

REPORT OF INVESTIGATION

Name: MCMILLAN, SHAWN

Case#: 5010974

Investigator: Louise A. Bell

Date: September 2, 2001

SYNOPSIS

This was a 26 year old male who died from a gunshot wound to the head. It was reported that the gun was accidentally discharged, striking the decedent one time in the head. The Tarpon Springs Police Department was the investigating agency, assigning case #01-2513. No foul play was suspected.

September 2, 2001

I initially responded to a telephone call at 05:40 hours from Officer Marc Parsons of the Tarpon Springs Police Department (TSPD). He was informing this office of a shooting in a vehicle and the victim had been Bayflighted to Bayfront Medical Center (BMC) in St. Petersburg and was not expected to live. Information provided from Officer Parsons was that the victim was intoxicated in the back seat of a small automobile and a male friend was in the front passenger seat. A female had come to a bar to pick the two of them up to give them a ride home. The victim had the friend's gun in his hand and the gun discharged striking the victim in the head. The vehicle was driving by Helen Ellis Hospital at the time of the incident and the female drove immediately into the emergency room of Helen Ellis. The victim had since been transported to BMC. The victim was identified as Shawn McMillan, a 26 year old white male.

The gun was reported as a .25 caliber semiautomatic handgun with a laser attached on it. The gun had not been checked as of the time of this report. Officer Parsons stated that they do not suspect any foul play at this time. I informed Officer Parsons that the TSPD would be notified if the death occurs.

September 2, 2001

I received a telephone call at 15:30 hours from Sandra Gignac, R.N. for BMC. She was reporting the death. She pronounced the decedent at 15:03 hours. The mother Michaela had been to the hospital and was at the bedside and had visually identified the decedent. She had declined any organ donation. She reported that the decedent had arrived to their facility at 05:09 hours this morning from Helen Ellis Hospital via Bayflight. The blood alcohol upon admission was .22. She reported that the chart will need to be copied and I requested admitting specimens be brought to this office with the decedent. The body will be in the morgue and she will contact this office when he is ready for transport.

I made contact to the TSPD and spoke with Sgt. Al McKenzie. He informed me that the male friend in the front seat of the small Honda 4-door automobile was an off-duty Zephyrhills Correctional Officer. The gun was an "off-duty" gun or was privately owned by this Officer. The two other witnesses in the vehicle reported the same details as to what happened. Reportedly, the two males were at Shady's in Palm Harbor earlier in the evening. There was an altercation in the parking lot of the bar and the off-duty Officer went out to his vehicle and obtained his gun, putting it in his pocket. When the female arrived to take them home, the decedent asked for the gun and placed it in his pocket. As they were driving by Helen Ellis Hospital, the off-duty Officer asked for his gun back. The decedent removed the gun from his pocket and then it is unsure of what happened next. Per Sgt. McKenzie, the decedent may have mishandling the gun or trying to look at the laser. There was no safety mechanism on the gun. The gun discharged, striking the decedent in the right side of the head. The female immediately drove to the emergency room of Helen Ellis Hospital.

Sgt. McKenzie reported that the physical evidence in the car was consistent with the account both witnesses gave. The shirt from the off-duty Officer was collected and taken into evidence. The clothing

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from the decedent was collected and was also placed into evidence. Sgt. McKenzie stated that gunshot residue swabs were not taken on either male since both had reportedly handled the gun. The gun was found on the floorboard in the back seat of the vehicle behind the passenger seat. The spent shell casing was noted on the back seat. Soot was noted on the casing. Sgt. McKenzie stated that with the position of the male in the front seat, it would almost be impossible for him to have shot the decedent. The police do not suspect any foul play and will wait for the autopsy results.

DATE OF INCIDENT: September 2, 2001
TIME OF INCIDENT: 02:26 hours
LOCATION: 1395 Pinellas Avenue, Tarpon Springs

NEXT OF KIN

The next of kin is the mother Michaela Mahoney. She was informed of the involvement of this office by Sandra Gignac of BMC.

Louise A. Bell
Investigator