth Circuit Court of Appeals, “The [law] does not require police officers to wait until a suspect shoots to confirm that a serious threat of harm exists.” The Court suggests that when reviewing use of force cases, caution should be used to avoid analysis “more reflective of the ‘peace of a judge’s chambers’ than of a dangerous and threatening situation on the street.” Elliot v. Leavitt, 99 F.3d. 640, 643 (4th Cir. 1996).

D. The officer-involved shooting of Frankie Jennings

The CRFTF is composed of numerous officers from various jurisdictions. The following six CRFTF officers were present at the time of the decedent’s death: Senior Inspector Eric Tillman of the U.S. Marshals Service, Detective Mark Ruffin of the Mooresville Police Department, Officer Matthew Harris of the Gaston County Police Department, Officer Jamie Terry of the North Carolina Department of Public Safety, Deputy Tate Mills of the Union County Sheriff’s Office, and Detective Stephen Helms of the Monroe Police Department.

Senior Inspector Eric Tillman

A round count conducted on Senior Inspector Eric Tillman’s service weapon at 2235 The Plaza showed his weapon contained 17 live 9mm rounds, which included 16 rounds in the magazine and one round in the chamber. An analysis of Senior Inspector Tillman’s weapon determined it holds 20 rounds when fully loaded, suggesting three rounds had been fired.

Senior Inspector Tillman was interviewed at the Law Enforcement Center on March 26, 2021. Senior Inspector Tillman stated that he has worked with the United States Marshals Service since 2010. He is a Senior Inspector with the Carolinas Regional Fugitive Task Force

and is assigned to the Charlotte Office. Prior to his employment with the U.S. Marshals Service, he was employed for three years by the United States Border Patrol.² He is one of the leaders of the CRFTF. The primary function with the CRFTF is the serving of felony warrants.³ Senior Inspector Tillman estimated that 98 percent of the warrants the CRFTF serves are on violent felons.⁴ CRFTF officers train together on a regular basis.⁵

On March 23, 2021, Senior Inspector Tillman was wearing his [green police vest containing a U.S. Marshals patch and his equipment](#). He was operating a blue Chevrolet Tahoe. On that day, the CRFTF was attempting to serve warrants on Frankie Jennings. Senior Inspector Tillman stated that, to his recollection, one of the warrants the team was attempting to serve on the decedent was for assaulting officers in Carolina Beach by dragging them with a vehicle. He was also aware the decedent had warrants from Charlotte, including two warrants for possession of a firearm by a convicted felon, assault on a female, charges related to an incident in which the decedent was alleged to have shot into a vehicle, and other more minor warrants.⁶

Based on information obtained during their investigation, the CRFTF had begun looking for the decedent in the area they believed him to be when a black Mercury Mariner drove past Senior Inspector Tillman. He said he was fairly certain the decedent was driving the Mariner, so he and other task force members followed the Mariner through Charlotte. The decedent was positively identified as the driver of the Mariner when he stopped at a tire shop and the decedent stepped out of the driver's seat.⁷ CRFTF officers then observed the decedent get into a Mercedes.⁸ Senior Inspector Tillman engaged the assistance of the CMPD Real Time Crime Center for assistance in tracking the decedent's vehicle through traffic cameras.⁹ CRFTF officers then observed the Mariner and the Mercedes pull into the gas station at 2235 The Plaza, where the decedent exited the Mercedes and began pumping gas.¹⁰

Senior Inspector Tillman stated that when the decedent was out of the car at the gas station, the task force had enough officers in the area to conduct the apprehension. Officers activated their lights, and Senior Inspector Tillman moved his car into a position to block the rear

² Tillman Transcript pp. 1-2.

³ Tillman Transcript p. 3.

⁴ Tillman Transcript p. 12.

⁵ Tillman Transcript p. 6.

⁶ Tillman Transcript pp. 10-11.

⁷ Tillman Transcript pp. 13-14

⁸ Tillman Transcript p. 17.

⁹ Tillman Transcript pp. 16-17.

¹⁰ Tillman Transcript p. 18.

driver's side of the Mercedes. Deputy Tate Mills moved his vehicle to block the rear of the Mariner and other officers were moving in front of the vehicles to cut them off.¹¹

Senior Inspector Tillman stated that as he and other officers were pulling up, the decedent immediately sprinted around to the driver's side of the Mercedes. Senior Inspector Tillman recalled that he jumped out of his vehicle and that he and Deputy Mills arrived at the driver's side door of the Mercedes at the same time. When they arrived at the Mercedes, the decedent was already in the Mercedes.¹² His recollection was that the decedent never got the car door shut.¹³ Senior Inspector Tillman recalled that the Mercedes was still running, and he did not believe the decedent ever turned it off.¹⁴ Deputy Tate Mills grabbed the decedent with two hands and was attempting to pull him out of the vehicle. Senior Inspector Tillman recalled that he had one hand on the decedent for a moment, but the decedent had put the car into gear.¹⁵

Senior Inspector Tillman described the next events as happening almost simultaneously. He could see the decedent's car moving forward, and he believed Deputy Mills fell to the ground on his right side. He could see the Mercedes was going to make contact with CRFTF officers who were pulling in front of the Mercedes to his left. He saw the decedent's hands reaching toward a gun in the center console cupholder, and he fired his service weapon at the decedent. He recalled firing his weapon three times.¹⁶ The shots were very rapid.¹⁷

Senior Inspector Tillman recalled the gun in the Mercedes being positioned in the cupholder "like a holster," muzzle down, with the grip sticking up.¹⁸ He described it as a Ruger semi-automatic handgun, possibly black or silver.¹⁹ He later stated that he believed the officer next to him was Deputy Tate Mills, but he never turned to look at the officer because he was looking at the decedent; however, he knew Deputy Mills was approaching at the same time as he was.²⁰ He recalled the person he believed to be Deputy Mills having two hands on the decedent because Senior Inspector Tillman could see them. When the car started moving forward, he saw the hands disappearing and not holding onto the decedent anymore. It appeared to him as if

¹¹ Tillman Transcript pp.19-20.

¹² Tillman Transcript p. 20.

¹³ Tillman Transcript p. 29.

¹⁴ Tillman Transcript p. 20.

¹⁵ Tillman Transcript p. 20.

¹⁶ Tillman Transcript pp. 21, 26.

¹⁷ Tillman Transcript p.22.

¹⁸ Tillman Transcript, pp. 30-31, 40,

¹⁹ Tillman Transcript pp. 22-23.

²⁰ Tillman Transcript p. 28.

Deputy Mills was falling down, but he did not turn to look at him because he was still moving with the decedent.²¹

Senior Inspector Tillman did not specifically recall announcing anything himself although he recalled numerous people saying things such as “put your hands up” or “show us your hands.”²² He recalled that he would have had the best view of the gun. He initially stated he believed he might have announced “gun,” but later stated that he knows he announced “gun” at some point but did not remember exactly when.²³

Senior Inspector Tillman recalled that after the shots, the decedent stopped reaching, and the car stopped. CRFTF officers pulled Mr. Jennings from the car to complete the arrest and begin rendering medical aid. Officers identified a gunshot wound to the decedent’s left armpit and put a tourniquet on his arm. They also placed a chest seal on his chest to cover the wound and performed chest compressions until MEDIC arrived.²⁴

Senior Inspector Tillman stated that he turned his weapon over to Alden Elliott, the Senior Task Force Officer, when he arrived at the scene.²⁵ He recounted having MEDIC check his vitals because that is protocol.²⁶ He then left with Officer Jamie Terry and went to the U.S. Marshals Office in uptown Charlotte.²⁷

Senior Inspector Tillman stated that, from the time officers pulled into the gas station, there was never a point at which he perceived the decedent was going to comply with the arrest. The decedent ran straight to the Mercedes and tried to “blast through [their] containment,” he said.²⁸ He stated he fired his weapon because he feared for the life of the officers the Mercedes was heading toward, potentially for the life of Deputy Mills, who he believed was on the ground next to the car, and for his own life and the lives of the people to his left because of the gun Senior Inspector Tillman stated the decedent had been reaching toward.²⁹

²¹ Tillman Transcript pp. 29-30.

²² Tillman Transcript p. 28.

²³ Tillman Transcript pp. 31, 38-39.

²⁴ Tillman Transcript p. 23.

²⁵ Tillman Transcript. p. 25.

²⁶ Tillman Transcript. p. 25.

²⁷ Tillman Transcript p. 26.

²⁸ Tillman Transcript. p. 44.

²⁹ Tillman Transcript. p.34.

Detective Mark Ruffin, Mooresville Police Department

Detective Ruffin was interviewed at the Law Enforcement Center on March 23, 2021. Detective Ruffin stated that he is a detective with Mooresville Police Department, where he has been employed for approximately four years. He has been a member of the CRFTF since October 2020.

On March 23, 2021, Detective Ruffin was operating a silver Ford Fusion. Like the other task force officers participating in the apprehension, he was aware of the allegations related to the warrants the team was attempting to serve on the decedent. He was participating in the surveillance and identified the decedent when he got out of the Mariner and into the Mercedes. Detective Ruffin noted that the decedent was wearing a black bookbag across his chest as he switched cars.

Detective Ruffin advised that he pulled up to the right of Senior Inspector Tillman's Tahoe as Senior Inspector Tillman and Deputy Mills were struggling to get the decedent out of the Mercedes. As Deputy Mills was opening his car door, he heard someone say "gun" and then heard two to three gunshots. He did not know who said "gun," but he did indicate Senior Inspector Tillman was the person who fired. He recalled the Mercedes moved forward and hit Officer Matthew Harris' vehicle, but he was not sure whether the car moved forward before or after the gunshots.

Detective Ruffin recounted that after the gunshots, the decedent's girlfriend began yelling, so he and Deputy Mills detained her.

Officer Matthew Harris, Gaston County Police Department

Officer Matthew Harris was interviewed at the Law Enforcement Center on March 23, 2021. He is currently a K9 officer with the Gaston County Police Department and has been employed there since 2007.

On March 23, 2021, he was operating a silver Chevrolet Tahoe. Officer Jamie Terry was his passenger. He too was aware of the allegations in the warrants the team was attempting to serve on the decedent. He stated that the task force was aware that the decedent had a history of fleeing in vehicles, so the task force was attempting to apprehend the decedent outside of his car. Officer Harris recalled that other task force officers were following the decedent, and he was attempting to catch up to them. As he and Officer Terry approached the gas station, he could see the decedent pumping gas. He recalled Deputy Mills and Detective Helms pulling in front of him as Officer Harris was going into the parking lot. He recounted that Senior Inspector Tillman went to the driver's side of the Mercedes. He said the decedent saw the activated lights on Deputy Mills' truck and started to run. He recalled Deputy Mills' police lights being on before Deputy Mills entered the gas station parking lot. He stated that both Detective Helms and Senior Inspector Tillman also have lights on their cars.

As Officer Harris was pulling into the parking lot, the decedent was running back to the Mercedes. Officer Harris briefly lost sight of the decedent as Officer Harris drove around Senior Inspector Tillman's Tahoe and, at that point, he believed the decedent was going to flee on foot.

When Officer Harris next saw the decedent, he was already in the driver's seat of the Mercedes. He recalled the decedent as being "laid over the center console towards the passenger door."

Officer Harris stated that he tried to cut the decedent off by going around Senior Inspector Tillman's blue SUV to block the decedent. Officer Harris stated that he put his vehicle in park, and the decedent rammed his vehicle, and he heard two or three gunshots as his vehicle was struck. Officer Harris did not see who was shooting. Officer Harris got out of his car and saw the decedent in the driver's seat of the Mercedes and Senior Inspector Tillman with his gun drawn. Officer Harris recalled that Deputy Mills was in the area, but he did not see Deputy Mills until he got out of his car and had run around the back of his Tahoe.

Officer Harris recounted that he approached Senior Inspector Tillman, who told him to get the decedent out of the Mercedes. Officer Harris assisted in administering first aid.

Officer Harris stated that he saw the handle of a pistol in a cupholder in the center console between the seats of the Mercedes. He believed the firearm was silver based on his quick glance. He also believed it was a semi-automatic based on the shape of the handle.

Officer Jamie Terry, North Carolina Department of Public Safety

Officer Jamie Terry was interviewed at the Law Enforcement Center on March 23, 2021. She has been employed by the North Carolina Department of Public Safety since 2004. She was the "lead agent" or "case agent" on this apprehension. She was familiar with the allegations in the warrants the team was attempting to serve on the decedent in that she knew it was alleged that Carolina Beach officers had made contact with the decedent which resulted in a scuffle and one of the officers being dragged by the decedent's vehicle prior to the defendant fleeing and eluding police. She was further aware that the warrants for discharging a firearm within the city limits alleged that the decedent fired gunshots into a vehicle. She said the team had been briefed more than once on the warrants they were attempting to serve on the decedent.

As to this incident, she stated that she was a passenger in the Chevrolet Tahoe driven by Officer Harris. She recalled that once the decedent saw officers, he dropped the gas pump that was in his hand, ran, got back into the Mercedes, and the Mercedes started moving. Senior Inspector Tillman parked at the driver's side of the Mercedes. Detective Helms cut off the Mariner. Detective Ruffin parked behind Senior Inspector Tillman. She could not recall exactly where Deputy Mills parked. She and Officer Harris parked in front of the Mercedes to block it in, and the decedent wrecked into them. She recalled that the front of the Mercedes hit the front passenger side of Officer Harris' Tahoe near the front wheel.

She heard gunshots being fired next to her. She recalled that she did not get out of the car until after the collision, and she also remembered the Tahoe being hit before she heard the gunshots. She could not remember whether she was in the car or out of the car when the shots were fired. She believed she was shoulder-to-shoulder with Senior Inspector Tillman when the shots were fired and believed it was Senior Inspector Tillman who fired, but she could not remember whether she saw it, heard it, or both. She did not fire her weapon, nor did she observe any officer other than Senior Inspector Tillman fire a weapon.

She remembered the driver's side door of the Mercedes was open because Deputy Mills had a hand on the decedent. She stated that at least one of Deputy Mills's hands was on the decedent as the car was in motion, and she believed Deputy Mills also had a hand inside the vehicle. She could not recall whether Deputy Mills also had his firearm out. She recalled that Senior Inspector Tillman had his gun pointed. She recalled Deputy Mills being more toward the rear of the Mercedes and Senior Inspector Tillman being more toward the center of the vehicle. She said the team gave verbal commands as they were approaching the decedent.

Her view of the decedent was obstructed because his car door was open, and she did not see the decedent with a weapon. Officer Terry recalled hearing someone yell, "gun," but she did not recall whether it was before or after the shooting. She later stated that she definitely heard Senior Inspector Tillman call out that there was a gun, but she could not remember exactly what he said.

After the shooting, she assisted in getting the decedent out of the Mercedes and saw a gun in the Mercedes. She believed the gun was in the cupholder and positioned pointing downward. Her recollection was that the gun was black and that it was within reach of the decedent prior to him being removed from the vehicle. She recalled asking Senior Inspector Tillman, "Are you good?" She also recalled telling him that "it was good," meaning the shooting was not unlawful because she believed that the decedent could have killed her.

She recounted calling 9-1-1, being placed on hold, and then seeing a CMPD officer and asking that officer to call for MEDIC. She said there was a child in the Mariner, so she placed the child in a law enforcement vehicle. After the shooting, she took Senior Inspector Tillman to the U.S. Marshals Office.

Deputy Tate Mills, Union County Sheriff's Office

Deputy Tate Mills was interviewed at the Law Enforcement Center on March 23, 2021. He is currently employed as a Deputy with the Union County Sheriff's Office. A round count conducted on his service weapon showed it to be fully loaded.

Deputy Mills stated that on March 23, 2021, he was operating a black Ford F150 truck. He knew the allegations in the warrants the team was attempting to serve on the decedent and, based on those warrants, he believed the decedent was likely armed.

Deputy Mills stated that the decedent's car turned into a gas station, and Deputy Mills passed the gas station and turned around. He observed the decedent get out of the Mercedes and walk to a black SUV and noted the decedent was about to pump gas.

Deputy Mills stated that his vehicle does not have any identifying markings but that it is equipped with police lights, which he turned on when he pulled into the parking lot and put the truck in park. He described his tactical gear as containing a Sheriff's Office identifier on the front and a U.S. Marshals Service identifier on the back. He recalled getting out of his truck and giving commands to the decedent to "stop" and "show me your hands." He stated that other officers were also giving verbal commands, but he was not sure which officers. He recalled that the decedent looked at him, paused, went around the pump and the back of the Mercedes, and tried to get into the Mercedes. Deputy Mills described the decedent's speed as a "brisk movement" that was neither a walk, nor quite a run. Deputy Mills believed the decedent knew he

was a law enforcement officer based on his clothing and the lights on his vehicle. Deputy Mills said his weapon was drawn when he exited his truck. He holstered the gun and tried to go “hands on” with the decedent to get him out of the car.

Deputy Mills stated that the decedent made it to the driver’s door of the Mercedes and was trying to get into the car. Deputy Mills said the decedent was able to get the car into drive, and the vehicle started to move. At that point, Deputy Mills let go. He stated that he moved to get away from the Mercedes because the warrants they were trying to serve on the decedent were for dragging an officer, and he did not want to be the second officer dragged. He recalled that he moved and got away from the vehicle, and he heard shots fired. At this point, he was unsure of who had fired their weapon. He said the decedent’s Mercedes ran into one of his team member’s vehicles that was parked in front of the Mercedes. His recollection was that the Mercedes moved 5-10 feet before colliding with the vehicle. Deputy Mills did not recall hearing anyone say anything about a gun until after the decedent was outside of the car.

Deputy Mills stated that after the shots were fired, the decedent’s girlfriend came to the back of the Mercedes, and he immediately secured her in handcuffs and passed her to another officer. He then went to his truck, got his gloves and a medical bag, and joined other officers in rendering aid. He did not search the decedent or the Mercedes.

Detective Stephen Helms, Monroe Police Department

Detective Stephen Helms was interviewed at the Law Enforcement Center on March 23, 2021. He has been employed with the Monroe Police Department since 2007.

Detective Helms stated that he was aware of the allegations in the warrants the team was attempting to serve on the decedent and that the team had previously been briefed on the decedent.

On March 23, 2021, Detective Helms was driving a gray Ford F150 truck. Detective Helms stated that he was coming from Monroe when he learned over the radio that the decedent had been seen. Other team members were following the decedent, and he was listening in over the radio. As Detective Helms was arriving in the area, he heard that the decedent had pulled into a gas station. While driving on The Plaza, he passed by the decedent, who was at the gas pumps. Detective Helms made a U-turn and pulled off to the side of the road. Once the team had enough units in place for the apprehension, he turned into the gas station parking lot. Detective Helms stated that he drove around the Mariner as Senior Inspector Tillman and Deputy Mills were making their approach. While driving around the Mariner, he lost sight of what was happening. Once he got around the Mariner, he saw Senior Inspector Tillman’s vehicle and saw Officer Harris’ Tahoe pulling around in front of the Mercedes. Detective Helms recalled that the driver’s door to the Mercedes was open, and he could tell there was some sort of interaction occurring at the driver’s door of the Mercedes. He could see the decedent in the driver’s seat of the Mercedes.

Detective Helms stated that he pulled around the Mariner, opened his door, and saw the Mercedes make contact with the right front of the silver Tahoe and then stop. The decedent was still in the Mercedes, and Senior Inspector Tillman and Deputy Mills were trying to make the apprehension when the Mercedes struck the silver Tahoe. When the Mercedes struck the Tahoe, the door to the Mercedes was still open.

Detective Helms did not recall whether he opened his car door right before or immediately after the Mercedes hit the Tahoe. He could not recall whether Officer Harris had yet exited his Tahoe when it was struck. Detective Helms said he heard shouting in the area of the Mercedes and could tell there was a physical interaction. He stated that he saw Senior Inspector Tillman fire his weapon into the driver's area of the Mercedes. He later stated that he "thought" he saw Senior Inspector Tillman fire. He could not recall whether the shots were fired before or after the Mercedes moved, but his best recollection was that the Mercedes hit the Tahoe, and then Senior Inspector Tillman fired. He recalled Senior Inspector Tillman firing twice and did not recall seeing anyone else fire. He said Deputy Mills was the only other person in the area with Senior Inspector Tillman when the shots were fired. Detective Helms stated that he did not fire his own weapon.

Detective Helms said he ran around the passenger side of the Mariner and Senior Inspector Tillman's Tahoe before joining other officers where they were with the decedent. He recalled that, as he was passing by the passenger side of the Mariner, he saw a child trying to get out of the Mariner. He said he kept the child there, and then called Detective Ruffin over to hold the child. Detective Helms stated that once the decedent was out of the Mercedes, he assisted in rendering medical attention.

Nayja Johnson

Nayja Johnson was interviewed at the Law Enforcement Center on April 22, 2021. Prior to this date, detectives sought to interview Ms. Johnson in person multiple times. In response to one attempt to schedule an interview, Ms. Johnson stated in a text message to the investigating detective that the decedent was "murdered with his hands up." "He never put up a fight nor threat," she wrote.

During the April 22, 2021, interview, Ms. Johnson stated that she was the decedent's fiancée. She recalled that when this occurred, she was driving the SUV and the decedent was driving the Mercedes. She recounted that the decedent pumped gas into her SUV, gave her the credit card back, gave her a kiss, then turned around and got back in his car. Ms. Johnson stated unequivocally that the decedent was back in the Mercedes when officers approached. She stated that once he was back in the Mercedes, unmarked cars surrounded him. She stated the decedent had his left hand up with his right on the steering wheel when shots were fired. She heard agents giving commands such as "don't move" and "don't let him drive off."

Ms. Johnson said the officers were in unmarked vehicles but that she knew they were law enforcement officers by the way they were dressed. Ms. Johnson stated that she ran to be by the decedent's side, and police pushed her to the ground, handcuffed her, and put her in a police car for 30 minutes.

Ms. Johnson recounted that the decedent knew he was wanted and that he had been running from law enforcement for approximately a month. Ms. Johnson was familiar with the warrants officers were trying to serve on the decedent, but she stated that the decedent did not own any firearms and that she had never seen him with a firearm. Ms. Johnson stated that they had bought the Mercedes the day before and dropped it off at the shop the morning of the shooting. She stated that when she and the decedent picked up the car, it was "clean." She said

that the decedent was only in possession of a bag.³⁰ When asked about the gun found in the Mercedes, Ms. Johnson stated that she has six brothers, and the gun could have belonged to any one of them.³¹

Although the surveillance video from 2235 The Plaza will be discussed in more detail below, several of Ms. Johnson's assertions are directly contradicted by the video evidence. The video captured Ms. Johnson rolling down her window to give the decedent what appears to be a credit or debit card and then immediately rolling her window back up. The decedent then places the nozzle into the gas tank and engages the hands-free pump mechanism. He then begins to smoke a cigarette. Ms. Johnson rolls the window down and immediately back up with the decedent returning the card while the window is in motion. Her window is up during the rest of the encounter. The decedent then finishes pumping gas. As officers pull into the parking lot, the decedent is in the process of placing the nozzle back onto the pump, rather than being back in the Mercedes as stated by Ms. Johnson. After the shooting, the video shows Ms. Johnson exit the Mariner and move toward Deputy Mills, who places her in handcuffs. She is not pushed to the ground in any way. Deputy Mills then walks Ms. Johnson to the other set of pumps and begins calling for another officer to watch Ms. Johnson. Ms. Johnson appears to be in some medical distress, and Deputy Mills appears to assist her as she begins to sit down at the gas pump.

Civilian witness A.C.

Civilian witness A.C. was interviewed by detectives at the Law Enforcement Center on March 23, 2021. A.C. stated that he was sitting in his work vehicle in the gas station parking lot approximately 50-60 feet from the gas pumps. He recounted that he was taking notes in his truck and looked up to see vehicles speeding into the parking lot with their blue lights flashing. A.C. observed officers exit their cars with their guns pointed. A.C.'s recollection was that officers ran over to the Mercedes. He believed that the decedent opened the car door like he was going to step out, and one of the officers kicked the door shut. He recalled the officer closest to the front of the car reaching into the car with his left hand while holding his gun in his right hand. He said he heard yelling, but his windows were up, so he could not hear anything specific. He could not see what was going on in the car. He stated that the car started to roll forward like it was in idle, and then he heard three shots. A.C.'s recollection was that the silver SUV pulled in front of the Mercedes to stop it from rolling.

³⁰ As will be discussed below, this bag was located in the Mercedes. Inside the bag was an additional magazine for the Ruger P94 40S&W semi-automatic handgun that was located in the center cupholder.

³¹ Although Ms. Johnson stated she does not know the decedent to carry firearms and that the gun could have belonged to one of her brothers, she said she and the decedent dropped the car off at the shop that morning and picked it up shortly before this incident. For this to be true, Ms. Johnson and the decedent would have to have left the car at a shop with an unattended gun in the center cupholder. Notably, as will be discussed herein, the decedent's DNA was found on the trigger, trigger guard, and grip of the weapon.

Civilian witness R.D.

Civilian witness R.D. gave a written statement to officers on the scene. He told officers that he had been in the store and was about to leave. He heard yelling at the Mercedes and looked up. He saw officers approach the door of the Mercedes. He recalled that the Mercedes started to move, and he heard several shots.

E. Video evidence

CRFTF officers were not wearing body cameras, and their vehicles were not equipped with recording devices on March 23, 2021. The gas station at 2235 The Plaza is equipped with [surveillance cameras, which captured the events of that morning](#).³²

The video captured the Mercedes arrive and park on the opposite side of the pump from the Mariner. The decedent exited the Mercedes, obtained what appears to be a credit or debit card from Ms. Johnson and then began to pump gas. The decedent returned the card to Ms. Johnson and was returning the nozzle to the gas pump as Deputy Mills and Senior Inspector Tillman arrived almost simultaneously. Deputy Mills parked behind the Mariner. Senior Inspector Tillman parked facing the driver's side door of the Mercedes. Police lights are visible in both vehicles. The decedent appeared to observe both vehicles before they were able to come to a complete stop. The decedent began jogging back to the Mercedes while putting his hands up for a fraction of a second. The decedent then dropped both hands and moved very quickly toward the Mercedes, opened the driver's door, got in, and closed the door.

A frame-by-frame analysis of the video appears to show the decedent reaching toward the center of the vehicle with his right hand while his left hand remained up until Deputy Mills began to struggle with the decedent. [\[1\]](#) [\[2\]](#) [\[3\]](#). Upon entering the Mercedes, the decedent appears to look toward the center of the vehicle, then alternated between looking at officers and back toward the center of the vehicle. Senior Inspector Tillman, who was positioned closer to the front of the car than Deputy Mills, placed his foot on the front of the driver's door while Deputy Mills opened it using the door handle. The two officers struggled with the decedent as Officer Harris' Tahoe passed between them and the camera, blocking much of what was occurring at the driver's door of the Mercedes with the exception of the roof of the Mercedes and the heads of Senior Inspector Tillman and Deputy Mills. As Officer Harris' Tahoe moved in front of the Mercedes, and while the two officers were struggling with the decedent, the Mercedes began to move forward. Senior Inspector Tillman and Deputy Mills moved forward with the Mercedes several steps. The Mercedes then struck the Tahoe containing Officers Harris and Terry. Just after the impact, what appears to be a shell casing from Senior Inspector Tillman's weapon can be seen in the air [\[1\]](#) [\[2\]](#) [\[3\]](#) [\[4\]](#). Det. Ruffin arrived on the scene in his Ford Fusion as Deputy Mills holstered his service weapon and stopped Ms. Johnson from approaching the Mercedes while Senior Inspector Tillman appeared to be attempting to remove the decedent from the

³² The relevant portion of this surveillance video will be [published](#) in conjunction with this report. Out of respect for the decedent and his family, the portion of the video that displays the decedent's body after he is removed from the Mercedes will not be published. The timestamp on the surveillance video is slightly inaccurate.

Mercedes. Officers Harris and Tate then assisted Senior Inspector Tillman with removing the decedent from the Mercedes.

F. Forensic evidence

Firearms and DNA analysis

A loaded Ruger P94 40S&W semi-automatic handgun was located in the center console cupholder of the decedent's Mercedes. The gun was positioned in the cupholder with the muzzle down and the handle up. The magazine was loaded with live ammunition, and there was a live round in the chamber of the weapon. A black bag was also located inside the Mercedes that contained an additional loaded magazine for the firearm.

Lab analysis concluded that the decedent's DNA was on the trigger, grip, and trigger guard of the Ruger P94 40S&W.

Senior Inspector Tillman's service weapon was a Glock 17 9mm semi-automatic handgun. A round count of the weapon showed it to be missing three rounds. Three discharged 9mm Hornady shell casings were located on the driver's side of the Mercedes. Lab analysis of the discharged cartridge casings concluded that all three were fired from Senior Inspector Tillman's service weapon.

The Medical Examiner recovered three projectiles from the decedent. Lab analysis concluded that all three projectiles were fired from Senior Inspector Tillman's service weapon.

Autopsy report

The Report of Autopsy Examination issued by the Mecklenburg County Medical Examiner's Office found the decedent suffered a gunshot wound of the left upper arm. A projectile was recovered from this wound. There was an additional gunshot wound to the back of the left upper arm that entered into the chest under the decedent's left armpit. A projectile was recovered from this wound. There was also a through-and-through gunshot wound of the left forearm, and a wound to the right forearm. A projectile was recovered from the wound to the right forearm. The cause of death was determined to be a gunshot wound of the chest.

The evidence suggests the decedent was shot three times with the projectile that entered his left forearm exiting his left forearm and re-entering at his right forearm.

A copy of the Medical Examiner's Report of Autopsy Examination is attached to this report as Exhibit 1.

G. Conclusion

It is clear that Senior Inspector Tillman fired his weapon three times during the confrontation with the decedent. It is similarly clear that no other member of the task force fired their weapon. Therefore, the central issue in this review is whether or not the State could meet the burden of proving to a jury beyond a reasonable doubt that Senior Inspector Tillman did not act in self-defense or defense of others. This would mean proving to a jury of 12 citizens beyond a reasonable doubt that (1) Senior Inspector Tillman did not believe it was necessary to kill the

decedent in order to save himself or another from death or great bodily harm or (2) that Senior Inspector Tillman's belief that it was necessary to kill the decedent was not reasonable under the circumstances.

Senior Inspector Tillman was aware that the decedent was alleged to have carried firearms on at least two recent occasions. He was also aware that the decedent was alleged to have previously shot into a vehicle. Senior Inspector Tillman was further aware that one of the warrants the team was attempting to serve on the decedent alleged that the decedent dragged a law enforcement officer alongside a vehicle after officers made contact with him. At any trial of this matter, Senior Inspector Tillman's subjective belief that the decedent posed an imminent threat to his life or the life of others would be an issue for the jury. The knowledge Senior Inspector Tillman possessed with regard to the allegations of the defendant informed his subjective beliefs and would be admissible evidence for the jury to consider.

The evidence establishes that although officers were driving unmarked cars, they were easily identifiable as law enforcement officers based on the emergency lighting in their vehicles, their clothing, and their verbal commands.

The surveillance video shows the decedent noticed law enforcement vehicles pulling into the gas station as he was returning the nozzle on the gas pump. The camera captured the decedent then moving quickly toward the Mercedes while putting both hands up for a fraction of a second before bringing them back down and making a dash for the Mercedes. The video shows the decedent enter the Mercedes and shut the door while officers approached and then began to struggle to get the decedent out of the car. The video shows the Mercedes moving forward while Deputy Mills and Senior Inspector Tillman were still struggling with the decedent at the driver's door. The Mercedes then struck Officer Harris' Tahoe occupied by Officers Harris and Terry as the Tahoe was pulling in front of the Mercedes to block it. The evidence suggests it was at this point that Senior Inspector Tillman fired his weapon. The video establishes that these events transpired extremely quickly with only approximately 13 seconds elapsing between the time the decedent first notices the officers and Officer Tillman fires his weapon.

The evidence establishes that the decedent possessed a Ruger P94 40S&W semi-automatic handgun positioned handle-up in the center cupholder of the Mercedes that was within his reach as he struggled with officers. Senior Inspector Tillman described the decedent as reaching toward the center of the car during the struggle, and the video evidence tends to support his statement. The video evidence further corroborates that the decedent's vehicle began to move while Senior Inspector Tillman and Deputy Mills were struggling with the decedent.

Senior Inspector Tillman stated he fired his weapon because he was in fear for his own life and the lives of the other officers because the decedent was reaching for a gun. Senior Inspector Tillman also believed the movement of the Mercedes presented an imminent threat to officers.

A police officer – or any other person – is justified in using deadly force if he in fact believed that he or another person was in imminent danger of great bodily harm or death from the actions of the person who was shot and if his belief was reasonable. The statements of the Senior Inspector Tillman and the other task force officers who were present, the physical

evidence, and surveillance videos corroborate the account of the events given by Senior Inspector Tillman.

Given the corroborated evidence that Senior Inspector Tillman was reasonable in his belief that he and other officers faced an imminent threat of great bodily harm or death, the evidence in this case would be insufficient to prove to a jury beyond a reasonable doubt that Senior Inspector Tillman did not act in defense of himself or another. Consequently, I will not be seeking charges related to the death of Frankie Jennings.

If you have any questions, please contact me directly.

Sincerely,



Spencer B. Merriweather III
District Attorney

CC: Senior Inspector Mark Carney, United States Marshals Service, Office of Professional Responsibility, Force Review Branch

Exhibits

The Ruger P94 40S&W semi-automatic handgun located in the cupholder of the decedent's Mercedes.

[BACK](#)



Senior Inspector Tillman's vest and gear as captured on body-worn camera of a CMPD officer who arrived at the scene after the incident.

[BACK](#)



Officers approach as the decedent appears to reach toward the center of the vehicle.

[BACK](#)



[BACK](#)



[BACK](#)



The shell casing traveling from right to left.

[BACK](#)



[BACK](#)



[BACK](#)





Exhibit 1

Mecklenburg County M E Office

3440 Reno Avenue, Charlotte, NC 28216
Telephone 7043362005
Fax 7043368353



REPORT OF AUTOPSY EXAMINATION

DECEDENT

Document Identifier B202101717
Autopsy Type ME Autopsy
Name Frankie Junior Jennings
Age 32 yrs
Race Black
Sex M

AUTHORIZATION

Authorized By James R. Lozano MD **Received From** Mecklenburg

ENVIRONMENT

Date of Exam 03/24/2021 **Time of Exam** 09:30
Autopsy Facility Mecklenburg County M E Office **Persons Present** Mr. Jacob May

CERTIFICATION

Cause of Death
Gunshot wound of chest

The facts stated herein are correct to the best of my knowledge and belief.

Digitally signed by

James R. Lozano MD 18 June 2021 13:21

DIAGNOSES

1. Penetrating gunshot wound (A) of left upper arm
 - Soft tissue lacerations of left upper arm, left upper chest, and anterior neck
 - Graze gunshot injury of left clavicular head
 - Soft tissue hemorrhage
2. Perforating gunshot wound (B) of posterior lateral left upper arm, exiting medial left upper arm
 - Soft tissue lacerations of left upper arm
 - Shored exit aligns with shored re-entry gunshot wound C
3. Penetrating re-entrance gunshot wound (C) of lateral left chest
 - Lacerations of left upper lung lobe, aortic arch, and right upper lung lobe
 - Bilateral hemothorax and hemopericardium
 - Fractures of anterior-lateral left 4th rib and anterior-lateral right 3rd rib
 - Shored re-entrance aligns with shored exit of gunshot wound B
4. Perforating gunshot wound (D) of left forearm
 - Soft tissue lacerations and hemorrhage
5. Penetrating gunshot wound (E) of right forearm
 - Soft tissue lacerations and hemorrhage of right forearm and upper arm
6. Abrasions of right face and right arm
7. Laceration of right wrist
8. Cerebral edema
9. Remote left humeral fracture status post orthopedic repair
10. Ethanol is not detected in decedent's blood on postmortem toxicology

IDENTIFICATION

Body Identified By
Papers/ID Tag

EXTERNAL DESCRIPTION

Length 77 inches
Weight 222 pounds

Body Condition Intact
Rigor 3+
Livor Posterior
Hair Black, with moustache and beard
Eyes Brown
Teeth Natural upper and lower, in fair repair



Received is the body of a well-developed, well-nourished black man appearing compatible with the reported age of 32 years. The body is received wearing a T-shirt, undershirt, pants, underwear, socks, and shoes. The decedent's arms are secured behind his back with handcuffs encircling the wrists. Personal effects accompanying the body consist of two (2) yellow metal post earrings with clear stones, a yellow metal wristwatch, and a hotel key card. Identifying marks and scars consist of well-healed scars on the posterior left upper arm and right lower abdomen, as well as tattoos on the right upper arm, left forearm, and hands. Evidence of medical intervention consists of endotracheal intubation; defibrillator pads on the chest; electrocardiograph leads on the right and left upper arms and right and left lower legs; a tourniquet encircling the left upper arm; and an adhesive occlusive dressing over a gunshot wound on the lateral left chest.

INJURIES

GUNSHOT WOUNDS:

There are five (5) gunshot wounds on the body. The wounds are lettered for convenience of description only; the lettering is not intended to convey the order in which the injuries occurred. There is no soot or gunpowder stippling noted on the skin surrounding these wounds. All wound directions are given relative to the body in the standard anatomic position.

PENETRATING GUNSHOT WOUND (A) OF LEFT UPPER ARM:

There is a 5/8" entrance gunshot wound on the anterior left upper arm located 6-1/2" below the top of the left shoulder along the anterior midline of the left arm. The wound track proceeds through the soft tissue of the left upper arm; partially exits at a 3/8" exit wound at the left axilla located 5" below the top of the left shoulder and 2" medial to the anterior midline of the left arm; continues through the soft tissue of the left upper chest; grazes the left clavicular head; and terminates in the soft tissue of the anterior neck, where a deformed jacketed bullet is recovered. The wound path is associated with soft tissue hemorrhage. The wound direction is left-to-right and upward.

PERFORATING GUNSHOT WOUND (B) OF LEFT UPPER ARM:

There is a 3/8" entrance gunshot wound on the posterior left upper arm located 8" below the top of the left shoulder and 1" lateral to the posterior midline of the left arm. The wound track proceeds through the soft tissue of the left upper arm and ends at a 5/8" shored exit gunshot wound on the medial left upper arm located 7" below the top of the left shoulder and 2" posterior to the left axillary midline. The wound path is associated with soft tissue hemorrhage. The wound direction is left-to-right and upward.

****The exit wound aligns with the shored re-entrance gunshot wound C below.****

PENETRATING RE-ENTRANCE GUNSHOT WOUND (C) OF LATERAL LEFT CHEST:

There is a 5/8" shored re-entrance gunshot wound on the lateral left chest located 7" below the top of the left shoulder and 1-1/2" posterior to the left axillary midline. The wound track proceeds through the soft tissue of the left axilla; fractures the anterior-lateral left 4th rib as it enters the left pleural cavity; lacerates the left upper lung lobe, aortic arch, and right upper lung lobe; fractures the anterior-lateral right 3rd rib as it exits the right pleural cavity; and continues through the right axillary soft tissue before terminating in the soft tissue of the right upper back, where a deformed jacketed bullet is recovered. The wound path is associated with over 2 liters of liquid and clotted blood in the the right and left pleural cavities and the pericardial sac. The wound direction is left-to-right and upward. ****The shored entrance wound aligns with the shored exit gunshot wound B above.****

PERFORATING GUNSHOT WOUND (D) OF LEFT FOREARM:

There is a 3/4" by 5/8" entrance gunshot wound with 1/4" superior marginal abrasion on the left forearm located 16-1/2" below the top of the left shoulder and 1-3/4" lateral to the anterior midline of

the left arm. The wound track proceeds through the soft tissue of the left forearm and ends at an irregular 5/8" by 1/2" exit gunshot wound on the left forearm located 19" below the top of the left shoulder and 1" medial to the anterior midline of the left arm. There is no bullet or fragment of bullet recovered from the wound path, which is associated with soft tissue hemorrhage. The wound direction is left-to-right and downward.

PENETRATING GUNSHOT WOUND (E) OF RIGHT FOREARM:

There is a 5/8" by 1/2" atypical entrance gunshot wound with a 1/4" inferior marginal abrasion on the right forearm located 18-3/4" below the top of the right shoulder and 1-3/4" medial to the anterior midline of the right arm. The wound track proceeds through the soft tissue of the right forearm and posterior right upper arm, causing a 3/8" slit-like partial exit wound located 13-1/2" below the top of the right shoulder and 2" lateral to the posterior midline of the right arm before terminating in the soft tissue. A deformed jacketed bullet is recovered from the posterior right upper arm soft tissue underlying the partial exit wound. The wound path is associated with soft tissue hemorrhage. The wound direction is front-to-back, left-to-right, and upward.

Additional Injuries:

There are abrasions on the right side of the face and the posterior right upper arm. There is a superficial laceration on the skin of the right wrist.

DISPOSITION OF PERSONAL EFFECTS AND EVIDENCE

The following items are released with the body

None

The following items are preserved as evidence

- Clothing: T-shirt (cut) with gunshot defects
- Clothing: Shirt (cut) with gunshot defects
- Clothing: Pants, underwear, socks, shoes
- Bloodstain card
- Yellow metal wristwatch, two (2) yellow metal post earrings with clear stones, and plastic hotel key card
- Handcuffs
- Deformed jacketed bullet recovered from anterior neck (gunshot wound A)
- Deformed jacketed bullet recovered from right upper back (gunshot wound C)
- Deformed jacketed bullet recovered from posterior right upper arm (gunshot wound E)

These items are released by Dr. Lozano to CMPD Crime Scene Investigator S.R. Zay on March 25, 2021 at 11:25 a.m.

PROCEDURES

Radiographs

Anterior/posterior and lateral full-body radiographs reveal three (3) radio-opaque projectiles in the anterior neck, right upper back, and right upper arm. Numerous minute radio-opaque projectile fragments are present in the anterior neck, the chest, and right arm. Medical interventions are readily identifiable. There is a healing fracture of the left humerus with associated radio-opaque fragments and orthopedic fixation hardware readily identifiable.

INTERNAL EXAMINATION

Body Cavities

The pleural cavities exhibit the previously described gunshot injuries. The peritoneal cavity is grossly unremarkable.

Cardiovascular System

Heart Weight 350 grams

The pericardial sac contains liquid and clotted blood originating from the gunshot injury of the aortic arch. The coronary arteries arise normally, follow the usual distribution, and are widely patent without evidence of significant atherosclerosis or thrombosis. The chambers and valves bear the usual size-

position relationships and are unremarkable. The myocardium shows no evidence of acute infarction, scarring or focal lesions. The aorta exhibits the previously described gunshot injury.



Respiratory System

Right Lung Weight 360 grams

Left Lung Weight 340 grams

Examination of the soft tissues of the neck including the strap muscles and large vessels reveals the previously described gunshot injury. The hyoid bone and laryngeal cartilages are intact. The larynx is clear. The upper and lower airways contain small amounts of blood but otherwise are free of debris and foreign material. The lungs are normally formed and exhibit the previously described gunshot injuries. The parenchyma of both lungs shows congestion without obvious consolidation. The pulmonary arteries are free of thrombi or emboli.

Gastrointestinal System

The gastrointestinal tract is intact throughout its length and is unremarkable.

Liver

Liver Weight 1700 grams

The capsule is intact and the parenchyma is unremarkable. The gallbladder is present, contains bile, and is grossly unremarkable.

Spleen

Spleen Weight 75 grams

The spleen is normally formed; no focal lesions are present.

Pancreas

The pancreas is of normal size, shape, and consistency without focal lesions or masses.

Urinary

Right Kidney Weight 150 grams

Left Kidney Weight 150 grams

The kidneys are normally formed. The capsules strip with ease from the underlying smooth cortical surfaces. The renal architecture is intact without focal lesions. The bladder contains urine.

Reproductive

Grossly unremarkable.

Endocrine

The thyroid gland and bilateral adrenal glands are grossly unremarkable.

Neurologic

Brain Weight 1450 grams

Reflection of the scalp reveals no evidence of injury. No skull fractures are identified. The leptomeninges are thin, delicate, and congested. The cerebral hemispheres are edematous, with flattened gyri and narrowed sulci. The vasculature at the base of the brain is intact and without significant atherosclerosis. Coronal sections reveal a normal architecture without focal lesions or masses.

Skin

Gunshot and other injuries as previously described.

Immunologic System

Grossly unremarkable.

Musculoskeletal System

Gunshot injuries and remote left humeral fracture as previously described.

MICROSCOPIC EXAMINATION

Microscopic Comment

Histologic examination is not performed.

SUMMARY AND INTERPRETATION

The decedent is a 32-year-old black man who was shot.



Autopsy examination reveals five (5) gunshot wounds on the body, with a gunshot wound of the chest resulting in fatal injuries to the lungs and aorta. There are abrasions on the right side of the face and the right arm, as well as a minor laceration of the right wrist.

Ethanol is not detected in the decedent's blood on postmortem toxicology. Please see separate report (T2021-4001) for further toxicology details.

Based on the history, autopsy findings, and results of postmortem toxicology, it is my opinion that the cause of death in this case is Gunshot wound of chest.

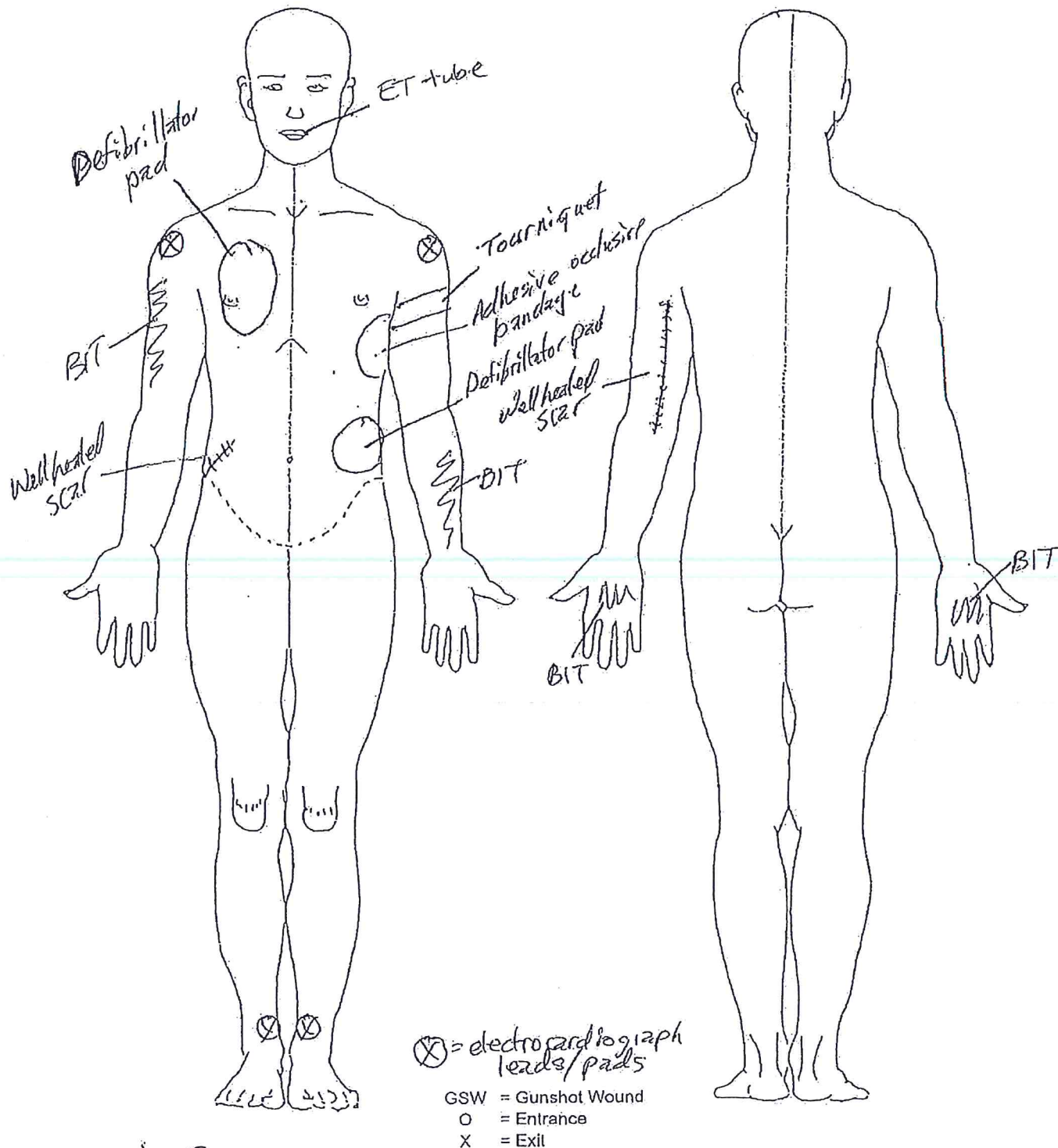
DIAGRAMS

1. Body Diagram: Adult (Front/Back)
2. Body Diagram-Injuries: Adult (Front/Back)

Chapel Hill, North Carolina 27599-7580

Name of Decedent: Frankie Jennings Medical Examiner's Office: MCMEU
Autopsy #: B21-1777
Examined By: JPL Date: 3/24/2021

BODY DIAGRAM: ADULT (Front/Back)

Page 1 of 2

State of North Carolina

Office of the Chief Medical Examiner

Chapel Hill, North Carolina 27599-7580

Name of Decedent: Frankie Jennings

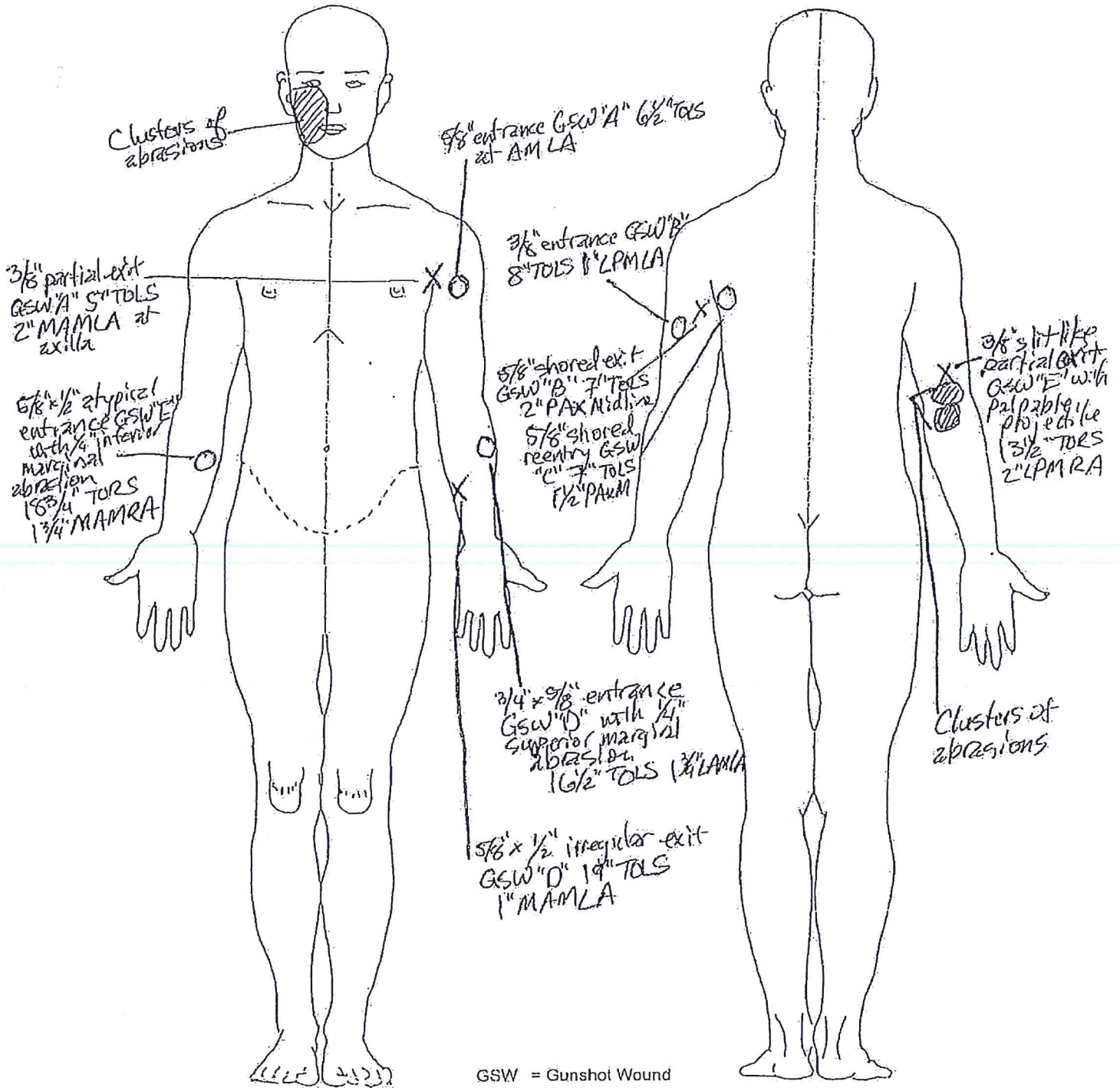
Autopsy #: B21-1717

Examined By: JR

Date: 3/24/2021




BODY DIAGRAM: ADULT (Front/Back)



GSW = Gunshot Wound
O = Entrance
X = Exit

Page 2 of 2

Exhibit 2

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 1 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

THIS IS IN REFERENCE CASE NUMBER 20210323-110603. THIS IS DETECTIVE HELMS; ALSO, PRESENT IS DETECTIVE, OR, SORRY, SERGEANT BO MCSWAIN. UH, WE'RE CONDUCTING AN INTERVIEW OF ERIC TILLMAN, UH, WITH THE UNITED STATES MARSHAL SERVICE, AND THEN ALSO PRESENT BY PHONE IS HIS ATTORNEY, UH, STEVE COOK.

HELMS: Um, just to let you guys know, um, Eric, and also Steve, this room is audio and video recorded; so, it runs con-, continuously. We can't con-, we can't stop it at any point, so, if it becomes a point or a question I ask and you wanna speak about it, um, just let me know; we can stop and you go outside in the hallway, or go to another room that's not recorded. Um, does that make sense?

STEVE COOK: Yes, sir, clear enough.

HELMS: We can't, it, it, it runs 24 hours a day, 7 days a week, 365 days of the year; we can't control it. So, ...

TILLMAN: Alright.

HELMS: ... if, if there's a question you don't wanna answer or you wanna consult with him, just let us know; we can pause and continue, okay?


STEVE COOK: Understood.

HELMS: Alright, Eric, just wanna kind of start, just explain who you work for, um, for me so...

TILLMAN: Yeah, I'm, with the United States Marshal Service.

HELMS: Okay. How long you been with them?

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 2 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

TILLMAN: Since 2010.

HELMS: Okay. Um, any law enforcement experience prior to 2010?

TILLMAN: I was in the Border Patrol.

HELMS: Okay. And how long were you with Border Patrol?

TILLMAN: Just over three years.

HELMS: Alright. And before Border Patrol, any, anywhere else?

TILLMAN: No.

HELMS: 'Okay. Any other ... uh, military experience, any of that ...

TILLMAN: No.

HELMS: ... prior to law enforcement? Okay. Um, so, as law enforcement we always kind, we wear multiple hats sometimes to do different jobs. So, what's your core function with the United States Marshal, like, what's your day-to-day nuts and bolts; what'd, what do you do, what's your responsibility?


TILLMAN: I'm a Senior Inspector with the Carolinas Regional Fugitive Task Force.

HELMS: Okay.

TILLMAN: Assigned to the Charlotte office. And ...

HELMS: And, okay.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department <i>Supplement Report @</i>				COMPLAINT NUMBER 20210323110603	Page # 3 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number		6. C.R. Number
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

TILLMAN: So, I, I'm one of the team leaders for that task force.

HELMS: Okay. And what does that task force; what's their responsibility?

TILLMAN: Uh, what, the primary goal is reduction of violent crime in the communities we serve, so, um, we get task force partners, you know, state and local officers and cases that they adopt. Then we, we help them work it.

HELMS: Okay.

TILLMAN: People with, fugitives with warrants.

HELMS: Okay. Um, since 2010, how many fugitive arrests do you feel like you've made if you had to put a, a number on it?

TILLMAN: Man, I ... I don't know.

HELMS: Okay.

TILLMAN: Many, many.

HELMS: Alright.


TILLMAN: I, I couldn't even put a number without thinking for a minute about it.

HELMS: Okay. But that's your day-to-day function, like, you're, you're out here looking for the guys with warrants?

TILLMAN: Yes.

HELMS: Uh, fugitive warrants or felony warrants or any of that?

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 4 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

TILLMAN: Correct, yeah.

HELMS: Okay.

TILLMAN: Yeah.

HELMS: Alright. Um, ... when you do that job, when y'all go out and do a; can you explain what y'all, how y'all were dressed, what you wear, um, and the reason behind that?

TILLMAN: Sure. I mean, we ... we start off, you know, usually in your jeans and a T-shirt ...

HELMS: Mm-hmm.

TILLMAN: ... sorta dressed down, I guess you would call it.

HELMS: Okay.


TILLMAN: Or just to fit in if you're doing surveillance or something like that. If there's any kind of ... intel or ... idea that, that the fugitive you're looking for is gonna be right there, it's gonna be imminent, then we'll have our gear on already.

HELMS: Okay.

TILLMAN: Uh, and our gear is, you know, a police vest marked with 'United States Marshal Service', my badge, all my equipment.

HELMS: Alright.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 5 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number		6. C.R. Number
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

TILLMAN: And then my belt with my equipment, you know, handgun, magazines, tourniquets, that kind of stuff.

HELMS: Okay. And were you, as far as you remember, on, on the day of 23rd, um, we, what, what were you wearing that day?

TILLMAN: Oh, I was wearing my, my full kit.

HELMS: Okay.

TILLMAN: I mean, minus the helmet; I didn't have a helmet on.

HELMS: Okay.

TILLMAN: My, uh, yeah, I had my ...(clears throat)... my duty belt what I would call, you know, handgun, magazines, handcuffs, and then my vest, my, my protective vest with my Taser and everything else, so.

HELMS: Okay. And I'm, I wanna go back to this task force real quick. How is that task force, I guess, put together, assembled, is, for just the layperson that may not understand, like, what the task force is?


TILLMAN: Well, it's, I mean, it's a congressional mandate, so it started there.

HELMS: Right.

TILLMAN: They formed it and, and ... for this one, it's the Carolinas, so it's North and South Carolina.

HELMS: Okay.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department <i>Supplement Report @</i>				COMPLAINT NUMBER 20210323110603	Page # 6 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021	8. Supplement Date 03/26/2021		9. Correct Incident Classification		
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes	13. Purpose of Supplement Interview with US Marshal Eric Tillman		

TILLMAN: And, it essentially, the Marshal service reaches out to state and local partners throughout both states and, and if, if the agencies come to an agreement, they sign an M-O-U, they put a task force on the task, a task force officer on the task force, and then we work, we work their cases.

HELMS: Okay.

TILLMAN: You know, with them.

HELMS: Alright.

TILLMAN: I mean, and then, uh, we get collaterals that come in from around the country to Charlotte; for instance, somebody commits a crime in Phoenix, and they develop intel that he's here in Charlotte, they send us that lead, and then we look for that fugitive.

HELMS: Okay, alright. Um, I guess next I wanna go, I guess, into this task force. Do y'all train together on a regular basis, or?

TILLMAN: Yes.

HELMS: Can you kind of just talk about what that entails?


TILLMAN: Uh, it's, I mean, everything you would do in law enforcement.

HELMS: Okay.

TILLMAN: Um, from, you know, it can be illegal training, like, just staying current on the law. It can be, um, some of the more technical stuff that we get into with, with tracking and phones and, and ...

HELMS: Mm-hmm.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department <i>Supplement Report @</i>				COMPLAINT NUMBER 20210323110603	Page # 7 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021	8. Supplement Date 03/26/2021		9. Correct Incident Classification		
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes	13. Purpose of Supplement Interview with US Marshal Eric Tillman		

TILLMAN: ... court orders, and things like that. Um, then tactics, whether in vehicles or in a house, just ... anything related to arresting a fugitive.

HELMS: Alright. Um, so this group is, that, that was involved in this on the 23rd; I could go through all their names if you need me to. Um, do y'all train as a unit together, like, ... monthly, annually, semiannually, I mean?

TILLMAN: It, it varies, you know, it's not necessarily a set, like, once a month, but there's a standardized specific to this regional fugitive task force trainings that every office in, uh, North and South Carolina are gonna go through.

HELMS: Okay.

TILLMAN: And so they, they go through all those, whether it's, it's, uh, vehicle tactics one day, then there might be house entries one day, there might be, you know, it, it's always going; you're always gonna be doing refreshers, there's a basic and then you'll always be doing it over and over again. So, given that this task force really came online not even quite two years ago, I mean, there's still, there's still trainings that are gonna be ongoing just to get the basic stuffs done, so.


HELMS: Right.

TILLMAN: And then, of course, you know, Covid-19 threw a wrench in so many people's schedules.

HELMS: Oh, absolutely, with everybody's, I think, so.

TILLMAN: Oh, yeah, it's fair to say we, we train regularly.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 8 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number		6. C.R. Number
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

HELMs: So, I'm just gonna put it out just for, I guess, for a layperson; if, if, well, someone to say, 'We're gonna do a vehicle take-down', everybody in your unit would know what that means and where to flow, I guess, what ...

TILLMAN: Oh, yes, 100%, yeah.

HELMs: ... what job to go do; is, is that what you're saying?

TILLMAN: Yeah, no, they would know cause we done it many times in practice.

HELMs: Okay, alright. Um, ... do you have any ... right now?

MCSWAIN: No. Um, since, uh, and I'm gon' (sic) go back to, uh, border patrol. Um, since 2010, uh, when we talk about training in tactics, uh, recently I know our organization has started to incorporate shoot, no-shoot scenarios within training. Is that something that you have been involved in?

TILLMAN: Yeah, I think that's pretty standard, I mean, to law enforcement everywhere.

MCSWAIN: Okay.

HELMs: Alright.


MCSWAIN: But are you specifically have that, um, ...

TILLMAN: Uh, I've had it many times.

MCSWAIN: Okay.

TILLMAN: Throughout my career.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @					COMPLAINT NUMBER 20210323110603	Page # 9 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge			
4. Location of Offense 2235 The Plaza			5. Arrest Number		6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification		
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman		

HELMs: Alright, alright, I think that's all the questions I have right at this point, up to this point. So, what I'mma do now is just go to the day of the incident, which was the 23rd, it was two days ago, and just kinna (*sic*) talk me through that day. I'mma let you have the floor and we'll probably just circle back with questions; so, you know, start with the morning of the 23rd, um, y'all were going to look for someone with felony warrants, is what I understand, so.

TILLMAN: Right.

HELMs: So, how, I'mma let you have the floor and just walk through it, okay?

TILLMAN: Sure. We developed information that Frankie Jennings, the, the target we were looking for, was likely staying at a, I think it's a Homewood Suites ...

HELMs: Mm-hmm.


TILLMAN: ... in the Charlotte area, and there's four, five of 'em, you know, in the metro area. So, we, I, I said to my team, '*Let's, let's split up, check out the different hotels, see if we can find something.*' Likely registered in his girlfriend's name, proly (*sic*) not gonna be in his; so, that's what people started doing.

HELMs: Mm-hmm.

TILLMAN: Um, you know, I checked one up in Davidson cause that was on my way down, um, like, I had one guy go out to Concord, some down little more south Charlotte, and then it ended up being the last one we checked over there by the, the airport ...

HELMs: Okay.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department <i>Supplement Report @</i>				COMPLAINT NUMBER 20210323110603	Page # 10 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

TILLMAN: ... that his girlfriend had a room. So, once, once the, I think it was two there initially, said, 'Hey, they have a room here', they recognized her and, and stuff. You know, we all started heading that way and we already, we already all knew about him cause we had worked his, this case at least two days.

HELMS: Mm.

TILLMAN: You know, once last week and then I think a Monday, we put some time into it, as well; so, everybody was already briefed on him, aware of who he was, aware what he was wanted for. Wasn't something we had to go over; it, it was known that the whole team ...

HELMS: Can I, can I just pause you right there? Can you, you mind just talkin' from what you remember, what did you know about Frankie and, uh, what he wanted for, his history and all that based on this case?

TILLMAN: Oh, sure. I mean, the, the main warrant was, um, that we were working cause our, our team in Wilmington had adopted the case there for the assault on the officers.


HELMS: Mm-hmm.

TILLMAN: ... when they (sic) drag, when he, he was wanted for dragging them.

HELMS: Okay.

TILLMAN: And so, you know, they had sent, um, sent us some of the information and asked us to start helping them work it; and they were doing different things, uh, getting I-P hits off of one of the accounts, I think they were going up on a phone, hadn't come up yet but, so we, we weren't working that.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 11 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

HELMS: Mm-hmm.

TILLMAN: But we were aware of who he was because of what they sent us, and then, you know, just doing your own, when you run him, you find out he has a bunch of warrants here out of Charlotte, too. So, he had Felony Possession of a Firearm, I think two counts of that. There was, um, Assault on a Female, there was ... a (*sic*) incident where he shot into the car, um, you know, and then, uh, I guess those were the main ones we focused on ...

HELMS: Okay.

TILLMAN: ... and there was other, what I'd call more minor warrants. Obviously, we're not looking for guys on traffic incidents.

HELMS: Right.

TILLMAN: That's not something we're ever gonna do, but, um, those exist and we knew about it, just didn't pay any mind to 'em cause we were trying to serve the, uh, ...


HELMS: Mm-hmm.

TILLMAN: ... the Carolina beach, basically, was our main concern.

HELMS: I guess, in law enforcement, ev-, we, uh, we look at, I guess, we always approach every arrest, uh, we try to the same way, um, threat assessment, all that; but do y'all rank any, rank 'em in any way, like, a high-value target or ...

TILLMAN: Mm.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 12 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

HELMs: ... he's just a regular guy. If they got felony warrants or they're a fugitive, it's, they're all treated the same?

TILLMAN: Right, everybody's treated the same ...

HELMs: Okay.

TILLMAN: ... because, I mean, as a rule, we only adopt violent felonies.

HELMs: Right.

TILLMAN: You know, I, I would say, every once in a while, a case is important to a task force partner agency that maybe it's like some, you know, high-level fraud or something; it might not necessarily be violent, we'll still work it.

HELMs: Right.

TILLMAN: But, as a rule, like probably over the 98% mark, they're violent felons.


HELMs: Okay, alright. So, knew about Frankie, that morning y'all are at the hotel, um, we'll go from there.

TILLMAN: Right. So, made my way down there, um, cause we're gonna set up surveillance, try and figure out; we didn't have a car for him, so, you know, trying to develop that information and then just have people there, see if we can spot him coming out or, or till we could develop if he was even there. We knew she had a room in her name, but staff did not recognize him and we hadn't seen him yet, so, ...

HELMs: Mm-hmm.

TILLMAN: ... it was more of a surveillance ... in, initially ...

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded				23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative				25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department <i>Supplement Report @</i>				COMPLAINT NUMBER 20210323110603	Page # 13 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021	8. Supplement Date 03/26/2021		9. Correct Incident Classification		
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes	13. Purpose of Supplement Interview with US Marshal Eric Tillman		

HELMS: Okay.

TILLMAN: ... and try and figure out if he was there. As I, ... I mean, very shortly after I got to the hotel, I was figuring out which side to set up on cause I only had one other car, um, watching ... one of the sides of the hotel. Found a good spot, as I was backing into it, basically, a black Mariner went past me and I glance at the driver and was fairly certain that was Frankie Jennings.

MCSWAIN: Mm-hmm, right.

TILLMAN: You know, I, I didn't have enough time to stare at ...

HELMS: (clears throat)

TILLMAN: ... I would, I would say for certain, but I was close enough that I wanted to follow him and see if I can I-D, I-D him. And so, I had another couple of task force guys coming into the area right at the same time. I had one of 'em follow me and then we followed that car.


HELMS: Mm'kay.

TILLMAN: We ended up following it through Charlotte; he was driving, you know, making his way through downtown and then into the Midwood area there, and, um, ... he finally landed at a, a tire shop.

HELMS: Mm-hmm.

TILLMAN: We had to get turned around cause we were on The Plaza and, you know, I had to turn around, get a spot where I could see into there, and my partner did the same, ... um, probably took a couple of minutes. While we were there, that Mariner came over, parked on the side, and Frankie Jennings

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 14 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021	8. Supplement Date 03/26/2021		9. Correct Incident Classification		
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes	13. Purpose of Supplement Interview with US Marshal Eric Tillman		

stepped out of the driver's seat, and then I was able to I-D him at, by binoculars, (unintelligible) 100% ...

HELMS: Mm'kay.

TILLMAN: ... that's our guy.

HELMS: Okay.

TILLMAN: No question about it. And so, uh, put that out to the team that no doubt about it, it's our guy, you know; let's, let's see if we can get this way.

MCSWAIN: Who's the partner that spotted, uh, Frank?

TILLMAN: Um, ... well, Mark Ruffin was there with me.

MCSWAIN: Okay.

TILLMAN: And, and we saw him at the same time, I mean, cause we were both set up where we could see him ...


MCSWAIN: Okay.

TILLMAN: ... step out of that car.

HELMS: While we're at this point, I just wanna ask real (*sic*) quick; do you, a lot of times the fugitive or these people with, with warrants, they know they're wanted, do you know if he knew definitely that he was wanted and y'all were looking for him? Or, would you ...

TILLMAN: You know, we had never, like, we hadn't knocked on a door yet for him, we ...

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department <i>Supplement Report @</i>				COMPLAINT NUMBER 20210323110603	Page # 15 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

HELMS: Okay.

TILLMAN: ... we hadn't contacted his girlfriend; so, I don't, I don't believe that he thought ...

HELMS: Do you know if anybody on the eastern part of the state had made contact with anybody close to him and he may ...

TILLMAN: Not aware of that, no, I don't ...

HELMS: Okay.

TILLMAN: ... I don't think, I don't think they had, but it, I mean, it's possible cause, you know, sheriff's department can see ...

HELMS: (clears throat)

TILLMAN: ... about the warrants, you're all (unintelligible) units in Charlotte P-D I think that I had heard might've been looking for him, too.

HELMS: Mm'kay.


TILLMAN: Um, you know, and, and, but I don't know if he knew we were looking for him on those warrants. I don't know if he knew he had the, the Carolina warrants ...

HELMS: Okay.

TILLMAN: ... or Carolina beach.

HELMS: Oh.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department <i>Supplement Report @</i>				COMPLAINT NUMBER 20210323110603	Page # 16 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

TILLMAN: I would assume he did since ...

HELMS: And everybody could look him up online, so, and I, and I know they do that a lot. I was just curious if, ...

TILLMAN: Yeah.

HELMS: ... if anybody had contact that he knew that y'all were actively looking for him.

TILLMAN: Right, yeah, to my knowledge, no.

HELMS: Okay. Um, one other question when you, so far at this point, um, you said as you're, y'all are tracking him through Charlotte and I know that somebody was in contact with our Real Time Crime Center or would be Emily Spindler?

TILLMAN: I was.

HELMS: So, you were the per-, okay.

TILLMAN: Yeah, I had, I work with Emily a lot.


HELMS: Okay.

TILLMAN: You know, we help each other on things, and I called her up as we were driving to see if she could find that car on the cameras ...

HELMS: Mm-hmm.

TILLMAN: ... and, and help me. So, I didn't have to stay right behind him.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 17 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021	8. Supplement Date 03/26/2021		9. Correct Incident Classification		
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes	13. Purpose of Supplement Interview with US Marshal Eric Tillman		

HELMS: Right.

TILLMAN: You know, and she, she picked him up pretty quick and then, um, also coordinated with her to see if I could get some marked unit help ...

HELMS: Okay.

TILLMAN: ... um, if it, if the, a good spot opened up where we could, could get him.

HELMS: Alright.

TILLMAN: And, actually, at that tire shop I was gonna have me and Mark Ruffin and then have a bunch of C-M-P-D units roll in, too, cause he was just standing there for a minute.

HELMS: Mm-hmm.

TILLMAN: I'm like...Ah this is pretty good; he's out of the car. We didn't know what he was there for yet. Well, you know, right after I was talking to her about (light chuckle) that, he gets into a Mercedes and starts it up. And then we figure, okay, he's here to pick up a car.


HELMS: Okay.

TILLMAN: So, that's ...

HELMS: (clears throat)

TILLMAN: ... making it a little more sense. So, then I told her to just not send any help cause I was fairly certain he would flee ...

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department <i>Supplement Report @</i>				COMPLAINT NUMBER 20210323110603	Page # 18 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021	8. Supplement Date 03/26/2021		9. Correct Incident Classification		
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes	13. Purpose of Supplement Interview with US Marshal Eric Tillman		

HELMS: Mm-hmm.

TILLMAN: ... since he had the warrant for that, and didn't wanna put that risk on anybody.

HELMS: Right.

TILLMAN: And we knew what hotel they were staying at, we knew they rented it for another day; I was just gonna go set up at the hotel and, and see if we could land him back there ...

HELMS: Okay.

TILLMAN: ... at that point. Um, so, ...

HELMS: (clears throat)

TILLMAN: ... let the car go, and I had other T-F-Os rolling into the area because I had said we had positive I-D, ...


HELMS: Mm-hmm.

TILLMAN: ... you know, get over here. And one of them a few blocks up saw the Mariner and his Mercedes pull into the Citgo gas station.

HELMS: Mm-hmm.

TILLMAN: And so, well, hey, there they are. So, so, alright, well, let's get over there and see what we can see; um, everything's always developing, you know, quickly and you gotta be flexible in your planning. And so, he was standing right outside the gas pumps, just putting gas in there, um, and since I had

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 19 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021	8. Supplement Date 03/26/2021		9. Correct Incident Classification		
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes	13. Purpose of Supplement Interview with US Marshal Eric Tillman		

everybody rolling in that way, now I had enough people; it wasn't just Mark and I.

HELMS: Mm-hmm.

TILLMAN: We had enough people to, to safely, as safe as possible, make an arrest; and I still had, uh, Emily Spindler on the phone who was sending me, um, getting, getting marked units in the area again. So, once I had everybody set up where we had a good, good perimeter on him, I, and I could see there was no other car at the pump or, or what I felt like, uh, on this area, risk to the public, we went to make a, make an arrest on him cause he was just filling up her car.

HELMS: Right. So, when you pull in the lot kinna (*sic*) just walk me through, as best as you can, uh, kinna (*sic*) what happened, what position you took, um, where you moved to and all that?

TILLMAN: Right. Well, I, I was set up to basically block in the rear driver's side of his car.


HELMS: Mm-hmm.

TILLMAN: The pump would've been the natural black (*sic*), block on the other side, and then her car on the other side of that.

HELMS: Right.

TILLMAN: And then, um, I believe it was Tate Mills, one of the T-F-Os, who was gonna, he was set up to just block the rear of his girlfriend's car. So, we were coming in from that direction and I believe there was another, 'nother (*sic*) officer or two coming from that direction, and then I had people in front of them, you know, to cut him off.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 20 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021	8. Supplement Date 03/26/2021		9. Correct Incident Classification		
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes	13. Purpose of Supplement Interview with US Marshal Eric Tillman		

HELMS: Mm-hmm.

TILLMAN: So, we activated our lights as we were pulling up, and ... he immediately, Frankie Jennings immediately sprinted around, I guess, his girlfriend's car at the pumps and went to his, his driver's side...his Mercedes. Um, you know, I can see him doing that. I stopped short of making contact with his car because I thought for a second, he was gonna duck off behind me and start running away.

HELMS: Mm-hmm.

TILLMAN: And so, I just jumped out of my car, but then I could see he was going into his car, just continued on. Um, basically, Tate Mills and I arrive there at his driver's side door at the same time, and he was in there. I, I'm pretty sure he had the car running still; I don't think he ever shut it off.

HELMS: Mm.

TILLMAN: And, ... you know, that, Tate grabbed him with two hands, was trying to pull him out. I had, like, I had one hand on him for a second, or tried to, but he had got the car into gear.


HELMS: Mm.

TILLMAN: ... and, I mean, at this point, ... everything happens at the same time, so whatever I described is all happening simultaneously.

HELMS: Right.

TILLMAN: It's not like one thing then the next.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @					COMPLAINT NUMBER 20210323110603		Page # 21 of 45	
2. Victim Name Frankie Junior Jennings					3. Original Offense / Charge			
4. Location of Offense 2235 The Plaza					5. Arrest Number		6. C.R. Number	
7. Original Report Date 03/23/2021			8. Supplement Date 03/26/2021		9. Correct Incident Classification			
10. Juvenile Case No		11. Multiple Case Clearance No		12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman		

HELMS: Right.

TILLMAN: So, at the same time, I can see his car moving forward.

HELMS: Mm-hmm.

TILLMAN: Cause he got it into gear. I can see my partner, Tate Mills, falling on the ground ...

HELMS: Mm-hmm.

TILLMAN: ... on my right side. I can see he's gonna make contact with my T-F-O who's on my left side, and I can see a gun in the center console, like, the little cupholder thing? ...

HELMS: Okay.

TILLMAN: ... that his hand's going towards.

HELMS: Okay.

TILLMAN: And, and that's when I shot him.


HELMS: Right. Do you, ... um, do you remember how many times you shot?

TILLMAN: I believe I shot three times.

HELMS: Okay. Um, ...

TILLMAN: But I know that, you know, I wouldn't, I believe I shot three times, but I was ...

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded				23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative				25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department <i>Supplement Report @</i>				COMPLAINT NUMBER 20210323110603	Page # 22 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

HELMs: But things are, and I understand, I've never been in that situation. Um, but and I know things are fast. Do you know or can, we try to think about this sequence of those shots when we, I mean, when you train; do y'all, um, how does that, how do y'all train? Like, when you, when you're on the range and you're, you're doing your qualification or doing your training, how did ...?

TILLMAN: Um, there's a lot of different courses of fire.

HELMs: Okay.

TILLMAN: I mean, so, there's not one. I, I guess I don't, we train to hit the target ...

HELMs: Right.

TILLMAN: ... is what I would say.

HELMs: Alright. So, when, when you fired your first shot, was it, was; do you know the sequence on how they followed after that? Is it ...?

TILLMAN: Oh, I think it was pretty rapid.


HELMs: Okay.

TILLMAN: Like, bang-bang-bang.

HELMs: Okay. Um, when you describe the gun being in the center console, can you, do you remember what the gun looked like or anything like that?

TILLMAN: I ... I know ... fairly knowledgeable about firearms; it looked like a Ruger semiautomatic handgun to me.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department <i>Supplement Report @</i>				COMPLAINT NUMBER 20210323110603	Page # 23 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number		6. C.R. Number
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

HELMS: Okay. Color or anything?

TILLMAN: Uh, black and silver, maybe.

HELMS: Okay.

TILLMAN: I mean, it's, you know, I don't, I don't know the serial number (light chuckle) or the model, but it, it, that's what it resembled to me.

HELMS: Alright. So, after the three shots, um, his behavior, what, how did that change?

TILLMAN: Yeah.

HELMS: Did it change?

TILLMAN: Yeah, he, he, um, ... stopped, you know, stopped reaching and, and the car stopped.

HELMS: Okay.


TILLMAN: Um, at that point, ... we pulled him out of the car to finish the arrest and got him cuffed up, took a minute to get his one arm out from under him. Soon as we cuffed him, I said, *'Let's start working on him.'*

HELMS: Right.

TILLMAN: And so, um, I had a Medkit on me, pulled it out, you know, we got the scissors, cut his shirt off. He tried, tried finding where the holes were ...

HELMS: Mm-hmm.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 24 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021	8. Supplement Date 03/26/2021		9. Correct Incident Classification		
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes	13. Purpose of Supplement Interview with US Marshal Eric Tillman		

TILLMAN: ... hits were. Um, identified one, ... I guess, it'd be his left armpit, like, under there, ...

HELMS: Mm-hmm.

TILLMAN: ... under the arm. Tried getting a chest seal on that, got a tourniquet on the arm, and then, uh, you know, we flipped him over once (inaudible) and got the chest seal on. Um, tourniquet and then check for pulse, couldn't, pulse was getting weak, couldn't feel the pulse, started chest compressions and just waited on E-M-S to get there until once they got there, turn it over to him.

HELMS: Okay. Um, so, once E-M-S is there, what, what do you do next?

TILLMAN: Well, make sure all my people are okay and then, um, I coordinated with one of your sergeants on the scene.

HELMS: Mm-hmm.


TILLMAN: I don't remember his name, but just talking for a minute, um, and a couple of the officers, explained to him ... what, how our policy's gonna work with all this, you know, just the protocol, like, that I was gonna be removed from the scene but I had people coming.

HELMS: Right.

TILLMAN: Um, you know, supervisors and stuff, and, and we're gonna be totally cooperative. Don't think I'm ducking out on you or anything ...

HELMS: Right.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 25 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021	8. Supplement Date 03/26/2021		9. Correct Incident Classification		
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes	13. Purpose of Supplement Interview with US Marshal Eric Tillman		

TILLMAN: ... and then, um, ... you know, turned my weapon over to the senior T-F-O I had there.

HELMS: Mm'kay.

TILLMAN: Cause our policy is a Marshal Service supervisor will turn it over to whatever investigating agency.

HELMS: You remember who you gave it to?

TILLMAN: Yeah, Alden Elliott.

HELMS: Elliot?

TILLMAN: Yeah.

HELMS: Okay.

TILLMAN: (unintelligible), you know, I said, 'Hey, give this, hold on to it or watch it'; I think we just stuck it in the front seat.


HELMS: Mm-hmm.

TILLMAN: And, uh, you know, when, whoever gets here first, supervisor wise, you can give it to them and they'll, they'll take it from there.

HELMS: Alright.

TILLMAN: And then I, since E-M-S was there, I just had him check me out cause that's also one of our protocols, just, you know, just test, check your heart rate, your blood pressure, ...

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department <i>Supplement Report @</i>				COMPLAINT NUMBER 20210323110603	Page # 26 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

HELMS: Mm-hmm.

TILLMAN: ... make sure there's nothing, I, I knew I was fine physically, um, on the outside; and, um, just had them check. And so, they gave me a clean bill of health and then Jamie, Terry, and I left the scene.

HELMS: Okay. Um, where did y'all go to?

TILLMAN: To the, our office.

HELMS: Just your; the one on Trade or?

TILLMAN: Off of Church Street.

HELMS: Church Street? Okay, alright.

TILLMAN: Yeah, yeah.

HELMS: Um, so, we go back; so, when you're ... approaching the car of, when I say car...Frankie's car, um, ... can you, is he trying to drive off? Can, can you describe what his behavior is, what he's doing?

TILLMAN: Yeah, he jumped into the driver's seat and put it in gear.


HELMS: Okay. And then, you said at some point he was reaching towards the gun or?

TILLMAN: Uh, like I said, everything happened at the same time.

HELMS: Right.

TILLMAN: So, all simultaneously, he's fighting off Tate and I.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded				23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative				25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 27 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

HELMS: Okay.

TILLMAN: He's getting the car in gear and his hand's going towards, you know, the firearm.

HELMS: Okay.

TILLMAN: ... area of the firearm there.

HELMS: Right.

TILLMAN: So.

HELMS: Alright. Uh, let you ...

MCSWAIN: Um, I'mma go back. Uh, as you, uh, at the car, and I know you said everything happened at the same; are you announcing anything?

TILLMAN: I don't even know.

MCSWAIN: You don't know?

TILLMAN: I'm sure we were saying, 'Give me your hands, put your hands up!'


MCSWAIN: Okay.

TILLMAN: Cause that's pretty typical.

MCSWAIN: Do you hear anybody, uh, announcing anything?

TILLMAN: No, I, I kinna (*sic*) had tunnel vision at that point.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department <i>Supplement Report @</i>				COMPLAINT NUMBER 20210323110603	Page # 28 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

MCSWAIN: Okay.

TILLMAN: Just looking at the whole scene, trying to, to get him out of that car. So, I mean, there's plenty of shouting going on through five, five people saying, 'Put your hands up!', and ...

MCSWAIN: Okay.

TILLMAN: ... 'Show us your hands!' or whatever, you know, they happen to be sayings, so.

MCSWAIN: Alright. Um, so, let's, uh, let's, let's get to those, those, uh, five people. So, you approach the, uh, the, the driver's door. Um, who did you, uh, know that is also engaging and/or out of their cars?

TILLMAN: I don't know. Uh, I knew there was someone next to me.

MCSWAIN: Okay.

TILLMAN: And I believe it could be Tate Mills.

(BELL CHIME HEARD IN BACKGROUND)


MCSWAIN: Okay.

TILLMAN: I never, like, turned and looked at Tate cause I was looking at Frankie. So, I just assumed it was him.

MCSWAIN: Alright.

TILLMAN: Cause I knew he was pulling up behind as I was.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 29 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021	8. Supplement Date 03/26/2021		9. Correct Incident Classification		
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes	13. Purpose of Supplement Interview with US Marshal Eric Tillman		

MCSWAIN: So, uh, right now, your memory, uh, as, as I hear it, indicates that you know that you have at least one other, uh, um, and is Mills a U-S marshal or is he a T-F-O?

TILLMAN: He's a T-F-O.

MCSWAIN: T-F-O, so you have Mills with you on your right, you were at the car window, um, ...

TILLMAN: No, I'm at the car, the door; the door wasn't shut.

MCSWAIN: The car, uh, oh, it wasn't shut?

TILLMAN: Right, he never got that driver's side door shut.

MCSWAIN: Okay.

TILLMAN: At least during that part of it, yeah.


MCSWAIN: Okay, alright. So, oh, 'cuse (*sic*) me, um, you say that, uh, he gets the car in, in, uh, in drive, it start (*sic*) moving forward; you indicated earlier that you, you saw, uh, who you believed to be Mills going down. Can you describe that in a little bit more detail for me?

TILLMAN: Yeah. Well, I, I knew Mills had two hands on him cause I could see that, and then as the car was moving, I could see Mills' (light chuckle) hands disappearing and not holding on to him anymore.

MCSWAIN: Okay.

TILLMAN: And, to me, it seemed like he was going down, falling down, ...

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 30 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

MCSWAIN: Alright.

TILLMAN: ... whatever. I didn't turn and look at him cause I was still moving with, um,
...

MCSWAIN: Alright.

TILLMAN: ... Jennings.

MCSWAIN: You used, um, you used the words, '*center console*', um, to me, that can encompass everything from under the radio, all the way back to the, uh, the, the, a compartment. Can you, uh, further describe for me, uh, what portions of the '*center console*' you're talking about?

TILLMAN: Well, if you're sitting in a driver's seat of a car and your hands were on the steering wheel, it would be kinna (*sic*) where your right elbow is pointing at.

MCSWAIN: Okay.

TILLMAN: And, um, you know, that's attached to the front; it's attached to, like, a radio typically is.


MCSWAIN: Okay.

TILLMAN: So, like, that area right there; it was, looked like a cup holder or, or like a spot for a mug or something, and then ...

MCSWAIN: Okay.

TILLMAN: ... that's where the gun was at.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 31 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

MCSWAIN: So, the gun was sitting in the cup holder?

TILLMAN: Correct. Almost like the cup holder was a holster, I mean, ... like.

MCSWAIN: Alright. Where is the, uh, gearshift in the car?

TILLMAN: I don't know.

MCSWAIN: Oh, okay.

TILLMAN: Yeah.

MCSWAIN: Alright. Um, did you ever hear anybody, um, announce 'Gun?'

TILLMAN: I, I think I might've said it (light chuckle).

MCSWAIN: Okay.

TILLMAN: Is probably the most likely cause I think I had the best view.


MCSWAIN: Okay. Um, ... you, uh, used the words, uh, after, after the, the shooting has taken place, uh, I just wanna clarify what this means. Um, so, you, you, I think you indicated that you, uh, you brought him out of the car, got him handcuffed, and then you used the words, uh, 'We started working on him.' Can you just tell me what 'working on him' means?

TILLMAN: Right, rendering medical aid.

MCSWAIN: Okay.

TILLMAN: You know, it was what I was talking about there.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department <i>Supplement Report @</i>				COMPLAINT NUMBER 20210323110603	Page # 32 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021	8. Supplement Date 03/26/2021		9. Correct Incident Classification		
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes	13. Purpose of Supplement Interview with US Marshal Eric Tillman		

HELMS: Right.

MCSWAIN: Um, I wanna go back. Um, I wanna go back to the portion where you were talking about briefing on, uh, Frankie Jennings. Um, this, uh, this occurred a Tuesday and you had indicated that you already knew about, uh, Frankie. Can you tell us, uh, what the initial briefing, uh, was on Frankie Jennings, where that took place?

TILLMAN: Uh, sure. I believe the initial briefing where we were at or majority of the team was together would've been either Thursday or Friday of the week prior.

MCSWAIN: 'kay.


TILLMAN: And it was at a Y-M-C-A, um, across the street from where Jennings' girlfriend has an apartment. So, we were going to set up surveillance on that, and so we, you know, show his picture, talk about his history, what he's wanted for, um, possible vehicles, and, and just get that out to everybody.

MCSWAIN: 'kay.

TILLMAN: And then we also post, we have an operations plan that's standard for any case we have, and that's got his picture, height, weight, description, tattoos, if they have any, um, known vehicles, what he's wanted for, that sorta thing, on there. Um, put that on a, a, uh, group chat thing; so, people can just reference it right away, you know; you're sitting there for six hours looking at something and wanna check that picture, then it's right there on your phone.

HELMS: Mm.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 33 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

MCSWAIN: Um, the, uh, during that briefing, and, and you indicated that you knew he had warrants out of Carolina Beach for, uh, like, Dragging, as a (unintelligible, talk over) ...

TILLMAN: Assault with a Deadly Weapon on an Officer, yeah.

MCSWAIN: Okay. Can you tell us, uh, exactly what you, uh, knew about that incident down in Carolina Beach as far as the dragging goes?

TILLMAN: No, I mean, just what it says in the warrant, Assault with a Deadly Weapon on an Officer. I mean, I didn't, I didn't have the, the police report from it.

MCSWAIN: Okay.


TILLMAN: I mean, I'm sure someone did, but, you know, really it's not our job the ... some judge finds there's probable cause for a warrant, just sign (*sic*) it, and then we're trying to serve that warrant.

MCSWAIN: Okay.

MCSWAIN: Um, you indicated that everything happened all at the same time; you know, it's you're, you're in there, um, uh, uh, Mills has him; you said you had your hand on him at one point, uh, he put the car in drive, uh, it start (*sic*) moving forward, and then you see, uh, his hand moving towards, uh, the, the, the firearm. Uh, is it, can, what, I guess, what my question's gonna be is, um, ... was his hand open to receive something or, uh, like, walk me through, like, how do you know he's reaching toward (*sic*) the gun?

TILLMAN: Because that's the direction the hand's moving.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department <i>Supplement Report @</i>				COMPLAINT NUMBER 20210323110603	Page # 34 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

MCSWAIN: Okay.

TILLMAN: So.

MCSWAIN: Uh, where was the hand coming from?

TILLMAN: Not at the gun, like, the side or whatever. I mean, it's all, like I say, at the same time, every, all of that's at the exact same time.

MCSWAIN: Okay.

TILLMAN: You know, it's ... there's not a, this happens over just a few seconds.

HELMS: Mm-hmm.

TILLMAN: It's not long and drawn out.

TILLMAN: Kinna (sic) one simultaneous event.


HELMS: Mm-hmm.

MCSWAIN: Um, and one of the questions, uh, I ask and it's, uh, pretty specific; why did you fire your weapon?

TILLMAN: I was, uh, fear for ... the life of the people that the car was heading towards ... potentially for Mills, who was on the ground, and then myself and the people to my left with the firearm. So, kinna (sic) three threats at once, I guess.

MCSWAIN: 'kay.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 35 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

HELMs: Alright. Uh, just real (*sic*) quick, um, after you leave the scene or you, you're taken from the scene, you go; did you talk to anybody else about what had happened? Did you tell anybody, just your coworkers discuss ...?

TILLMAN: Well, like our policy is they tell my supervisor ...

HELMs: Okay.

TILLMAN: ... briefly, just, *'Hey, you know, I fired my weapon. We were serving a warrant on this guy.'*

HELMs: Okay.

TILLMAN: So, yeah.

HELMs: Any, um, any (unintelligible; *sic*), sorry; anybody else on the team, like, with T-F-Os that took you?

TILLMAN: Not other than, I mean, Jamie.

HELMs: Okay.


TILLMAN: I said, of course, I fired my weapon and she was right there next to me.

HELMs: Right.

TILLMAN: So, she already knew it, so.

HELMs: She ask anything about it?

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 36 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

TILLMAN: No.

HELMS: Okay.

TILLMAN: We didn't really discuss it, I mean, other than, you know, we were just going over what happened. Like, for instance, I had no idea, you know, the extent of the damage on the Tahoe ...

HELMS: Mm-hmm.

TILLMAN: ... cause I had, by the time that happened, we were already; I was already figuring out how to get him out of there and stuff. So, ...

HELMS: So, you learned about that afterward?

TILLMAN: Right.

HELMS: Okay.

TILLMAN: Uh, once she said, 'Oh, yeah, he got a good, good (unintelligible) in there.'

HELMS: Okay. Um, ... and then since this and other than your attorney, have you talked to anybody else about and ...


TILLMAN: Yeah.

HELMS: ... what had happened with some detail?

TILLMAN: Oh, yeah. We have, like, a CIRT team.

HELMS: Okay.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 37 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021	8. Supplement Date 03/26/2021		9. Correct Incident Classification		
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes	13. Purpose of Supplement Interview with US Marshal Eric Tillman		

TILLMAN: A ...

HELMS: What does that mean?

TILLMAN: Critical Incident Response Team.

HELMS: Okay.

TILLMAN: Uh, made up of peers that are trained and stuff and you can talk stuff through with them.

HELMS: Okay, alright. Um, ... have you been involved in any other officer-involved shootings before?

STEVE COOK: I, I have, I apologize, I'm gonna, I'm gonna object to ...

HELMS: Okay.

STEVE COOK: ... to, if you, if you guys want to, we're all about discussing this incident ...


HELMS: Okay. I, I'm ...

STEVE COOK: Thanks.

HELMS: ... just trying to get a; alright, that's fine. Um, during your training when you, when you do the, uh, threat assessments; we talked about that earlier. Um, ... I know in our training you announce what you see; do, do y'all do that in your training?

TILLMAN: Well, yeah, I mean, (unintelligible, talk over).

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department <i>Supplement Report @</i>				COMPLAINT NUMBER 20210323110603	Page # 38 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number		6. C.R. Number
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

HELMs: Okay. So, if you're training and you see, you, uh, somebody with a, a phone, what do you say? What would you say or ...?

TILLMAN: Probably wouldn't say anything if I saw a phone.

HELMs: Okay. If you see a gun, what do you say?

TILLMAN: I would say, 'There's a gun.'

HELMs: Okay, alright.

TILLMAN: I mean, if you the time to get it out there, it's always a good idea to let (light chuckle) everybody else know.

HELMs: Okay. So, you revert back to training and you're involved in a (sic) incident that's high stress, um, adrenaline dump, um, you go to back to what your training is; would you agree to that?

TILLMAN: Sometimes.

HELMs: Okay.

TILLMAN: I mean, you know, it's ...


HELMs: So, is it possible that you said, 'Gun!', and you just don't remember it?

TILLMAN: Oh, yeah.

HELMs: Okay.

TILLMAN: Yeah. I, I *know* I said it at some point.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 39 of 45
2. Victim Name Frankie Junior Jennings				3. Original Offense / Charge	
4. Location of Offense 2235 The Plaza				5. Arrest Number	6. C.R. Number
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes	13. Purpose of Supplement Interview with US Marshal Eric Tillman		

HELMS: Right.

TILLMAN: I don't remember.

HELMS: Okay.

TILLMAN: I couldn't tell you the timing cause everything was so compressed, you know, seconds, but ...

HELMS: Alright.

TILLMAN: ... I remember saying it.

HELMS: Alright.

MCSWAIN: Uh, you indicated that it was a, uh, that you believed the gun was a Ruger.

TILLMAN: Right.

MCSWAIN: Uh, and that you are somewhat familiar with firearms.

TILLMAN: Right.


MCSWAIN: Oth-, other than the, uh, duty weapon that you carry; do you own any other firearms? And you don't have to be specific on necessarily a number, just, just maybe that you own other firearms.

TILLMAN: Yeah.

MCSWAIN: Um, are they handguns?

TILLMAN: Some.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 40 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

MCSWAIN: Okay. Um, and does the either the border patrol or the Marshal service, do they provide you training on, uh, different types of weapons, uh, as far as make, model, caliber, that thing?

TILLMAN: At the basic academy, uh, there's, there's, um, ... some exposure to that, I would say.

MCSWAIN: Okay. Um, ... the, the gun in the, the center console, I believe you narrowed it down to the cup holder. Uh, do you know which way the, uh, was the, um; which way was the gun positioned?

TILLMAN: Well, I think I described it, uh, (unintelligible), it's almost like a holster, you know, set up. If you have your holster on your hip ...?

HELMS: Mm-hmm.

TILLMAN: ... you, you pull it up at the grip...that's kinna (*sic*) how the gun was, muzzle down, you know, where you could just grab it and pick it up.

HELMS: Okay.


MCSWAIN: So, uh, as far as you could see, the gun was not in a holster?

TILLMAN: No, I didn't see a holster. But you know, I just saw the butt end of it sticking out.

MCSWAIN: Okay. Um, ... alright, thank you.

HELMS: I think proolly (*sic*) just spinning off of what you were trying to ask is, during your time with the border patrol and the U. S. Marshals in making arrests or

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 41 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

making contact with people with the border patrol; how many guns do you think you've seized in your career?

TILLMAN: Hundreds.

HELMS: Okay. Difference ... vari-...?

TILLMAN: (unintelligible, talk over)

HELMS: Okay. I guess I'm getting to the point, do you know what a gun looks like, you, you're familiar with firearms, the diff- ...

TILLMAN: Absolutely.

HELMS: Okay. So, ... anything else from you?

MCSWAIN: Uh, not, not at this time.

HELMS: Eric, do you have any questions for us, or Steven?


ATTORNEY: No, thank you very much.

TILLMAN: No.

HELMS: Alright, um, ...

MCSWAIN: Uh, don't, don't disconnect just yet. Uh, we're gon' (*sic*) step out, make sure we've covered everything we need to cover, uh, and then we'll, uh, step back in if we need to. Again, this room is recorded, so, if you, uh, and, uh, uh, Deputy Tillman wanna talk about something, uh, let us know and we could certainly move, uh, the two of you, uh, hand him the phone, uh, to a room that is not recorded. Uh, but if you'll just give us a few minutes,

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20210323110603	Page # 42 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021	8. Supplement Date 03/26/2021		9. Correct Incident Classification		
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes	13. Purpose of Supplement Interview with US Marshal Eric Tillman		

make sure we've covered everything we need to cover, and we'll, we'll be back.

TILLMAN: Alright.

MCSWAIN: Okay. You can stay on the line, sir, I appreciate it. Um, ... so, one of the things we wanna, uh, uh, get clarification on is, um, ... uh, it, it, uh, and I know, I know it happened all very, very fast; um, so, ... walk me through, uh, how many times, uh, Frankie, uh, uh, ... I guess, walk me through Frankie's hands, uh, from the time you make contact with him and he's, he's, uh, from the time he sits down in the driver's seat; walk me through, uh, Frankie's hands. Like, what are they doing, um, and ... uh, what you recall?

TILLMAN: I think I've been as specific as I can be on that.

MCSWAIN: 'kay.

TILLMAN: You know, everything happened at once, so, I'm taking in everything I can at the same time. So, if I see the car getting put in gear, that's one thing; but then the, um, glancing at my partner grabbing him, it's not like I can see *everything* in motion at the same time ...


MCSWAIN: Okay.

TILLMAN: ... and get a picture of one thing at a time.

MCSWAIN: Okay.

TILLMAN: So, I couldn't tell you, you know, uh, I was as descriptive as I could've been with (unintelligible, talk over).

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department <i>Supplement Report @</i>				COMPLAINT NUMBER 20210323110603	Page # 43 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

MCSWAIN: Okay. So, uh, so, the car goes in gear. Um, is the car, uh, moving forward when you see the hand moving back toward, uh, or towards or, um, ...?

TILLMAN: I believe it was starting; yeah, it was probably moving forward ...

MCSWAIN: The car was moving forward?

TILLMAN: ... because that's when Mills fell down.

HELMS: Mm-hmm.

MCSWAIN: And then you, uh, I think you indicated earlier you saw, uh, Frankie, uh, reaching towards the center console cup area?

TILLMAN: Moving away from me towards the gun.

MCSWAIN: Okay. Um, ... did you ever see Frankie reach in that direction prior to that particular motion?

TILLMAN: I ... I can just recall, like, a snapshot, like I said.

MCSWAIN: Okay.


TILLMAN: I don't have a, a video to replay for y'all.

MCSWAIN: Alright. Did, uh, did Frankie ever pick up the gun or get his hands on it?

TILLMAN: Not that I saw.

MCSWAIN: Okay. Um, and so, uh, he was reaching, uh, I think you indicated he was reaching towards it, and that's when you, uh, fired your weapon?

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department <i>Supplement Report @</i>				COMPLAINT NUMBER 20210323110603	Page # 44 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number		6. C.R. Number
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

TILLMAN: Simultaneous with the car running towards my task force officers, yes.

MCSWAIN: Okay.

(DEAD AIR SPACE)

HELMS: I just have one ques-, I guess, at any point from the time you pull up, you see Frankie, um, and you pull up; is there any point where he or you perceived that he was gonna comply with you or anybody in your task force?

TILLMAN: Not at all.

HELMS: Okay.

TILLMAN: When we pulled up, he knew who we were. We had our lights flashing, clearly marked as law enforcement.

HELMS: Mm-hmm.

TILLMAN: If he would've just put his hands up in the air and got on his knees, we would've taken him into custody right there and that'd be it.


HELMS: Okay.

TILLMAN: He ran straight to his car and tried to blast through a containment and, ... you know, that's what happened.

HELMS: Alright. I'm good.

MCSWAIN: I'm ... alright.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte-Mecklenburg Police Department <i>Supplement Report @</i>				COMPLAINT NUMBER 20210323110603	Page # 45 of 45
2. Victim Name Frankie Junior Jennings			3. Original Offense / Charge		
4. Location of Offense 2235 The Plaza			5. Arrest Number	6. C.R. Number	
7. Original Report Date 03/23/2021		8. Supplement Date 03/26/2021		9. Correct Incident Classification	
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose of Supplement Interview with US Marshal Eric Tillman	

HELMS: Any ...

MCSWAIN: Uh, sir, thank you for, uh, calling, uh, letting us call ya.

(END OF AUDIO)

JBH/HBM/olw

Reviewed by J.B. Helms #2445 on 04/07/2021

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer, Code, Assignment, Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date