

**TENNESSEE BUREAU OF INVESTIGATION  
INVESTIGATIVE REPORT**

Case # : ME-76C-000007

IR # : 87

**Author:** Ferguson, Cathy Lynn

**Activity Date:** 08/11/2015

**Case Agent:** Ferguson, Cathy Lynn

**Report Date:** 08/12/2015

**SAC/ASAC:** Simmons, Johnny Allen

**Approved By:** Simmons, Johnny Allen

**Description:** Summation of Investigation

(LE) CONNOR LYNN SCHILLING, W/M [REDACTED]  
(O) DARRIUS STEWART, B/M [REDACTED]

On 07/17/15 at 11:18 pm, Memphis Police Department Officer (LE) CONNOR LYNN SCHILLING conducted a traffic stop in the area of 5799 Winchester Rd in Memphis, TN. (O) DARRIUS STEWART, an occupant of the vehicle, was detained inside of (LE) SCHILLING'S patrol car, until outstanding warrants for his arrest could be confirmed. Upon confirmation of the warrants, (LE) SCHILLING attempted to handcuff (O) STEWART. A struggle ensued between (LE) SCHILLING and (O) STEWART. During this struggle, (O) STEWART assaulted (LE) SCHILLING with the handcuffs; (LE) SCHILLING fired his service weapon, striking (O) STEWART. (O) STEWART was transported to the Regional One Health Center where he died from his injuries.

Throughout the course of this investigation, numerous witnesses were interviewed. While no witness saw this incident in its entirety, each person saw a portion of it. The following is a summary of what each witness stated they saw:

[REDACTED] was driving down the road when she saw (O) STEWART and (LE) SCHILLING "tussling" on the ground. She turned around and parked her car in the Midas parking lot, which was near the area where the altercation was taking place. [REDACTED] advised a black male (later identified as [REDACTED]) was standing beside her and witnessed the altercation. [REDACTED] (LE) SCHILLING stand up and shoot (O) STEWART while he, (O) STEWART, was on the ground. She described (O) STEWART'S positioning when he was shot as resting on his right elbow as if he was trying to get up, with his left side facing (LE) SCHILLING. [REDACTED] advised that she was not sure if (O) STEWART was wearing a shirt or if he was shirtless. [REDACTED] ran back to her car and heard the second shot approximately one minute after first shot.

[REDACTED] was parked at the entrance/exit of Plum Tree Apartments, across the street from the traffic stop. She heard a noise, which drew her attention to the area of the traffic stop. She saw (O) STEWART and (LE) SCHILLING struggling on the ground. She heard (LE) SCHILLING give (O) STEWART commands. While trying to video the incident, [REDACTED] heard the first shot. She heard (O) STEWART say, "I can't breathe," and she saw (O) STEWART and (LE) SCHILLING get up off the ground. (O) STEWART stumbled as if he could not use his hand as he got off of the ground. [REDACTED] saw (O) STEWART turn and run away; she saw (LE) SCHILLING shoot (O) STEWART as he turned away. [REDACTED] video began after the second shot and did not capture any of the incident.

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██████████ was driving down the road when he saw (O) STEWART and (LE) SCHILLING struggling on the ground. He pulled into the Midas parking lot and began videoing the incident. He continued to video as (O) STEWART and (LE) SCHILLING struggled on the ground. ██████████ heard the first gunshot and saw (LE) SCHILLING standing over (O) STEWART while (O) STEWART was on the ground. ██████████ saw (LE) SCHILLING then back away from (O) STEWART. (O) STEWART stood up and ran away from (LE) SCHILLING as (LE) SCHILLING shot (O) STEWART. ██████████ described (O) STEWART'S position when he was shot as having his, (O) STEWART'S, left side facing (LE) SCHILLING. ██████████ witnessed (LE) SCHILLING handcuff (O) STEWART. ██████████ then drove to the Plum Tree Shopping Center where he took an additional video. ██████████ videos are the ones that have been shown on the news; they were taken from inside his vehicle.

██████████ was driving on Winchester with his children and girlfriend, ██████████ when his son stated he heard a shot. ██████████ advised he pulled over near the Midas building beside the tire shop and got out of his vehicle to watch. The police asked him to move, so he drove to the BP gas station; he and a female ██████████ walked to the Plum Tree Shopping Center and watched from this location. \*Note: ██████████ stated she and ██████████ were in the parking lot of the Midas building and watched (O) STEWART and (LE) SCHILLING "tussling." ██████████ drove to the BP after they heard the first shot, and walked back down the area to watch. ██████████ stated she saw ██████████ hold his phone up while they were watching the "tussling" as if he was videoing; ██████████ denies this and stated he did not witness the incident. As of this date, ██████████ has not been located to be interviewed.

██████████ was parked at the entrance/exit of Plum Tree Apartments across the street from the traffic stop. He was attempting to pull out of the apartment complex onto Winchester when he noticed a truck blocking the exit. When he got out of his vehicle to ask the truck to move, he noticed the driver's attention was directed across the street. Being curious, ██████████ also directed his attention across the street and heard (O) STEWART say, "I can't breathe." He saw (O) STEWART stand up from the ground only using his legs and with his hands behind his back. He noticed that (O) STEWART'S shirt was pulled up in the back. He then saw (LE) SCHILLING draw his weapon and shoot (O) STEWART. He did not witness the struggle between (O) STEWART and (LE) SCHILLING. ██████████ left the scene and was not interviewed by MPD that night.

Rather than provide an additional statement, (LE) SCHILLING chose to release his MPD Garrity statements to the TBI. On 08/03/15, Art Quinn, attorney for (LE) SCHILLING, provided a copy of two statements (LE) SCHILLING had given to the Memphis Police Department Security Squad. Those statements were taken on 07/22/15 and 07/26/15. Below is a summary of these statements:

On 07/17/15 at 11:18 pm (LE) SCHILLING conducted a traffic stop in the area of 5799 Winchester Road in Memphis, TN. (LE) SCHILLING was working a special detail for the Governor's Highway Safety Office (GHSO). (LE) SCHILLING initiated the traffic stop due to an improperly working head light. The driver of the vehicle, ██████████ the front seat passenger, ██████████ and the rear seat passenger, (O) DARRIUS STEWART, were each asked for their identification. (LE) SCHILLING ran a warrant inquiry on all three and found that (O) STEWART had outstanding warrants from Illinois and Iowa; the Illinois warrant was for

Failure to Appear, and the Iowa warrant was for Sexual Abuse, Second Degree, which is a felony. He was detained inside of (LE) SCHILLING'S patrol car until those warrants could be confirmed. Because (O) STEWART had been cooperative, (LE) SCHILLING did not handcuff him prior to placing him inside the patrol car. (O) STEWART told (LE) SCHILLING that he had been in a similar situation before where officers had mistaken his identity via the warrants, and those officers had released him. (LE) SCHILLING issued [REDACTED] a traffic ticket and released him and [REDACTED] they drove away from the scene.

Upon confirmation of the warrants via MPD dispatch, (LE) SCHILLING opened the patrol car door in an effort to remove (O) STEWART from the rear seat to handcuff him. (LE) SCHILLING had his handcuffs out and in his hand. (O) STEWART put his foot on the ground and refused to obey (LE) SCHILLING'S commands to place his foot back in the patrol car and place his hands behind his back. (O) STEWART kicked the patrol car door open and into (LE) SCHILLING. (O) STEWART charged at (LE) SCHILLING and grabbed (LE) SCHILLING by the shoulders. (LE) SCHILLING turned around and took (O) STEWART to the ground.

(LE) SCHILLING gave (O) STEWART verbal commands to stop resisting; (O) STEWART did not comply. While they were on the ground, (O) STEWART grabbed (LE) SCHILLING'S uniform shirt as well as the items on his duty belt, including his magazines and duty weapon. (LE) SCHILLING believed (O) STEWART was grabbing for anything he could use as a weapon to assault him. (O) STEWART grabbed and squeezed (LE) SCHILLING'S genitals while they fought on the ground. (O) STEWART gained control of (LE) SCHILLING'S handcuffs and began striking (LE) SCHILLING in the face and arms. (LE) SCHILLING described the handcuffs as "balled up" in (O) STEWART'S hands. (LE) SCHILLING described himself as "physically exhausted and so winded that I wasn't really able to defend myself at the point he gained control of my handcuffs." (LE) SCHILLING stated he believed (O) STEWART was not trying to get away at this point in the altercation; he was trying to do physical harm to him.

(LE) SCHILLING stated he believed he could have been knocked unconscious by the next blow from the handcuffs, which would have allowed (O) STEWART to have access to his weapon. Fearing for his own safety, (LE) SCHILLING fired his weapon at (O) STEWART, striking him twice. (LE) SCHILLING described his position when the first shot was fired as being on the ground but in a kneeling position; (O) STEWART was also on the ground. With regard to their positioning when he fired the second shot, (LE) SCHILLING stated he was in the process of standing up but had not yet stood fully erect when (O) STEWART advanced toward him. (LE) SCHILLING advised that he fired both shots from a "tight" one handed position, meaning his shooting arm was not fully extended. His shooting arm was "tight" or pulled into a tucked-like position when he fired. This is a common technique taught at the Memphis Police Department.

(LE) SCHILLING estimated he was less than three feet away from (O) STEWART when he fired the shots, and the time between the shots was two seconds. After he was shot, (O) STEWART ran about 60 yards; (LE) SCHILLING holstered his weapon, gave chase, and found (O) STEWART on the ground. (LE) SCHILLING approached (O) STEWART and handcuffed one arm; (O) STEWART began resisting, and (LE) SCHILLING decided not to handcuff the other arm because he'd been shot. (LE) SCHILLING got on the radio to request backup and EMS; he realized his radio frequency had been changed during the fight with (O) STEWART.

Numerous backup patrol units arrived on the scene, as well as various investigative units from MPD. MPD began their investigation that included interviewing witnesses, working the crime scene, and collecting evidence, all of which was later released to the TBI. (O) STEWART was transported to the MED for treatment, but died as a result of his injuries. He was transported to the Shelby County Medical Examiner's Office where an autopsy was conducted by Dr. Marco Ross.

Dr. Ross described (O) STEWART'S injuries as follows: entrance wound to the right upper chest close to the top of the right shoulder that traveled downward front to back. The other gunshot entered the upper left arm toward the backside, passed through the muscle, exited the inner part of the left arm, entered the left side of the chest, and traveled very slightly downward. Dr. Ross stated both gunshot wounds had stippling. There was also stippling present on (O) STEWART'S back area; Dr. Ross stated this is not unusual with the location of the entrance wound on the left arm. Dr. Ross stated he would expect to see stippling if the muzzle to body distance was from ½ inch to 3-4 feet.

Dr. Ross advised (O) STEWART'S injuries were inconsistent with him lying flat on his back and the shooter standing directly over him when the gun was fired. However, he stated it was possible for the gunshot wound to the left shoulder area to have occurred on the ground if (O) STEWART was lying on his right side with his left side facing up with (LE) SCHILLING at a higher height than (O) STEWART. As of this date, the autopsy report is still pending.

Numerous items of evidence were submitted to the crime laboratory for examination. Forensic examination of (LE) SCHILLING'S firearm matched the rounds recovered from (O) STEWART'S autopsy. An examination of the shirt (O) STEWART was wearing when he was shot was completed in an effort to determine the muzzle to garment distance; it was determined to be greater than contact but less than 24 inches. (O) STEWART'S shirt had one bullet hole in the shoulder area. There was not a hole in the shirt representative of the gunshot wound to his left side. ██████████ stated he saw that (O) STEWART'S shirt was pulled up, and ██████████ stated she could not tell if he was wearing a shirt at all. This could explain why there was no bullet hole on the left side of the shirt.

DNA analysis was conducted on several items of evidence. (O) STEWART'S DNA was found on the hinged area of (LE) SCHILLING'S handcuffs. (O) STEWART'S DNA was also found on (LE) SCHILLING'S duty belt magazine case and radio pouch. (O) STEWART'S DNA was also found in blood spatter on the right sleeve of (LE) SCHILLING'S uniform shirt.

(LE) SCHILLING'S injuries included a bite mark on his right bicep, bruises to his arms, hands, and face, a knot on the back of his head, and abrasions to his knees and face.

This case file has been provided to the Shelby County District Attorney General's Office for their review.

CLF/lis

**TENNESSEE BUREAU OF INVESTIGATION  
INVESTIGATIVE REPORT**

Case # : ME-76C-000007

IR # : 88

Author: Ferguson, Cathy Lynn

Activity Date: 08/14/2015

Case Agent: Ferguson, Cathy Lynn

Report Date: 08/17/2015

SAC/ASAC: Simmons, Johnny Allen

Approved By: Simmons, Johnny Allen

Description: Investigative Activity - Tip - [REDACTED] - 08/14/2015

(LE) CONNOR LYNN SCHILLING, W/M [REDACTED]  
(O) DARRIUS STEWART, B/M [REDACTED]

On 08/14/15, Vince Higgins, Shelby County District Attorney General Public Information Officer, forwarded several emails he had received concerning this case. [REDACTED] emailed Higgins and stated he had evidence that (O) DARRIUS STEWART'S homicide was premeditated. Higgins forwarded this information on to the TBI.

On 08/14/15, I spoke to [REDACTED] by telephone. [REDACTED] stated he was a community activist who has been working with (O) STEWART'S mother. [REDACTED] advised [REDACTED] had provided him with some information concerning her son's death. Specifically, he stated [REDACTED] received a phone call approximately one week after the shooting from a "girl" who advised she had a video of (O) STEWART'S murder. This "girl" told [REDACTED] that (O) STEWART didn't do what they (*the police*) said. The "girl" stated that she talked to the police that night; they had her sign a document, took her phone, deleted the video, and did not return her phone. She went on to tell [REDACTED] that she could access the video through an app, because that's where she stored the video. [REDACTED] stated the "girl" told [REDACTED] that she would meet with her to show her the video, but she never showed. The "girl" called [REDACTED] again and told her that she had lost her job and did not have a phone. I asked [REDACTED] if he thought the "girl" was trying to extort money from [REDACTED] he advised that he had considered that as a possibility. I asked [REDACTED] if he had the number the "girl" called from; he stated he thought it was a wi-fi number, and he would try to get it from [REDACTED]. [REDACTED] went on to allege that "MPD will do anything to hide the truth," and he believes the "girl's" life is in danger; however, he had no information that the "girl" had been threatened or harmed.

[REDACTED] stated he has seen a video on YouTube related to (O) STEWART'S death. He described this video as a view of the crime scene with a female crying in the background and someone cussing. He believed that the crying female went to school with (O) STEWART but acknowledged that he was merely speculating and had no direct knowledge that they knew each other. I searched YouTube and found the video [REDACTED] described; it's entitled, "MPD white officer shot 19 year old Darrius Stewart. The mother grieves and a officer curses her out." YouTube lists [REDACTED] as the person who posted the video. All attempts will be made to locate and interview [REDACTED].

Within the email to Higgins, [REDACTED] stated he had "concrete evidence of premeditated murder" in the death of (O) STEWART. I asked [REDACTED] to elaborate on this evidence. He advised that he knew (LE) CONNOR LYNN SCHILLING had backup during the traffic stop, but this officer left

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the traffic stop to work a traffic accident in the Hickory Hill area. [REDACTED] stated he knew this information because his boss, whom he would not identify, knew someone who knew someone who was involved in this traffic accident. There has been no information that (LE) SCHILLING had backup on the traffic stop at 5799 Winchester Rd. A review of the radio traffic around the time of the traffic stop (11:18 pm) showed there were two traffic accidents within two miles of 5799 Winchester Rd. The first accident at Castleman and Winchester was dispatched at 10:47 pm, 31 minutes before the traffic stop. The second traffic accident was at Winchester and Clearbrook. The supplied radio traffic did not specify a dispatch time, however, the reporting officer had called for wreckers to clear the scene at 11:14 pm, four minutes before the traffic stop.

[REDACTED] stated he had additional evidence to prove premeditation. [REDACTED] advised that [REDACTED] the driver of the vehicle, told [REDACTED] the original location of the traffic stop was near Chuck E. Cheese on Winchester and Hickory Hill, not at 5799 Winchester. [REDACTED] alleged that the vehicles were moved in order to cover up the murder of (O) STEWART. (LE) SCHILLING stated [REDACTED] was eastbound on Winchester when he was pulled over at 5799 Winchester. Chuck E. Cheese is .3 miles east of 5799 Winchester. In order for [REDACTED] information to be accurate, both [REDACTED] and (LE) SCHILLING would have had to leave the area Chuck E. Cheese, turn around to drive westbound on Winchester, turn around again to drive eastbound on Winchester, then pull over at 5799 Winchester.

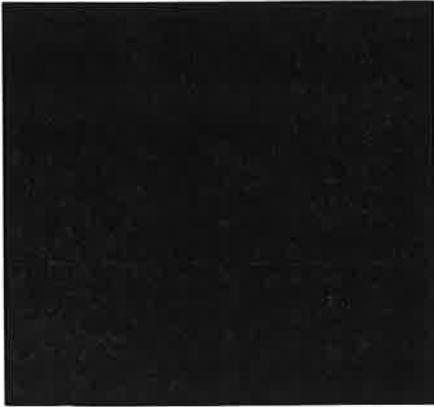
[REDACTED] advised that [REDACTED] told him an MPD dispatcher called her to let her know that (LE) SCHILLING did not run a warrant check on (O) STEWART until after the shooting. [REDACTED] told [REDACTED] this was the dispatcher who was working when the shooting occurred. I asked [REDACTED] why [REDACTED] had not contacted the TBI directly to share this information. He advised that he thinks [REDACTED] does not know that she can call the TBI with tips or information. I encouraged [REDACTED] to let [REDACTED] know that she can call 1-800-TBIFIND anytime, and the information will get forwarded to me.

\*Note: I have not verified that [REDACTED] is assisting [REDACTED]. An internet search revealed that [REDACTED] is associated with "The Peacekeepers" an activist group with chapters throughout the country.

With the exception of interviewing [REDACTED] there is no additional follow up necessary with this tip.

For additional information, see the attached emails.

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**TENNESSEE BUREAU OF INVESTIGATION  
INVESTIGATIVE REPORT**

Case # : ME-76C-000007

IR # : 89

**Author:** Baker, Charles Phillip

**Activity Date:** 08/14/2015

**Case Agent:** Ferguson, Cathy Lynn

**Report Date:** 08/17/2015

**SAC/ASAC:** Simmons, Johnny Allen

**Approved By:** Simmons, Johnny Allen

**Description:** Telephone Conversation

07/27/2015

(LE) CONNOR LYNN SCHILLING, W/M [REDACTED]  
(O) DARRIUS STEWART, B/M [REDACTED]

On July 27, 2015, this agent attempted to make contact via telephone with [REDACTED] in regards to this case. [REDACTED] (see IR# 29) was the other passenger in the vehicle in which (O) DARRIUS STEWART was riding.

After several attempts and using different phone numbers, this agent received a telephone call from [REDACTED]. I advised [REDACTED] that I was inquiring about (O) STEWART's iPhone password. I advised [REDACTED] that agents needed the password to the telephone in order to conduct a thorough investigation in this case. I further told [REDACTED] that it would also enable (O) STEWART's family to have access to the telephone once the investigation was closed. Mr. [REDACTED] stated that he did not know the password and hung up the telephone.

Just a few minutes after the telephone call from [REDACTED], a female claiming to be (O) STEWART's mother, called this agent upset that we had inquired about the password. She further stated that she wanted the telephone back and to "not call them anymore". The individual then hung up on this agent.

CB/CLF/lis

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**TENNESSEE BUREAU OF INVESTIGATION  
INVESTIGATIVE REPORT**

Case # : ME-76C-000007

IR # : 90

**Author:** Faulkner, Ronnie

**Activity Date:** 07/24/2015

**Case Agent:** Ferguson, Cathy Lynn

**Report Date:** 07/24/2015

**SAC/ASAC:** Simmons, Johnny Allen

**Approved By:** Simmons, Johnny Allen

**Description:** Investigative Lead - Warrants check on (O) STEWART by Shelby Co. Sheriff's Dept. on June 4, 2015

(LE) CONNOR LYNN SCHILLING, W/M [REDACTED]

(O) DARRIUS STEWART, B/M, [REDACTED]

On July 24, 2015, at approx. 10:15am SA Ronnie Faulkner interviewed Deputy James Busch and Deputy Kathryn Malone of the Shelby Co. Sheriff's Dept. at the TBI Memphis Office. After proper identification and explanation of the purpose for the interview Deputy Busch and Deputy Malone voluntarily provided the following information.

SA Faulkner had been assigned to investigate information that Deputy Busch and Deputy Malone had encountered (O) STEWART on June 4, 2015 and requested driver's license and warrant information on him.

Deputy Busch and Deputy Malone are assigned to the Patrol Crime Response Unit and are plain clothes and drive unmarked units. Deputy Busch recalled that he was backing up another officer in his unit on June 4, 2015, when he observed a vehicle with a broken windshield and a vehicle registration violation. He stopped the vehicle at Taco Bell on Riverdale north of Shelby Drive. Deputy Busch spoke with the driver of the vehicle, [REDACTED] provided his [REDACTED] and had a [REDACTED] Deputy Busch explained that [REDACTED]'s license was not revoked or suspended; he had never been issued a driver's license. Deputy Busch did not issue any citations but advised the driver to park the vehicle since he did not have a valid license.

Deputy Malone made contact with the passenger of the vehicle who identified himself as Darrius Stewart and provided a MS social security number. Deputy Malone remembered that (O) STEWART had a busted lip and a gash on the side of his face like he had been in a fight but he was not bloody, so she didn't think it had just happened. Deputy Malone ran a warrants check via Deputy Busch's computer and also through Shelby County dispatch that showed negative for local warrants on (O) STEWART. They did locate an active out of state warrant but it showed no extradition. Deputy Busch said that (O) STEWART was cooperative during the encounter but he was very nervous.

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From information and observation, the following descriptive data was noted:

Name: Deputy James Busch  
Employer: Shelby Co Sheriff's Department  
11670 Memphis Arlington  
Arlington, TN 38002



Name: Deputy Kathryn Malone  
Employer: Shelby Co Sheriff's Department  
11670 Memphis Arlington  
Arlington, TN 38002



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