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**City of Memphis  
Police Division  
Inspectional Services Bureau**

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**Principal Officer Statement**

<b>Officer's Name:</b> Skelton, William	<b>Rank:</b> Police Officer II
<b>DOB:</b> DOE: 01/03/2011	<b>IBM:</b> 12608
<b>Assignment:</b> Airways Station	<b>Shift:</b> A
<b>Statement taken at:</b> 2714 Union Ext.	<b>Date\Time:</b> 2/4/19, 5:00 a.m.
<b>Typed By:</b> Tara Nelms	<b>Date\Time:</b> 2/4/19, 10:48 a.m.
<b>Questioned By:</b> Sergeant Jeffrey Klein & Sergeant Nikolaos Kollias	
<b>Relative to ISB File:</b> S2019-001	

Q: Please state your name and IBM for the record.

A: Officer William Skelton, 12608.

Q: Are you aware this statement is being recorded?

A: Yes.

Q: Have you read and did you understand the Garrity Advisory Form?

A: I did.

Q: Have you dated and signed that form?

A: I have.

Q: Do you understand that a refusal to answer questions in this investigation constitutes a violation of policy and procedures?

A: Yes.

Q: Will you now participate in the interview by Inspectional Services Bureau of this Department?

A: Yes.

Q: Were you afforded the opportunity to read the affidavit of complaint prior to this statement being taken?

A: Yes.

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Q: Do you understand that you are a principal officer, if the facts determine that you are in violation of policy, procedures or directives appropriate action will be taken?

A: Yes.

Q: Do you wish to have an advisor present?

A: Yes.

Q: Advisor could you state your name and IBM please?

A: Officer Michael Jackson, IBM 10147.

Q: Officer Skelton on January 10<sup>th</sup> 2019, did you make the scene of a call at 2400 Airways at approximately 6:15am?

A: Yes.

Q: Was your body camera activated during this call?

A: Yes.

Q: Was your in-car video activated during this call?

A: Yes.

Q: Now I'm going to back up for a second, how long have you been a Memphis Police Officer?

A: This month is 8 years.

Q: What's your current assignment?

A: Airways Station Alpha shift.

Q: The call at 2400 Airways what was the nature of that call?

A: It was a vandalism call.

Q: Were you dispatched to location?

A: I was.

Q: Ok could you describe in detail in your own words what happened from the time you arrived to the time that you cleared the scene?

A: Yeah, uh when I showed up uh I saw Drew Thomas uh I know him because I dealt with him previously in the day, and uh I told him that he was under arrest, uh I put him in cuffs, I put him in my backseat. Bittick went in the store to talk to the clerk, uh get information for the report uh while Drew was in my backseat he started kicking my squad car door, uh I told him that if he didn't stop kicking my door I would spray him. He kicked my door again and I sprayed him.

Q: What were the charges when you first, when you first arrived on the scene and took him into custody, what were the charges?

A: At that time criminal trespassing.

Q: So at what point did you determine that you're under arrest?

A: When I saw him on the property because he's barred from there.

Q: And why did you feel that you needed to spray Drew Thomas in the back of your car?

A: Because when he was kicking the door I thought either; A. he was trying to get out or he might be trying to do something to hurt himself.

Q: But what type of injuries was could he have, could he have incurred from the actions that he was taking?

A: He could have kicked out the glass, cut himself, could have kicked himself into the other side of the car.

Q: Did you weigh your spray after it was used on this call?

A: Yes.

Q: Do you recall what the weight was?

A: I don't.

Q: Did you have to replace the can?

A: I did.

Q: So it was below the weight where you could use it ever again?

A: Yes sir.

Q: Had you ever used the can prior to that particular incident?

A: No.

Q: You initially sprayed him from the driver's side of the vehicle and you also sprayed him from the passenger side, the driver's side and the passenger's side finally. What actions between when you initially sprayed him on the driver's side and when you got to him on the passenger's side what was he doing at that point that you felt that you needed to spray him a second time?

A: The spray didn't take, he kept turning his head away and I couldn't get an effective deployment.

Q: So that applies for moving around from both sides of the vehicle you didn't actually spray him is that what you were saying?

A: The first, the first few attempts that I made he kept turning his head away and the spray wouldn't, wouldn't take.

Q: Did you guys apply ripp-hobble?

A: We did.

Q: When did you apply the ripp-hobble?

A: After he'd been sprayed; after, after the spray was effective.

Q: So after you sprayed him why did you feel like he needed the ripp-hobble?

A: In case the spray alone wasn't effective and keeping him from hurting himself or trying to get out the back of the car.

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Q: Did Drew Thomas ever ask for help while he was in the backseat of your car after you sprayed him?

A: Yes.

Q: What actions did you take?

A: We called an ambulance.

Q: Did he ever request any water, air or anything of that sort?

A: Yes.

Q: What actions did you take?

A: I didn't have any water to give him, I rolled down the, I cracked the windows in the squad car so he'd get some air.

Q: Did you talk to the complainant on the scene and determine the value of the vandalism?

A: No I did not.

Q: Did you know the value of the vandalism?

A: Not until Bittick told me after he talked to the clerk.

Q: And what was that do you recall?

A: Uhhh \$1005 dollars something like that.

Q: Did Lieutenant McGowan advise that vandalism charge needed to be a misdemeanor?

A: No.

Q: Do you know if Lieutenant McGowan spoke to the complainant?

A: I don't, I don't know.

Q: At some point did you ask Lieutenant or I'm sorry did you ask Officer Bittick regarding the felony or misdemeanor charge is it gonna fly?

A: Yes.

Q: And what was that related to?

A: That was related to the damage that Drew had done inside the store.

Q: So at some point it was determined that the value, the vandalism inside the store was a misdemeanor according to Lieutenant McGowan.

A: Ok.

Q: Do you recall telling Officer Bittick to go ahead and just submit the report as a felony and see what happens?

A: No.

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Q: Was Drew Thomas charged with a felony vandalism relative to the damage to the squad car?

A: Yes.

Q: And what were the damages to the squad car?

A: I don't remember seeing any.

Q: Do you know if photographs of that squad car were taken?

A: Yes Bittick took some with his PDA.

Q: Did you document any damages on your log sheet after the shift?

A: No.

Q: Did you shop the car as a result of the damages caused by Drew Thomas?

A: I did not.

Q: In the report it's valued the damage is \$1100 dollars.

A: Ok.

Q: Do you know how that number was determined?

A: I don't.

Q: Do you know what Drew Thomas was charged with when he was transported to jail?

A: Uh I think aggravated criminal trespassing, and felony vandalism.

Q: Do you know what the damages to the business were?

A: No.

Q: Do you know if any photographs were taken of the business?

A: I don't know.

Q: Did Drew Thomas ask you to roll down the window after you sprayed him?

A: Yes.

Q: Did you roll it down?

A: Yes.

Q: Initially when he asked you or later?

A: Uh initially when he asked me.

Q: Did you ever consider putting a ripp-hobble on prior to spraying him?

A: No.

Q: Did any other officers ask do you want to put a ripp-hobble on?

A: No.

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Q: In your use of force report you stated that you sprayed him to prevent injury to himself. Now after he was sprayed were you concerned that he might continue to injure himself?

A: Yes.

Q: What actions did you take as a result of that?

A: We applied ripp-hobble to his feet.

Q: Was that effective? Was the ripp-hobble effective?

A: No he ended up taking his shoes off, kicked out of it.

Q: Were his actions different after you sprayed him as compared to the actions prior to spraying him?

A: Yes.

Q: How was it different?

A: He, he was calmer other than being in pain.

Q: You were sprayed when you were in the Police Academy correct?

A: I was.

Q: And what types of decontamination were used when you were sprayed?

A: Baby shampoo and water.

Q: Did you attempt to use any of those?

A: No.

Q: Did you use any profanity?

A: Yes.

Q: Could you give us some examples of the language you used and why?

A: I called Drew Thomas a worthless piece of incestuous shit.

Q: What does that mean?

A: Well he's worthless, he has no, he has no worth, he has no value. Incestuous because word is he and his mother have sex and piece of shit because that's what he is.

Q: Did you use any other profane language other than that prior to taking him into custody after he was taken into custody before or after you sprayed him?

A: Probably.

Q: Are you a CIT Officer?

A: I am.

Q: Is Drew Thomas a mental health patient?

A: He is.

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Q: The language you used when talking to him did you think that it was appropriate or necessary?

A: Yes.

Q: Did, at any time did you take your body camera off and speak directly into the camera?

A: I think so.

Q: You remember what you said?

A: I don't.

Q: When you first made contact with Thomas, describe his demeanor.

A: Calm, compliant.

Q: Describe your demeanor when you were dealing with him.

A: Angry.

Q: So explain then how you're demeanor towards someone who was calm and compliant best help you complete your duties being that you said speaking to him that way was necessary.

A: He's the kind of person that will only respond to profanity, he'll only see a person who's in charge if profanity is, is used. In my previous dealings with him if he found that you were too calm he took that to be passive and he wouldn't comply unless he knew that you could speak how he speaks.

Q: So in order to keep him calm and compliant you, yourself didn't act calm.

A: Yes.

Q: Describe what you mean by an effective deployment in terms of when you used your spray.

A: It never got into his face.

Q: When you used your spray was your goal of an effective deployment in order to get the spray in his face or in order to get him to stop kicking the door?

A: In order to get him to stop kicking the door.

Q: So after you sprayed him the first time did he kick the door again?

A: I only, the first time that I tried to spray him it, I couldn't, I couldn't didn't hit the part of his body that I was aiming at, so that's when I had made a few more attempts, and once I was able to get the spray where it needed to go he stopped kicking the door.

Q: So after the first deployment or the first spray you didn't get it where you wanted it to go but did he kick the door again?

A: No.

Q: So after the second deployment of spray you didn't get it where you wanted it to go did he kick the door again?

A: No.

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Q: After the third deployment of spray you didn't get it to where you wanted it to go but did he kick the door again?

A: No.

Q: So after the fourth deployment did he ever kick the door again?

A: No.

Q: What was the distance between you and Thomas when you sprayed him?

A: 2 1/2-3 feet.

Q: Did you ever I guess for lack of better terms go into the backseat to spray him or did you spray him from outside the car?

A: I did go into the backseat to spray him.

Q: So you say that when he asked you to crack the windows that you did; however after review of your body worn camera it shows that he asked you to crack the windows and basically you explained to him that after the way he acted and made you treat him the way that you did that you weren't going to do him any favors, and you shut the door and proceeded to tell another officer he wants me to crack the windows for him. I probably should and then at no point do we ever see you crack the windows. Can you explain that?

A: Yeah, I was angry at him and I didn't think he deserved to have the windows cracked.

Q: So did you crack the windows?

A: No.

Q: Did you ever explain to Drew Thomas that him kicking the door he could possibly hurt himself?

A: No.

Q: However you told him he would be foamed if he kicked your door.

A: I did.

Q: I know we've asked this earlier, but what was your purpose for spraying him?

A: To keep him from hurting himself or getting out the back of the car.

Q: So after the spray on several occasions including when Lieutenant McGowan pulled up, you kept saying yeah I sprayed the fuck out of him; I sprayed the fuck out of him. Why would you use those words rather than something to the effect of he was going to hurt himself so I kept him from doing that. What, at no point that, at what point did you ever say he was gonna hurt himself so I had to spray him?

A: I said that because I was pissed at him.

Q: Have you reviewed your body worn camera from that incident?

A: I have not, not since the day, not since the day of.

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Q: You're aware that you removed your body worn camera and pointed it towards yourself and said something to the effect of "I don't give a fuck, I'll tell the camera I sprayed the fuck out of him" in a rather boastful manner. Is that correct?

A: That is.

Q: When you dealt with Drew Thomas earlier in the evening what was the outcome of that call?

A: He was committed.

Q: Did you feel like he was in crisis at that time?

A: No, no.

Q: Why did you choose as a CIT Officer to emergency commit him if he was not in crisis?

A: Since he's a known consumer that particular incident he presented a harm to other people so that's why I committed him.

Q: At the time he was arrested and charged with felony vandalism. To your knowledge, were those charges deserved?

A: To my...

Q: Do we have the criteria to charge with felony vandalism?

A: To my knowledge yes.

Q: Explain that.

A: That's what, that's what Bittick told me according to the clerk that was how much property damage he caused inside the store.

Q: In your conversation with Bittick as do you think this is going to fly, but you said it was in terms of the charges but what would need to fly if you had the criteria for felony charges, what would the terminology "would this fly" come about?

A: Because I wasn't sure and since I didn't talk to the clerk myself I wasn't sure what properties had actually been damaged.

Q: But then why would you question it if you didn't know if they're telling you that there were felony charges then it would be reasonable to assume that there was. Did you have any indications or any ideas that the charges might be inflated or escalated to a level that you're Drew Thomas did not commit the crime?

A: No.

Q: You remember cause Officer Bittick did the paperwork associated with this report...

A: Yeah...

Q: And arrest, do you remember communicating with him about the nature of the spraying incident?

A: No.

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Q: Did you offer to provide an explanation to Officer Bittick as to why you sprayed Drew Thomas?

A: I don't remember.

Q: Is there anything that we haven't covered or anything that you would like to add yourself that might assist us with this investigation?

A: No.

Statement ending its 5:24am.

I will ask you to read the preceding pages of this typewritten statement and if you find the same to be true and correct as a statement given by you, I ask you to initial the bottom of the preceding pages and sign your name on the line below.

W. G. Hoff 12608  
Signature

02/06/19  
Date

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