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**QUEENS DISTRICT ATTORNEY'S INVESTIGATION FINDS NO BASIS
FOR CRIMINAL PROCEEDINGS AGAINST POLICE OFFICERS
INVOLVED IN 106th PRECINCT SHOOTING INCIDENT**

Queens County District Attorney Richard A. Brown made public today the results of his Office's investigation into the April 2016 police-involved shooting death of George Tillman. The results of the investigation are contained in a detailed 71-page report (**a copy of which can be found at www.queensda.org**) which concludes that the officers involved acted in self-defense when Mr. Tillman pointed his weapon at them.

The six-month investigation involved extensive interviews with over two dozen witnesses, including the officers involved, police personnel, emergency responders and civilians. The investigation also included review of video surveillance recordings, police radio runs, 911 call reports, crime scene unit and ballistics reports, the autopsy report and DNA reports.

District Attorney Brown said, "All the credible evidence in this case points to the inescapable conclusion that Mr. Tillman was armed with a loaded and operable .40-caliber semi-automatic pistol at the time of his encounter with the police. The evidence clearly shows that Mr. Tillman pointed the pistol in the direction of a police officer and failed to heed police directions to drop the weapon. The officers had no choice but to fire in order to stop Mr. Tillman from firing his weapon at them."

Although not required by the Governor's Executive Order No. 147, which mandates that the New York State Attorney General investigate police shootings where the civilian was unarmed during the encounter, the Attorney General's Office was notified within hours of the event and was invited to sit in on several witness interviews, including those of civilian witnesses provided by the Tillman family. Virtually all evidence in the possession of this Office was shared with the Attorney General. On May 27, 2016, the Attorney General's Office stated, "After a thorough review, including interviews of civilian witnesses, we have determined that this case is outside the parameters of Executive Order 147, and is therefore beyond the jurisdiction of the Attorney General's Office. We are pleased to have had the full cooperation of the Queens District Attorney's Office throughout this review process."

As set forth in District Attorney Brown's detailed report, the investigation revealed the following:

- Two police officers on plainclothes patrol in an unmarked car observed Mr. Tillman at about 1:30 a.m. on April 17, 2016, standing by his SUV with a bottle of vodka in his hand. Video captured just prior to their arrival showed Mr. Tillman searching for something in the rear of his SUV and then making a motion toward his waist. The officers identified themselves and informed him that he could not have an open bottle of alcohol and that he could not drive if he had been drinking. Mr. Tillman handed the bottle to a

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friend who was with him. At that point, the officers were planning to leave without arresting Mr. Tillman.

- But then one of the officers saw what appeared to be a gun in Mr. Tillman's waistband. When the officer asked to talk to Mr. Tillman, Mr. Tillman began to run while holding his waist with his right hand. The officers gave chase on foot and ordered him to stop, but he continued to run. Another unmarked police car with three officers happened upon the scene. The officers shouted to the arriving officers that Mr. Tillman had a gun, and the arriving officers joined in the chase, ordering Mr. Tillman to stop and drop the gun. But Mr. Tillman continued to run, then turned toward his left and pointed the gun, which was in his right hand, at one of the officers. Four of the five officers fired their weapons. Mr. Tillman sustained several gunshot wounds, all of which were consistent with his having turned to his left toward the officer. Only one, a gunshot wound to his left temple, was fatal.
- George Tillman's DNA was found on the grip, magazine and slide of the loaded and operable .40-caliber semi-automatic pistol that was found in his right hand when he fell. The evidence shows that only two officers came into contact with the gun – the first officer to arrive at Mr. Tillman's body kicked the gun away with his foot and a crime scene officer picked the gun up for vouchering while wearing gloves. There was no evidence that any officer touched the gun with bare hands.
- Moreover, although the civilian witnesses did not see the actual shooting, several, including some of Mr. Tillman's family members, stated that Mr. Tillman had at some point owned a gun and/or had a gun permit, though the investigation revealed that he was not licensed to own or carry a gun in any state. The gun had been stolen by an unknown person three years before, during a burglary of a home in another state.

"Under the circumstances," District Attorney Brown said, "I believe that any fair and reasonable person would agree that to bring criminal proceedings against the officers would be totally unwarranted. The investigation established that Mr. Tillman was armed with a loaded and operable firearm, that he ignored police commands to drop it and that he pointed it at the police. The involved officers gave consistent accounts that were corroborated in their essential aspects, and in no way contradicted, by video surveillance and civilian witness accounts. Under the circumstances, the police officers were legally entitled to use deadly force to stop Mr. Tillman from firing his weapon at them. I have an ethical duty to institute criminal charges only where there is probable cause to support them. This is not such a case."

District Attorney Brown acknowledged the assistance throughout the investigation of the Force Investigation Division, the Crime Scene Unit, and the Ballistics Section of the New York City Police Department and the Office of the Chief Medical Examiner of the City of New York.

District Attorney Brown's investigation was conducted by Senior Assistant District Attorney Robert S. Ciesla and Assistant District Attorney Kristin J. Papadopoulos, of the Homicide Investigations Bureau, under the supervision of Assistant District Attorney Peter T. Reese, Bureau Chief, and under the overall supervision of Executive Assistant District Attorney for Major Crimes Daniel A. Saunders; and by Detective Investigator Perelene E. Kaalund of the Queens District Attorney's Office Detective Bureau, under the supervision of Chief Investigator Franco Russo and Deputy Chief Investigator Robert J. Burke.

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NOTE: A copy of District Attorney Brown's report, as well as video footage, can be found on the Queens District Attorney website: www.queensda.org.