

1 STATE OF FLORIDA)

2 COUNTY OF FLAGLER)

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6 IN RE: SWORN STATEMENT OF:

7 PATROLMAN JAMES FRANKLIN PARRISH, JR.

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DATE TAKEN:

July 11, 2003

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PLACE:

204 South Flagler Avenue
Flagler Beach, FL 32136

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TIME:

3:18 p.m.

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PRESENT:

Corporal Richard S. Bond, FHP
Patrolman James Franklin
Parrish, Jr., Witness

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Audiotaped examination of Patrolman James Franklin
Parrish, Jr., as taken by Corporal Richard S. Bond, Florida
Highway Patrol, and transcribed by Louise Pomar, RPR.

ORIGINAL

FILED IN THE OFFICE OF THE
CLERK OF CIRCUIT COURT
Flagler County, Florida

OCT 19 2004

By _____
Paper No. 58 Deputy Clerk

1 CORPORAL BOND: ... R.S. Bond of the Florida
2 Highway Patrol conducting a criminal investigation.
3 This interview is being conducted at 204 South Flagler
4 in Flagler Beach, Florida, 32136. Today's date is
5 7/11/03. The time is 3:18 p.m. Persons present at
6 this interview are James Franklin Parrish, Jr. and
7 myself. The name of the person being interviewed is
8 James Franklin Parrish, Jr.

9 This sworn interview is being taken in relation
10 to FHP 703-61-008.

11 This is a sworn tape-recorded interview taken by
12 a law enforcement officer pursuant to Section 117.10
13 of Florida Statutes.

14 Please raise your right hand.

15 Do you swear or affirm that the statement you are
16 about to give will be the whole -- the truth, the
17 whole truth and nothing but the truth?

18 PATROLMAN PARRISH: Yes, sir, I do.

19 CORPORAL BOND: Okay. Could I get you to sign
20 there by that "X"?

21 BY CORPORAL BOND:

22 Q Okay, sir. Would you state your full name for
23 the record, please?

24 A James Franklin Parrish, Jr.

25 Q And your current address?

1 A 204 South Flagler Avenue, Flagler Beach, Florida.

2 Q And your work telephone?

3 A (386)517-2023.

4 Q And your current occupation?

5 A Police officer.

6 Q With Flagler Beach Police Department?

7 A Yes, sir.

8 Q Okay. I'm interviewing concerning an incident
9 which occurred in the early morning hours of July the 5th
10 somewhere after 2:00 in the morning involving a -- began as
11 a domestic -- or as a battery, or a fight I believe is how
12 it was dispatched, at Finnegan's Bar.

13 Could you tell me what your involvement in this
14 was and give me some of the facts surrounding this?

15 A That particular morning on the 5th of July I was
16 on patrol, and I was at the Wadsworth Recreational Park in
17 our city. I was dispatched to Tim Finnegan's Lounge, which
18 is 100 block, North A1A. I received a call reference a
19 fight between a male and female just north of the
20 Finnegan's Bar.

21 I -- as I responded, I was actually the second
22 responding officer arriving, we did not see any --

23 Q Who got there ahead of you?

24 A That was Officer Danine Wilson.

25 Q Okay. She arrived at, at the bar or --

1 A At the bar parking lot.

2 Q Okay. Where was she when you got there? Was she
3 already out of her vehicle?

4 A She was out of her vehicle talking to several
5 people in, in the parking lot itself.

6 Q Okay. Go ahead.

7 A I pulled up to her and I asked her if she had any
8 information to, to give me. She said, well, everything
9 seems to be fine here. So I said, well, they advised it
10 was going to be north of Tim Finnegan's parking lot.

11 So I immediately left the parking lot going
12 toward A1A. I then took a left, which would be north,
13 traveling north on A1A, and as I was turning down North
14 Second Street, which actually would be the, the north side
15 of the block, city block, I looked over to the right and I
16 saw a man running toward a small bluish-green vehicle. At
17 the same time I saw a female get up off the ground and run
18 over toward me screaming he stole my car, stop him.

19 At that point Officer Wilson pulled up alongside
20 of me, which would be the passenger side of me. I told her
21 to stay with the victim that was accusing this individual
22 of stealing her car, and I was going to be in pursuit of
23 this car in question.

24 Q Had he pulled away at this point?

25 A Yes, sir.

1 Q Okay.

2 A He pulled away in a very fast and, and reckless
3 manner, spinning his tires and actually fishtailing on the
4 dirt part of the shoulder of A1A, which would be the, the
5 very east side. He turned down North Third Street. So
6 instead of getting right behind him, I decided to go down
7 North Second Street, which would be going back west toward
8 North Central Avenue.

9 Upon approaching the stop sign, he drove by the
10 intersection, which would be North Second and Central, at
11 extreme high rate of speed. At that point I proceeded to
12 use my siren, siren along with my blue lights.

13 I fell in behind him as he was just getting
14 brakes approaching North Central Avenue and State Road 100.
15 He made an immediate right turn, which would be going west
16 on 100, sliding, and proceeded to go westbound on 100
17 across the bridge.

18 At that point I advised Flagler County dispatch
19 that I was 1031, in pursuit of the vehicle in question. I
20 advised them that the victim is stating that this
21 individual stole her vehicle and this vehicle is, is, is
22 fleeing from me and would not stop.

23 I proceeded to get close enough to get the tag
24 number, approximately five car lengths, four to five car
25 lengths. I got the tag number, called it in, and I at that

1 time backed off, trying to keep a safe distance because of
2 the way the driver was driving, which appeared to be in an
3 intoxicated manner by running off the right side of the
4 road several times, a couple times actually running off
5 onto the grass area approximately 2 feet along the pavement
6 edge.

7 Q This is on 100?

8 A On State Road 100; yes, sir.

9 Q Okay. What kind of speeds are we traveling at
10 this time?

11 A At this point we were doing about 80,
12 approximately 80 miles an hour.

13 Q What's the posted speed limit in that area?

14 A In that area when I first saw him run off the
15 road was about -- well, it was 55 miles an hour. It was
16 just --

17 Q Okay.

18 A -- just outside the city limits of Flagler Beach
19 going westbound.

20 I was giving the Flagler dispatcher, trying to
21 give them step-by-step location, and I advised them we were
22 approaching I-95.

23 I then noticed that the suspect was turning onto
24 the approach, northbound approach of 95, and I proceeded --
25 continued after the suspect trying to get him stopped.

1 Q And all along you're making transmissions letting
2 Flagler Sheriff's Office know where you are and --

3 A Yes, sir.

4 Q Okay. And you're hearing their units trying to
5 respond to you?

6 A Yes, sir.

7 Q Okay.

8 A Right about that time I heard my sergeant,
9 Sergeant Todd Havenner. He was -- he had actually gotten
10 into the pursuit with me, and he was behind me at that
11 point.

12 Q So you were the lead officer through the
13 beginning of this pursuit and up to this point?

14 A In the -- Yes, sir.

15 Q Okay.

16 A So we approached I-95 going northbound. I was
17 trying to give the location, mile marker. Also, Sergeant
18 Havenner was doing the same. So we -- actually -- well,
19 actually, Sergeant Havenner took over the verbal
20 transmissions.

21 Q Did he take the lead? Are you still up front?

22 A I'm still up front; yes, sir.

23 Q Okay. But he's doing the transmitting.

24 A Yes, sir.

25 Q Okay.

1 A We continued northbound I-95 and approaching the
2 weigh scales.

3 Q What kind of speeds are we on the interstate?

4 A At that point we were doing at times between 90
5 and 100 miles an hour.

6 Q Okay. Was he maintaining a single lane, or was
7 he all over the road?

8 A He was completely all over the road, run several
9 cars off the road trying to gain further distance away from
10 us.

11 Q Did he do any passing on the shoulder or anything
12 of that nature, or did he --

13 A Yes, sir. He passed approximately five cars on
14 the far right, the emergency lane shoulder.

15 Q Okay. Is that where he almost had the wrecks
16 with these vehicles, when he's cutting back in or --

17 A Yes, sir.

18 Q Okay.

19 A Once I saw this I backed off even further because
20 of the group of cars that I was approaching. And at that
21 point he, he did a left quick turn off the emergency lane
22 and getting back into the, which would be the outside lane
23 at this point, and then passed a semi I think back over
24 onto the right, far right lane, which was the emergency
25 lane. And then --

1 Q Okay. Where was the semi that he passed? What
2 lane was it traveling in?

3 A That was in the, would be the outside lane.

4 Q Okay. So he pulled in behind it and whipped out
5 to the left to go around it --

6 A Yes, sir.

7 Q -- and then back in. Okay.

8 A Yes, sir.

9 And then by that point he was just approaching
10 the exit for Palm Coast city, and what appeared to me was
11 he, he jerked it to the right real quick thinking that I'm
12 going to pass that exit, thinking he's going to continue.

13 So I had enough space and time that I also
14 whipped into the exit right directly behind him.

15 Q So he's really past the point where a normal
16 person who is exiting would have been, so he, he just jerks
17 the wheel to the exit at the last minute.

18 A Yes, sir.

19 Q Okay. And your belief was that he was trying to
20 get you to miss the exit yourself so that he'd be by
21 himself.

22 A Yes, sir.

23 Q Okay.

24 A As we approached the traffic light at Palm Coast
25 Parkway, he continued on in a reckless manner and hit the

1 median, dirt median/concrete curb edge.

2 Q There's a traffic light there, isn't there?

3 A Yes, sir.

4 Q So what color was that light when he went through
5 that intersection?

6 A I don't remember the color.

7 Q You didn't see it?

8 A No.

9 Q But he never hesitated approaching that
10 intersection. He just continued straight on through over
11 the curb?

12 A At extreme high rate of speed and actually lost
13 control once he hit the island.

14 Once he -- once I noticed he was losing control,
15 then I veered to the far right. He gained control and then
16 started going down Palm Coast Parkway the wrong way. I
17 then tried to go parallel with him, and then he turned
18 immediately to the left and headed back toward the
19 interstate.

20 Q Okay. Did he cut behind you or did he cut in
21 front of you or come at you, or how did --

22 A For me he just tried to gain control, which would
23 basically be the left side of me --

24 Q Okay.

25 A -- at that point.

1 Q And when he made the turn back towards your
2 direction, did he come in -- did he make the U-turn at --
3 behind you as you went by him, or how did that work?

4 A Well, at, at that point I was traveling east
5 and -- as he was traveling east. Okay. We got a four
6 lane --

7 Q You're parallel?

8 A Yes, sir.

9 Q Okay.

10 A Then he immediately turned to the left onto the
11 grass and back toward the interstate.

12 Q Oh, okay. Now I'm following you. He went
13 back -- he didn't come at you at all. He went the opposite
14 way.

15 A From me; yes, sir. That's right.

16 Q Okay. Go ahead.

17 A So I immediately turned left getting back into
18 the westbound lane of Palm Coast Parkway trying to get
19 behind him. Then I noticed he was making a sharp left
20 going toward my Corporal Havenner, who was at that point
21 positioned at the base of the exit.

22 Q He was at, at the interstate where the exit
23 begins or at the top of it at Palm Coast?

24 A Well, he was right there at the base, at the
25 traffic light.

1 Q Okay. So he was at the intersection of Palm
2 Coast and the exit ramp.

3 A Yes, sir.

4 Q Okay. He -- was he stationary?

5 A At that point my corporal was because we didn't
6 know which way this guy's going to go.

7 Q Okay.

8 A I saw that this suspect, appeared to me that he,
9 he aimed the vehicle directly at my corporal from the
10 position I was at at the time seeing, you know, seeing
11 this.

12 He then bounced off the curb, hit the curb again,
13 the median again, and veered to the right, which would have
14 put his going to the right of my corporal's car.

15 Q So your corporal never moved. He stayed where he
16 was, and the guy drove around him? Headed at him and then
17 veered off to the right of him?

18 A Yes, sir.

19 Q Okay.

20 A At that point.

21 So he went around my Sergeant Havenner's patrol
22 car and then continued going up against the wrong way of
23 the exit ramp.

24 Q Okay. Was there any traffic on the exit ramp at
25 this time?

1 A Just my Sergeant Havenner and one other patrol
2 officer, Bernie Daven.

3 Q Okay.

4 A He was the third Flagler Beach police officer.

5 Q Okay. Did he -- did you see anything in relation
6 to, to Officer Davener's (sic) patrol car, any, any driving
7 that adversely affected him? Were you in a position to see
8 anything?

9 A I saw the guy going directly up against the wrong
10 way of the exit ramp and running Officer Daven off the
11 road.

12 Q Okay.

13 A Officer Daven went --

14 Q You saw him take evasive action.

15 A -- completely off --

16 Yes, sir.

17 Q Okay.

18 A And then Officer Daven had followed in behind my
19 sergeant. So now we've got my Sergeant Havenner directly
20 behind the suspect vehicle. Now we've got Patrolman Daven
21 the second car, and now I'm the third car.

22 Q Okay.

23 A So we follow the suspect. Suspect went
24 completely across the entire grass median of the interstate
25 and then back onto the pavement, highway pavement,

1 traveling southbound. So we're going right back from where
2 we started as far as --

3 Q Are any deputies in sight at this point?

4 A Not, not that I remember.

5 Q Not yet. Okay.

6 A So we all three continued on after the suspect,
7 in pursuit of the suspect. We were approaching the weigh
8 scale. At this point we saw approximately five deputy cars
9 stationed -- stationing themselves on 90 -- I-95 trying to
10 get adjusted right at the weigh scale.

11 Q Okay.

12 A The suspect saw these deputy cars, so he
13 immediately took a right, which would be the driveway going
14 into the truck weigh scale.

15 Q Okay.

16 A Sergeant Havenner followed the suspect, then
17 Officer Daven and then myself.

18 We decreased speed knowing that the deputies are
19 up above us now, in front of us. The deputies at that
20 point were the closest cars to the suspect, so they took
21 off in pursuit of the suspect. We then fell behind the
22 deputies, all the deputy cars.

23 As we were leaving the weigh scale, truck weigh
24 scale, my sergeant decided to call, call us all off on the
25 pursuit because he felt there was enough deputy cars to

1 take care of the situation.

2 Q Right.

3 A At that point we, we ended our pursuit still
4 following, naturally, the situation up until the exit of
5 State Road 100 and 95.

6 As I was approaching, I had -- I saw a lot of
7 smoke, and, and evidently we were like approximately a half
8 a mile from the actual time of crash rollover of the
9 suspect off the exit --

10 Q Okay. So you never saw the guy hit the deputy.

11 A No, sir.

12 Q When you got to the scene where he did crash, did
13 you approach the crashed vehicle?

14 A Yes, sir.

15 Q Okay. Did you observe somebody in that vehicle?

16 A Yes, sir.

17 Q Okay. So would you be able to recognize that
18 individual again if you saw him?

19 A Yes, sir.

20 Q Okay. How was he situated in the vehicle?

21 A The vehicle was laying upside down in a, in a
22 ditch alongside I-95. There's just, just approximately 3
23 inches, 4 inches of water in the ditch at that point.

24 The driver was laying on his back in a, sort of
25 like a fetus position at that point.

1 Q On the driver's side of the vehicle?

2 A I -- it looked more like centered.

3 Q Okay. When you were chasing the vehicle, there
4 was only one occupant?

5 A Yes, sir.

6 Q Okay. Did you observe him at any time when he,
7 when he was conscious to be able to make any kind of
8 determination of his physical condition?

9 A The only time I saw him was, was as, as I was
10 approaching the original scene of him running from the,
11 from the victim to the car.

12 Q Okay. Did you make any determination from seeing
13 him run as to whether he was sober, drunk, or could you?

14 A I couldn't at that point.

15 Q Okay. That should be about it unless there's
16 something else you can think of that would be helpful in
17 this investigation.

18 A I can't think of anything at this point.

19 Q Okay.

20 CORPORAL BOND: That will conclude the interview
21 at 3:40 p.m.

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1 STATE OF FLORIDA)

2 COUNTY OF FLAGLER)

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4 I, LOUISE POMAR, RPR, Seventh Judicial Circuit of
5 Florida, DO HEREBY CERTIFY that I was authorized to and did
6 transcribe the foregoing audiotaped sworn statement of
7 Patrolman James Franklin Parrish, Jr., at the time and place
8 herein set forth, as taken by Corporal Richard S. Bond,
9 Florida Highway Patrol, and that the foregoing transcript is
10 true and accurate to the best of my ability and belief.

11 SIGNED this 5th day of August, A.D., 2004.

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LOUISE POMAR, RPR
Seventh Judicial Circuit of
Florida

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