

OFFICE OF
District Attorney



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Eleventh Judicial District
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Chief Tracy Roles
Bartlesville Police Department

Regarding: Shooting Death of Thomas Gay June 1st, 2019

On June 17th, 2019, the undersigned received the results of the O.S.B.I investigation into the shooting death of Thomas Gay by a Bartlesville Police Officer in the 1300 block of South Madison on June 1st, 2019. The report consisted of scene photos, interviews, background information all totaling 130 pages. Of most importance to me were the interviews of the father and brother of Thomas Gay who were with Thomas all day and at the property at the time of the shooting.

The brother and father and Thomas had been at the Madison property most of the day, primarily the brothers working on the father's house in various ways. At some point late in the day, Thomas behavior changed unexpectedly. He was described as getting quiet and then acting very paranoid, believing people were coming after him. He had recently driven by his wife's home in violation of a protective order and was convinced that the police had been called for that event and would lead to his arrest. Whatever the reason, his behavior included repeatedly turning off the lights in the house and looking out windows. At one point, brother armed himself with a knife, believing he might need to defend himself or his father from Thomas. Both father and brother stated that they believed he was "on something" but could not identify what. Medical Examiner lab results will confirm or dispel that belief when completed. Finally, father called police wanting Thomas to be removed from his home. Both brother and father waited outside on the police.

When officers arrived, Thomas had turned off all the lights in the house and locked the doors. Father took officers to a door and unlocked the door and entered with them. Thomas was standing at the head of a hallway holding an object. Lighting was poor. Versions differ as to what Thomas was holding, but both officers and father state he was holding something he

would not drop and began to walk backwards toward a bedroom, refusing to comply with any command and acting belligerent. Fearing letting him out of sight into a bedroom, one officer attempted multiple times to deploy a Taser which had no effect on Thomas. Both followed him into the bedroom where they attempted to control him. Thomas reached behind him and pulled out an object and presented it like a weapon. One officer shot Thomas in the leg. Thomas recovered and again presented the object again and the same officer fired again and shot Thomas in the chest. He died of his injuries at the site.

Given the fact that both father and brother separately described the behavior of Thomas in the same manner, that both were concerned for their own safety and deemed it necessary to seek police assistance in removing Thomas from the property, there is no reason to doubt the events occurred as both the officers and father described leading up to the moment Thomas was shot. Under the circumstances, the officer who shot Thomas was reasonably in real apprehension of being injured or killed at the time of the shooting. For this reason, The District Attorney's office will not file charges against the officer, either of them, involved in the shooting death of Thomas Gay.



Kevin D. Buchanan, District Attorney