

Callaway County Prosecuting Attorney

Christopher D. Wilson

10 East Fifth Street, Fulton, Missouri 65251 - Telephone: 573-642-0714 - Facsimile: 573-642-5725

Assistant Prosecuting Attorneys

Benjamin J. Miller

Risa Perkins

Luke A. Bryant

December 7, 2017

Trooper Kyle Seabaugh
c/o Missouri State Highway Patrol
Division of Drug and Crime Control
P.O. Box 568
Jefferson City, Missouri 65102-0568

VIA EMAIL TRANSMISSION

Re: Officer involved shooting occurring May 13, 2017, in Columbia, Missouri

Dear Trooper Seabaugh:

As you know, on July 26, 2017, I was appointed as Special Prosecutor by Judge Kevin Crane to review the investigation of the death of Clarence Coats, Jr. That appointment came following the request of Boone County Prosecuting Attorney Dan Knight.

I am in receipt of all the reports and investigative material from the Missouri State Highway Patrol, as well as the reports and material your agency obtained from the Columbia Police Department, Boone County Sheriff's Department and Medical Examiner.

Having reviewed that material, it is my belief that the officer involved acted within the law when he shot and killed Clarence Coats, Jr.

Specifically, the evidence available to me through the reports, including eyewitness accounts from police officers, deputies and civilian witnesses, as well as interviews conducted of many of Coats' family members and neighbors, indicates that Coats had recently used methamphetamine, was upset about the end of a relationship and engaged in a verbal dispute with a number of family members when he armed himself with a shotgun and ammunition and began shooting indiscriminately from behind the residence at 107 Oak Street.

The witness accounts make it clear that Coats' family members were unable to calm him and officers who responded to the Oak Street scene quickly found themselves under fire by Coats. One police officer appeared to have been struck in the foot by shotgun pellets or debris. A sheriff's deputy was struck in the upper arm and received medical treatment to remove a shotgun pellet. Coats also fired at officers from the Crisis Negotiation Team who attempted to defuse the situation and take Coats into custody without further incident. Undoubtedly, Coats was a threat to every person and law enforcement officer in the area.

After Coats fled the Oak Street scene, he made his way to the rooftop of a business located at 611 North Garth Avenue across the street from Oak Towers Apartments. Interviews of eyewitnesses in

that area corroborate police officers' accounts that Coats was still armed with the shotgun while on the roof of that building. Coats appears to have fired multiple times from this location, pinning down responding law enforcement officers and jeopardizing the safety of numerous civilians in that area. Officers and civilian witnesses agree that police officers tried to communicate with Coats through the public address system of an armored vehicle to get Coats to surrender himself. Those attempts also failed.

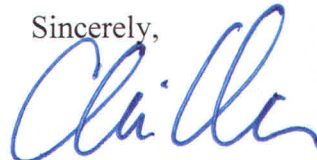
The reports suggest that the officer who shot Coats had a clear shot for a period of time, but held his fire until Coats appeared to take aim at an uninvolved civilian. Officers reported that Coats began to turn and point his weapon in the direction of a civilian motorist who arrived in a nearby parking lot and was exiting his vehicle. At that point, the officer fired and struck Coats in the chest, killing him.

In addition to the accounts of officers and civilian eyewitnesses, forensic testing conducted at the Missouri State Highway Patrol Crime Laboratory on the shotgun recovered from Coats at the time of the shooting had Coats' DNA on it. Additional testing confirmed that Coats' hands were positive for gunshot residue. Also, reports by Coats' family members that he may have been under the influence of methamphetamine seem to be corroborated by the toxicology testing performed at the direction of the Medical Examiner. Those tests confirm that Coats' blood and urine were positive for methamphetamine. That certainly may explain some of his irrational behavior on the day of the shooting.

In light of these facts, it is clear to me that the officer was acting lawfully in his use of deadly force pursuant to Section 563.046, RSMo., and in defense of a third person pursuant to Section 563.031, RSMo.

For these reasons, I do not intend to file any criminal charges against the officer involved. Should you have any additional questions, please feel free to contact me.

Sincerely,



Christopher D. Wilson
Prosecuting Attorney

CC:

Deputy Chief John Gordon
c/o Columbia Police Department
600 East Walnut Street
Columbia, MO 65201
VIA EMAIL TRANSMISSION

David Tyson Smith
Attorney at Law
700 Cherry Street
Columbia, MO 65201
VIA EMAIL TRANSMISSION