

unstable, tell me what it is. He's a psychiatrist, Appalachian Psychiatric Services, Dr. Syed, says you are unstable and not fit for duty. If there's another way to interpret this, the thing that you gave me, I'm listening. Was there any other way you can interpret this?

A No, sir.

Q And that's the very thing you and I talked about avoiding?

A Yes.

Q With Mike Johnson?

A Yes. That way it didn't shut me down.

Q Yeah, exactly. So we didn't have the meeting that you and I are currently having.

Now, John, it's your life. You're 23. I'll respect your decision with what you decide to do, and I will not question it. Okay? It's your life; it's your life, it's your time, but you're about to run out of time.

Now, when you run out of time and you're still not fit for duty, the Sheriff has (inaudible), but almost (inaudible) to terminate you as being unfit. The Sheriff would never do that. He would support you to the end, but he ain't going to pay you. That doesn't help

you. Holding a job open indefinitely while you're starving is not a whole lot of help.

A Huh-uh.

Q Okay. If Syed cannot see you until May 14th, you need to make a decision. You need to make a decision what you're going to do. You have a couple of options that I see. I will suggest these to you and let you decide.

You can wait until the 14th, talk to him on the 14th, and say, "Look, I'm not covered by Worker's Comp and I've almost burned up all my vacation and sick time. July 1 -- June 1, I no longer have a paycheck. So I've got next month off, I've got six weeks off and then I'm out of pay," because I actually went in yesterday and counted your time off, and I'm being generous in not counting some of your other days. And, I mean, if push comes to shove, you don't have that much time, but enough (inaudible) you have, that the most you can have through the end of April and May, come June 1, you're out of time, which means you don't get paid any more. It also means you don't earn any time while you're not getting paid.

So you can go in on the 14th, "you've got to cure me, solve me, get me back by July 1." I can tell

you what he's going to tell you: "No. You can go back to work when I'm satisfied you can go back to work. The next meeting will be June 13th." That's one of your options.

The other option is, you still have to overcome what you've given me. I can't ignore this. You've turned this in, as a matter of your personal record now, and I still have to address this. So you have to overcome this, you're "not stable." Okay? You've got to be able to go and see Dr. Syed and say, "Look, there's a clear misunderstanding. I turned in the work excuse saying I'm not stable, not fit for duty. You need to clarify that, that it would be," you know, "that I have a work excuse to come back to work." I don't know how you're going to get him to phrase it. I don't know.

A Like I'm going to be under his care, but I can still work. Something like that?

Q Something like that. It's okay with me. I don't care what he says. But he says you can't come back to work until he says. You've turned that in as official.

A And then you know (inaudible) we'll probably end up having to reword it.

Q You've got to go to get one from him that

says, "This was misphrasing on my part, and what I meant is, he is fit for duty, but because it's stress related, he needs treatment and I would like to continue his treatment, and schedule it accordingly." That's fine. Or you go back and see Mike Johnson. I don't much care what you do to get your help that you need. What I don't want to see happen is you, in the beginning of your life, at 23-years old with a fiancé and this new place you just set up, you've got now utilities and a house payment and a truck payment and all the things adults have, then you're about to lose your job. You don't need that. And if there's stress, boy.

A That's going to add to it.

Q Well, you multiply your sleepless nights by about ten, and then suddenly you don't have enough (inaudible) to deal with all the pressure. So we've got to figure out a way to avoid this kind of stressor. Are you with me?

A Yes.

Q The last thing you need, when you're talking about all your other pressures, your pressures, what you don't need to do is come to pick up your paycheck and find out you don't have a paycheck. So we've got about six weeks to figure it out before your paycheck runs out.

I had absolutely no intentions of you taking sick time; none. I expected you to work and see Mike Johnson to work this out. But if you needed stress days and you needed to take days and cut your grass, that's fine, absolutely no problem. I told you we'd work with you anyway we could. I didn't mean take the summer off and not tell anybody and grow a beard and hang out and have a good time. That is not what I meant. I meant, you be a man, to grow a set, and to deal with your problems.

You are going to have to sit down, John, and talk about this. It's not going to get better; it's not going to go away; it's not going to fade into the background. It's going to get worse and worse until you sit down and talk about it, period. Eventually, everyone of these guys is going to tell you that. Okay?

A Uh-huh.

Q Until you can honestly deal with this, out loud, then the dreams aren't going away. Let me tell you something else, and I promise you this: The day you sit down -- and I don't care if you talk to me, I don't care if you talk to Syed, I don't care if you talk to Johnson, the day you can sit down and say, "Let me tell you what's killing me," is the day you're going to have (inaudible).

The day you can tell me what's eating at you, is the day the dreams are going way back. Then, the tools they give you to deal with it will work. Until you talk about it, it ain't. And I don't mean talk about it in a superficial general terms. I'm talking about details. I'm talking about searching your soul and really talking about it.

If you want to talk about it, we'll talk. And you can talk to me, you can talk to a friend, you can talk to a doctor, you can talk to a counselor; it doesn't matter to me who you talk to. It's the nature of the talking itself, the opportunity to talk it through; and when you talk, it takes that whole weight off of you. When you share it with somebody, all of a sudden it's a load you can bear.

Now, we have this philosophy that you're already addicted to. It's this (inaudible) macho image, but that's part of the job and it's life and we deal with it, and you do what you have to do, and that's just too bad for you. It's absolute crap. It isn't true, and you know it, and anybody who really feels that way needs to turn in their badge and become a terrorist somewhere, because that's what you are.

The fact is, you were put in circumstances

you had no control over, but you still were there. You still had choices.

A Uh-huh.

Q You still made choices. You can always question your choices, you just can't change them. As I see it, from my perspective, you had a choice. You could hope he'd drop the gun and it was (inaudible) or he just talked trash or it fell out of his hand, because he was drunk; you could hope he didn't shoot; you could hope that he shot and missed. There are a lot of hopes you could have made, but your two options were: Shoot or don't shoot. If you had another one, I don't know it. It comes down to this: You could either shoot or not.

A Uh-huh.

Q You chose to shoot. We'll never know what would have happened, if you had chose not to shoot. Would he would have dropped the gun, surrendered, changed his mind or would he killed Greg or you, or both? We don't know. So you have to decide what point is your life more valuable than the one (inaudible). These are the things you're going to have to talk about.

You're going to have to talk about when you chose to pull the trigger. You're going to have to talk about whether you shot because Greg did, or you shot

because you were (inaudible). It doesn't matter which one it is, because, hey, it was still the right thing to do. If you followed his lead and he fired, so you fired, that's okay; but you have to know that. You have to know it's okay. Until you say, "It bugs me that I fired after he hit the ground," and I'm thinking one of those shots ricocheted," whether it's true or not, and we don't know if it's true or not, yeah, it could be either one. It could have bounced up and hit him and it could have been a line of fire. It could have been directly within your line of fire. We don't know exactly where you were, we don't know exactly where (inaudible). We know where (inaudible) looked like when we got there, but that's not the same thing.

Until you address -- you have to address these things. You have to go into every piece of that shooting and break it down and talk about what you remember.

A I look back at it now, I can (inaudible), because I remember that I had him drawing down, I can remember I was drawing down on him and I just glanced over and just looked at Greg to see what he was doing, and Greg was drawing down on him, too, and that was right before Greg yelled at him. Greg yelled at him, he turned

around, and I couldn't see the gun then. It looked like he was holding something.

Q (inaudible)

A Well, I'm short, I couldn't see it. And then when he was raising up I realized what it was, and now that I remember, it's like Greg shot -- and I didn't look at Greg when he shot, but when he shot, I seen him bounce back and it was like it still didn't phase him. Then it's like when I shot, that's when he dropped.

Q Uh-huh.

A And so I guess because Greg's hit him up in this area, I think it just kind of bounced him back a little bit and that was it. I can look back and see that now.

Q Uh-huh.

A It's like when mine hit him, it was like he got shot with a big sandbag or something, and knocked the breath out of him and he fell.

Q But you know what actually happens (inaudible)?

A Huh-uh.

Q Okay. You have time distortions. You have tunnel vision. Time actually slows down and it's a survival mechanic the body goes through.

A It seemed like ten minutes after he shot that I shot.

Q Yeah, it does. It seems like it was forever. So what's amazing to me, because I've been in a couple of shootings where I couldn't believe how clearly my (inaudible) was, and how (inaudible) was, but I was thinking, (inaudible), and I'm just sitting, going, I (inaudible). I'm not scared, I'm not shaking, everything's working. And when the gun (inaudible), it's just boom. You see the round go, but it's not like -- it's like everything is just super slow motion. But you know (inaudible)? You know why I know what?

A I don't know.

Q (inaudible).

A He just hadn't fallen yet. That one second seemed so long.

Q He hadn't fallen yet. What it is, is you distorted perception is milliseconds. You're in a survival mode. Okay? You lose your hearing, you lose your smell, but your sight becomes incredible. It's incredible how clear it is. It can be total darkness and you can see what time it is on your watch. It's your body adjusting to survive. It's giving the necessary instincts that you have.

You've got your sight, the most important thing. Everything's slows but your sight. Time becomes distorted, it slows down, and everything goes in slow motion, but you're actually going up to speed, everything else is in slow motion. It's just perception and it's normal. But what really gets you the most about the shooting, if there was a single thing?

A I really don't know, just -- I've just had so many dreams since then, and none of them have him in them.

Q Right.

A It's just made up stuff in my head.

Q Right.

A Not even situations I've ever been in or anything.

Q But why do you -- okay. What gets you the most? Is it the shooting itself? Is it the aftermath of the shooting? Is it the vulnerability? What is it?

A It just -- I don't know. It just wakes me up all the time scared, feel like I'm having a heart attack, I can't sleep, and I guess that makes me irritable. And then it's just like I'm sick afterwards. Like every time I have a dream, it's like I'm real sick.

Q And the problems multiply each other. One

falls onto another one, it's like a domino. You think it is from the shooting?

A I never had dreams like that until afterwards.

Q Okay.

A I had one where --

Q Well, if it's the shooting, it's how you need to come to terms with the shooting; right? Okay. So what do you think is the best way to come to terms with it?

A Talk about it with somebody.

Q So when are you going to do that? It's been long enough now.

A I just don't know if (inaudible) can help me though.

Q Well, you need to talk about it. You've never talked about it. Why not?

A Nobody's ever asked me here about it and I remember we was told not to talk about it.

Q That isn't true, John. Your mother's asked to hear about it, your girlfriend's had to ask you what happened, tell me about it; your mother hasn't said that. (inaudible) happen to asked you if you wanted to talk it through?

A I can't remember.

Q A lot of people have. A lot of people have. You've not heard it, but they're asking.

A And nobody didn't want to talk about it, because they just didn't want to, and then --

Q Well, they don't have to. They don't have to (inaudible).

A I really wasn't supposed to say nothing about it.

Q That isn't true. No, that isn't true. Tell me about the shooting?

A Where do you want me to start?

Q What you had for breakfast that day. I don't care where you start.

A I can't remember nothing that day. I can just remember, I don't know, but I think Greg may have called me, I went up to the hotel, he's up there on construction, sitting right where the front door is, actually to the left of it. I think he was in the -- I don't remember what cruiser. He may have been in an older cruiser, I think.

We were up there talking and one of the -- they had called Bair and he was going somewhere, and I told him, I said, "Greg said for you to come up here,"

and he said, "Well, I have a car wreck to go to," or something like that, "and I'll be up there," I think, if I recall that right. I may be getting things mixed up here.

And I remember that, and we're up there talking, they give me the call of a guy with a handgun shooting at his own house or something like that. I think that's what I recall them saying. I thought that was kind of weird, apparently something stupid, not true.

Q Why?

A (inaudible) through the area, everybody was gone, quiet, drove back on, looking for something else to do. Well, Greg said, "I can't let you go there by yourself." Well, we're out, standing outside the car when we're talking, you know, with the door open.

Q Uh-huh.

A Well, Greg says, "I better get my vest on." So he opens up his truck, puts his vest on over top of his uniform, because he didn't have it on.

Q Oh.

A I may have done mine then, I think. Yeah, I think I put mine on then, because I don't think I had it on that night. No, I didn't. I can't remember if I put it on then or in Cabell Heights. I think I did it then

just in case we drive into it. Put that on, I don't know why, and this has really made me wonder: Why did we leave the hotel, instead of going down Harper Park Drive right up to it? Why did we go down the interstate, the long way? I don't know why.

Q The interstate to Old Eccles?

A Yeah.

Q Is that what you did?

A I don't know why, but going the back way would have led us right to the place a whole lot quicker.

Q Sure.

A I don't know. I was leading. I went that way. Greg followed me. I remember getting off at the clover leaf right there off the interstate, going around the real sharp turns. I can remember we was running a code, just in case it was a real shooting or something. I remember cars getting out of the way. I can remember me and Greg turning up Old Eccles, and we shut our lights down once we got to the top of hill, so nobody would hear us coming or see us coming.

Q Uh-huh. You're talking about Cabell Heights?

A Well, we was coming up Old Eccles. Once we got to the top of the first little hill right there, that's where we turned our lights off, there was no