

DATE: JANUARY 19, 2000
TIME: 3:35 P.M.
CASE: HOMICIDE - #00-0255

THE FOLLOWING IS AN INTERVIEW CONDUCTED BY DET. JIM MOSER OF THE ROME POLICE DEPARTMENT WITH TRACY DUNNE IN REFERENCE TO THE HOMICIDE OF ISAAC DAWKINS.

MOSER: This is Det. Jim Moser I'm at the Rome City Police Department, today is the uh, 20th day of January 19-correction year 2000, time now is 3:53 p.m. and present with me is 16 year-old Tracy Dunne. And Tracy I read to you your Constitutional Rights and your Waiver of Rights just a short time ago in the presence of your father who subsequently has uh, stepped out of the office, his name is what Kevin?

DUNNE: Uh-huh.

MOSER: Okay, stepped out of this Interview Room. According to a signature whose signature is this?

DUNNE: Mine.

MOSER: Is that stating you were read your rights and your waiver of rights?

DUNNE: Yes.

MOSER: Okay, whose signature is this?

DUNNE: My dad's.

MOSER: Okay, was your dad present when those rights were read to you?

DUNNE: Yes.

MOSER: In regards to those rights, do you have any questions whatsoever that I can answer about your rights?

DUNNE: No.

MOSER: Do you understand them?

DUNNE: Yes.

MOSER: You are currently in the tenth uh no I'm sorry, the eleventh grade at Coosa High School?

DUNNE: Right.

MOSER: Can you read and understand English?

DUNNE: Yeah.

MOSER: Okay. All right, just a formality there. Uh, say you are 16 years old and do you currently have a boyfriend?

DUNNE: Yeah.

MOSER: Who?

DUNNE: Heath Wilson.

MOSER: How old is Heath?

DUNNE: Eighteen.

MOSER: Eighteen, have you and he been dating—

DUNNE: A year and six months.

MOSER: A year and six months.

DUNNE: Today.

MOSER: Not that your counting or anything, right. Okay, so you've been dating a year and six months today? Uh, just a little quick scenario uh, or not scenario but evaluation of your relationship with him is—how is that relationship? Is it a strong relationship or does, do you both date other people and each other?

DUNNE: No, just each other.

MOSER: Just each other. In the months that you've been dating him for instance the last couple of months what kind of car has he driven?

DUNNE: He drove at—in the beginning he was driving a Prelude and his Aunt Linda died, his mom's sister, and they were gone sell the car but decided not to and instead gave it to him.

MOSER: Uh-huh.

DUNNE: So he hadn't been driving the car long because it sat around for a little bit because there was stuff wrong with it, it's over heating, but he drove it a little bit I'm not sure how long.

MOSER: Okay, let me ask you this. Within the last two weeks, today's the 20th two weeks of course would take us to the 6th of January from January 6th through today has he driven more than one car? Or does he drive the same car all the time?

DUNNE: He's drove that car.

MOSER: The Honda?

DUNNE: Yeah.

MOSER: Okay.

DUNNE: For the past two weeks.

MOSER: Two-door or four-door?

DUNNE: Four-door.

MOSER: Okay, do you have any idea what the tag number is?

DUNNE: No.

MOSER: Would you know if I told you?

DUNNE: No.

MOSER: Okay, what color is it?

DUNNE: It's like a tan, brown color it just got painted before she died.

*Curious
car was
green at
time of
incident - so
when was it
painted?*

MOSER: Okay. Do you know where it is currently?

DUNNE: Where the car is?

MOSER: Yes.

DUNNE: No.

MOSER: Okay.

DUNNE: Because—

MOSER: I'm sorry.

DUNNE: --the police took it at my house.

MOSER: The police took it at your house? Tell me about that please, when was that?

DUNNE: Friday.

MOSER: This past Friday?

DUNNE: Uh, yeah.

MOSER: Okay um, what were the circumstances for your car to be taken?

DUNNE: They told us, well they told me when I was standing out there talking to the cops that he said it has to do with an investigation and he couldn't tell me no more cause I was 16.

MOSER: Okay. Let me take you back to that okay, to that time when-when Heath's car was towed. Were you at home at his house, at a friend's, where was the car towed from?

DUNNE: My house.

MOSER: Okay, and of course it's safe to say Heath was there?

DUNNE: Uh-huh.

MOSER: All right, was it daylight or dark?

DUNNE: Dark.

MOSER: Okay. Correct me if I'm wrong, was Heath at your house and was there a time prior to the police coming was he shooting a gun?

DUNNE: Uh-huh.

MOSER: What kind of gun do you know?

DUNNE: Um, I think it-he said it was a 9mm it was black.

MOSER: Black?

DUNNE: Black gun.

MOSER: Okay. Have you ever seen it before prior to that day?

DUNNE: No.

MOSER: No, do you know where he got it?

DUNNE: He got it from a man at work, I think his name is Barry I'm not sure.

MOSER: Where does Heath work?

DUNNE: He works in Summerville at Church Molding.

MOSER: Okay.

DUNNE: He strips lumber.

MOSER: What made-what makes you think the name is uh, Barry?

DUNNE: Because Heath said something about borrowing a gun from him.

MOSER: Who did?

DUNNE: Heath.

MOSER: Borrowed the gun from Barry?

DUNNE: Uh-huh.

MOSER: Do you know when he got it?

DUNNE: Friday.

MOSER: Which Friday?

DUNNE: The Friday, this, the Friday he got arrested.

*several days
after the
shooting*

MOSER: Okay, do you know if he's ever had it in his possession prior to that?

DUNNE: He hadn't uh, I—

MOSER: That you know of?

DUNNE: Right, I've never seen him with it at all.

MOSER: Have you ever seen him with a gun prior to Friday?

DUNNE: No.

MOSER: Not at, never?

~~XXXX~~
DUNNE: No, never, he's never had a gun nothing.

*and suddenly he is
"borrowing" a 9 mm?
curious*

MOSER: Nothing. When the police came Friday, Heath was outside my
understanding shooting the gun?

DUNNE: Behind my house—

MOSER: Behind your house.

DUNNE: --shooting a-a yellow milk carton thing.

MOSER: Did he run into the house with it?

DUNNE: Uh-uhh.

MOSER: Okay.

DUNNE: Oh he—yeah okay I thought you meant shot the house. He ran—he from the back of my house there's a deck on the back of my house and he went to the deck and got—went into my house, and I walked up through the front yard to the car.

MOSER: Okay. Did the police ask you for the gun?

DUNNE: Yes.

MOSER: Did you go in and get it?

DUNNE: Yes, afterwards uh, I gave him my dad's gun first.

MOSER: Why'd you do that?

DUNNE: Because he thought he would get in trouble for having that gun, because he's not 21. And he thought that he would get in trouble cause you're not supposed to have a gun or you know.

MOSER: Is that what he told you?

DUNNE: Yeah.

MOSER: So is he downstairs or something saying you know, don't give 'em my gun I'll get in trouble or something?

DUNNE: Yeah, he thought that he would get in trouble if he had that gun because it wasn't my dad's or nobody's and it was in his possession, he thought he would get in trouble because he wasn't 21.

MOSER: Well what kind of gun did you give the police officer?

DUNNE: My dad's .38 automatic.

MOSER: Why'd you give 'em that gun?

DUNNE: Because he said that he was afraid he'd get in trouble cause he's 20-he's
not 21.

is he 20
or 18?
(see page 3)

MOSER: Okay, I just—

DUNNE: But then when they put him in the car I told that guy that the other gun
was in the house and went and got it.

MOSER: Okay. And that's the first time you've seen this other gun?

DUNNE: Which one?

MOSER: The 9mm.

DUNNE: Yeah, that's the first time I've seen it was that day.

MOSER: How'd you know it was a 9mm?

DUNNE: He told me.

MOSER: Who told you?

DUNNE: Heath.

MOSER: Heath, okay. Were you with him uh, in his car in this Honda on Tuesday

DUNNE: Yes.

MOSER: --January 11th?

DUNNE: Yes.

MOSER: At about what 8:30 at night on Shorter Avenue or Highway 20 West out by the cemetery?

DUNNE: We weren't, we weren't there at 8:30 we was there like, I'm trying to figure, it was probably around 7:15.

MOSER: About 7:15?

DUNNE: About 7:15 between 7:15 and 7:30 cause we got over-after all that stuff happened and we were at Golden Gallon, we went to his friend's house about five till 8:00 or 8:00, between 5 till 8 and about 10 after 8, somewhere around in there.

MOSER: Who's his friend?

DUNNE: Um, his friend's name is Josh Herndon, but we talked to his mom there named Beth, and she told us, we told her what happened and she told us to go to his mom's house, so his mom could call the police.

MOSER: So you told Beth Herndon? - *what did she tell Beth??*

DUNNE: I'm not sure if that's her last name.

BETH Herndon?

MOSER: Okay.

DUNNE: She's, I don't—

MOSER: Do you know where she lives, or street name?

DUNNE: Uh, she lives on uh, she lives in Garden Lakes it's, I think it's Malone Drive. It's like a—

MOSER: Uh-huh.

DUNNE: --you know where—

MOSER: There at the CVS.

DUNNE: Yeah, you go past CVS, second road on the right.

MOSER: Okay, what number?

DUNNE: I have no idea. I know the mailbox is a duck mailbox.

MOSER: Duck mailbox, on the left or right?

DUNNE: Right.

MOSER: Okay. So after the shooting incident out on Highway 20 West, Shorter Avenue did you go over to his aunt? Uh, what-what—

DUNNE: His friend's house.

MOSER: His friend's house the Herndon, Beth Herndon.

DUNNE: Yeah, and then after we left there we went to his mom's house.

MOSER: Okay. What prompted the shooting out on 20 West?

DUNNE: Okay I'll tell you what happened. We were going down the Alabama Highway and you know where Paul's Oyster Bar is?

MOSER: Yes.

DUNNE: It was about right in there and uh, Heath uh, he got in the turning lane, yes it was wrong but that's beside the point. Okay, he got in the turning lane and he started passing people in the turning lane and the girl of the, she was in a green Cavalier a new one, her name is Ashley.

speeding in center turn lane

MOSER: Uh-huh.

DUNNE: Um, she got in front of us and slammed her brakes on so he slowed down. She got back over and we passed her. Back going down a little bit and uh, we ended up getting behind her again and Heath was kind of riding up behind her car and she was slamming on her brakes and flipping us of and it was going back and forth like that. And then right there between like around Tan-N-Zone and the cemetery and all that—

MOSER: Uh-huh.

DUNNE: --we heard two gunshots come from behind us. And me and Heath thought that it was somebody probably shooting up in the air to get everybody to quit, to get us to quit fighting and you know, all that junk. And we thought they was shooting up in the air me and Heath didn't know what was going on. And uh, we kept going down the road and she eventual-we's in the right lane when that

happened when the gun the fires the gun was shot we was in the right lane. And
when we got to the red light right there at the gas station where the Kroger is, we
stopped right there and Heath opened the door and threw up his hands and she uh,
kept going straight, holding onto the wheel going straight and she didn't look
away and then the light turned green. We got going down the road and right there
where Wal-Mart, Taco Bell is we got in the left turning lane, she was in front us
and we turned left. She turned left at the first exit going into Sam's Club. We
were going down through there before we got to the railroad tracks between Taco
Bell and the railroad tracks uh, her boyfriend David pulled up beside us and—

MOSER: Do you know him-do y'all know him?

DUNNE: I do, I grew up with his younger brother and I grew up with Ashley ever
since elementary school.

MOSER: Uh-huh.

DUNNE: And uh, I told Heath before he pulled up beside us I said I know that girl
her names is Ashley, and I know her brother David because I grew up with his
brother, and he pulled up beside us and he was looking at us all crazy and all that
stuff. So he thought he wanted to fight, so they went to Golden Gallon. They, he
followed him to Golden Gallon. Uh, Heath pulled in front of him and stopped
and then I looked back at the truck and then I turned back around and seen the
2 little dude in the Samurai. I don't know who he was. I ain't got no clue, don't
know how he had anything to do with it, but he blocked us off where we couldn't
leave and he got out with something in his hand. And some people say it was a
baseball bat, some people say it was something else, I thought it was a shotgun. I
don't know what it was, but I thought it was a shotgun. And uh, so he rived up
his engine and the guy was in the way and there was only on way we can get
through, and we weren't gone sit there you know, in front of some guy standing
out of the car you know at a (inaudible). So he rived his engine and when he

started riving up his engine he started to go and the guy ran into his Samurai. So we turned right at a Golden Gallon right beside where, right beside CVS, and Heath opened his door to David and he was in his truck, and threw up his hands like you know, what or whatever, and uh, David shook his head no and locked his door. And that's when we went over to his friend's house.

MOSER: All right, so y'all had a little road rage incident with someone who you didn't know at first or did you know that was Ashley or what was her name?

DUNNE: I didn't know at first. Ashley Parton.

MOSER: Okay. You didn't know—

DUNNE: I didn't—

MOSER: --it was her? Why was Heath driving in the turning lane?

DUNNE: To pass people.

MOSER: Okay. Now you are saying that shots rang out from behind y'all.

DUNNE: Yes, it sounded like it came from behind us is what it sounded like.

MOSER: But, now does Heath take medicine?

DUNNE: He takes uh, his antidepressant.

MOSER: Okay. Did he take it that day do you know?

DUNNE: I have no idea. He takes it some days and some days he don't.

MOSER: Was he aggravated in the car?

DUNNE: No.

MOSER: At-at the driver in front of him?

DUNNE: He wasn't, he-he got mad after she uh, after she got in front us and was throwing her brakes on he got mad and.

MOSER: Did she get in the turning lane?

DUNNE: Yeah, she got over in front of us in the turning lane and started slamming her brakes on.

MOSER: You think, okay. So, did Heath pull out a gun in his car?

DUNNE: Heath didn't have a gun that day.

MOSER: He didn't have a gun that day?

DUNNE: He didn't get the gun until that following Friday

MOSER: So you're willing to go to court and testify that Heath didn't have a gun that day?

DUNNE: Yes, right now, I would go right now.

MOSER: Well you're gone get your chance as you know, because my understanding there are more, but you believe it was at what time?

DUNNE: I would think it was around 7:30, because see the reason I believe that is because I had to be home at 9:00.

MOSER: Uh-huh.

DUNNE: And my truck was at his grandmother's house you know, Tamasee Lane beside Wal-Mart, well I had to leave there at 8:45 and that's where my truck was. We got back over there at 8:25 because we were watching that millionaire show you know.

MOSER: Uh-huh.

DUNNE: And I had to leave at 8:45 to get back at my house.

MOSER: Okay, but—

DUNNE: And Beth uh, we's talking to Beth and it was about 5 till 8 or somewhere around there when we was at Beth's house.

MOSER: So were you on-were you on Highway 27 down by Floyd College or the Coke plant —

DUNNE: No.

MOSER: --you know where I'm talking about?

XX DUNNE: Yeah. *10 times on the road before that*

MOSER: At all Tuesday?

DUNNE: No, none at all.

MOSER: Now, what reason would you have to go down Highway 27?

DUNNE: The last time I went down Highway 27 was Christmas because my mom lives out that way.

MOSER: All right, where does uh, kinfolk of Heath live? Does he have somebody that lives in Cave Spring?

DUNNE: No, not that I know of at all.

MOSER: So you weren't in any way, shape, matter or form on Highway 27 Tuesday, January 11th around 7:00 or 7:30 at night.

DUNNE: No.

MOSER: Have you ever know Heath to be involved in any type of road rage-road rage with a guy named Isaac Dawkins? Do you know that name?

DUNNE: No, I have no idea who that is.

MOSER: Uh, you ever seen him get involved in a road rage or swerving back and forth or aggravating circumstances coming down the road with uh, a white Toyota pickup truck? Four-wheel drive pickup truck?

JK DUNNE: Not that I know of. - strange response!

MOSER: Not that you know of?

DUNNE: No, I don't.

MOSER: And prior to this Friday, last Friday you say—have you ever seen Heath in possession of a gun?

DUNNE: No, not till Friday.

MOSER: Never?

DUNNE: No.

MOSER: Now it's very, very important that you remember as best you can and be totally honest with me.

DUNNE: I know. He's—the only gun I've ever seen him hold in his hand or anything like that is at his stepdad's in his mom's house cause his stepdad has guns there. He has shooting guns but they're all locked up in his room.

MOSER: But as far as Tuesday which was a week ago here a couple days ago a week before that, y'all weren't on 27 at any given point in time?

DUNNE: No, the last time I've ever been on 27 was Christmas.

MOSER: Okay, who were you with then?

DUNNE: Myself.

MOSER: Okay.

DUNNE: I was—

MOSER: What kind of car do you drive?

DUNNE: I drive a blue S10 truck Chevrolet.

MOSER: Okay. So if I told you that somebody saw Heath shoot towards this uh— well let me back up—this, this car that y'all were following was there a truck in front of it?

DUNNE: I have no idea.

MOSER: Do you know about this truck that was shot?

DUNNE: I know about it after Heath told me about it. I did not know that that guy David, I didn't even know he was even in any of this. I didn't even know he was around until we got between Wal-Mart and Taco Bell.

MOSER: Did you ever see him prior to that?

DUNNE: No.

MOSER: Not at all?

DUNNE: I did not see him at all on the Alabama Highway till we got between Wal-Mart and Taco Bell and he pulled up beside us. And that's one thing I can't figure out. If he saw us shoot him, I would not pull up beside somebody if they-if I seen 'em shoot at me, that's stupid.

*he didn't know
was shot
of - off from
unrelated witness
reported it -*

MOSER: Um, now you've dated Heath for a year and a half.

DUNNE: Uh-huh.

MOSER: Would you lie for him?

DUNNE: No, especially not in this. This is somebody's life I mean, you don't want to have that—

NOBODY mentioned anything about a killing -

MOSER: Were you raised better than that?

DUNNE: Yes.

MOSER: Of course you were.

DUNNE: I mean—

MOSER: But you wouldn't at-at all?

DUNNE: This is somebody's life, this is not, it's not a joke to me. This is somebody's life, this is somebody getting shot. This is nothing to be lying about, if he did it then he should go to jail, but he didn't do it.

I didn't mention somebody being shot

MOSER: Because we've got some ballistics test to run on this gun.

DUNNE: Uh-huh.

MOSER: And some other follow-up that we just don't have the results yet. When the results-results come back are they in any way shape or form indicate that Heath had this gun on Tuesday—

DUNNE: No.

MOSER: --January 11th and that you've lied?

DUNNE: Nope.

MOSER: Or okay. So no way, shape, or form were you and Heath out on Highway
27 South—

DUNNE: No.

MOSER: --on Tuesday, January 11, around 7:10 between 7:10 and 7:30 and shot at
a white truck?

DUNNE: Nope.

MOSER: Not at all?

DUNNE: No.

MOSER: Were you with Heath Tuesday?

DUNNE: Yes.

MOSER: The whole night?

DUNNE: I had to be home at 9:00.

MOSER: Okay.

DUNNE: I left at 8:45.

MOSER: From his?

DUNNE: Granny's house.

MOSER: Granny's house. Where were you prior to the incident on 20 West?

DUNNE: What do you mean?

MOSER: Where were you prior to coming around uh, putt-putt and seeing this car cause Heath tried to pass everybody in the turning lane?

DUNNE: Where was I at when—

MOSER: Where were you, where were y'all coming from?

no one to alibi her prior to shooting
DUNNE: We were coming from his mom's house. See, she-they had left to go eat at Los Portales and we had went to my house to go eat. And we were eating at my house and we-it was about an hour or something and we drove back by her house we's gone stop but she wasn't there so we just kept going by her house cause it's like a big circle thing.

MOSER: Right.

DUNNE: And so we pulled out right there.

MOSER: Were you act-actually in her house?

DUNNE: No, we-we drove by her house cause she wasn't there they were still gone eating.

MOSER: What time was the last time someone actually talked to you prior to this weaving in and out of traffic deal?

DUNNE: What do you mean?

MOSER: Okay, if you were going down the highway at 7:30 or whatever time you say it was which time was—you thought it was about what time?

DUNNE: When we was going down the highway?

MOSER: Yes.

DUNNE: In between 7:15 and 7:30.

MOSER: That he was weaving in and out of traffic?

DUNNE: Yes.

MOSER: Prior to that where were you where someone actually talked to you? I mean were you at home?

DUNNE: Before we got out on the Alabama Highway and all that happened?

MOSER: Yes.

DUNNE: We was at him mom's house.

MOSER: Okay, was she home?

DUNNE: Yes.

MOSER: Okay.

DUNNE: Before, that's the last person we talked to.

MOSER: Okay, what time was that do you think?

DUNNE: It was probably about between 6, 6:15 somewhere in there.

MOSER: What's his mom's name?

DUNNE: Deborah Lindsey.

MOSER: What's her phone number?

DUNNE: 232-0147.

MOSER: Okay, so she can confirm that?

DUNNE: Uh-huh.

MOSER: So once you left her house then you went where?

DUNNE: To my house.

MOSER: To your house to eat.

DUNNE: Uh-huh.

MOSER: And then you went back where?

DUNNE: To her house to see if they got back eating from Los Portales her and her well boyfriend kind of husband thing, and uh—

MOSER: So you were there about 6:00 and left for them to go eat and then y'all were coming back?

DUNNE: Uh-huh.

MOSER: And so they weren't there so y'all headed back into town?

DUNNE: Uh-huh.

MOSER: And that's when uh, Heath started passing everybody—why would he start passing somebody in the turn lane did he say?

DUNNE: Uh-uhh. — *interesting* —

MOSER: Was he aggravated that night?

DUNNE: No.

MOSER: Was he upset, was he P.O'd at anyone, was he mad at you?

DUNNE: Uh-uhh.

MOSER: Everything lovey-dovey?

DUNNE: Uh-huh.

MOSER: These uh, Constitutional Rights, do you understand them?

DUNNE: Yes.

MOSER: And are you telling me the honest-to-goodness truth?

DUNNE: Yes.

MOSER: Because you understand it'll be, your credibility just won't be bad if anything that you've told me, if I come to find out it's not the truth as you've told me.

DUNNE: I've been honest.

MOSER: Is there anything you want to correct?

DUNNE: No.

MOSER: Okay. Are you sure?

DUNNE: Yes, I have been honest.

MOSER: If I need to talk to you again would you talk to me?

DUNNE: Yes.

MOSER: Okay, thank you.

DUNNE: Just as long as you are nice to me like this. I've heard people were gonna be mean to me.

MOSER: I just want you to be honest. I'm not gone jump up and yell and scream. But as long as you're honest uh, because what you told me I'm gonna check out.

DUNNE: Okay.

MOSER: If you've lied to me then you know, we need to address that issue.

DUNNE: Okay.

MOSER: If there's anything that's not correct you've told me we need to correct it now.

DUNNE: Okay, I've been honest with you.

MOSER: But in-in any way shape or form were you and Heath on Highway 27 on Tuesday night on the 11th of January?

DUNNE: Nope, not at all.

MOSER: Not at all. Okay. All right, the time is 4:13, I'm gone stop this interview.

Det. Jim Moser
Rome Police Department

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