

# Sheriff's Disturbing Comments Caught On Body Cam

## Deadly Police Shooting Questioned

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*Sheriff's comments caught on a body camera he did not realize was on raise questions about officer's use of deadly force. It follows a two-county slow speed police chase in which a subject was shot and killed by officers.*

SPARTA, Tenn. - Body camera video from the aftermath of a deadly officer-involved shooting has raised new questions about what happened.

Video obtained by *NewsChannel 5 Investigates* shows the White County Sheriff discussing his order to use deadly force with another deputy.

Sheriff Oddie Shoupe did not realize he was being recorded after the shooting by a body camera that another deputy put in the back of a patrol car.

What it caught the sheriff saying is now at the center of a federal lawsuit.

Last April, Smithville Police attempted to pull over Michael Dial for driving on a suspended license.

He was driving a 1976 pickup and towing a fully loaded trailer.

The slow speed chase started in DeKalb County before moving into neighboring White County.

Robyn Dial can't believe how quickly things escalated, and that her husband is gone.

"Why didn't he stop?" Dial asked. "He was scared. I know him enough to know that."

"When I wake up every day and he's not there, it's like going through it all over again," Dial said.

The chase never reached high speeds.

DeKalb County deputies later told the TBI it was more like a funeral procession.

The TBI Investigator asked, "How fast do you think it got up to?"

Dekalb County Detective Jimmy Martin responded, "We might have got up to 50 at one point. For the most part it was 30 to 40 miles per hour.

Dekalb deputies backed off at the county line, and White County took over.

Their deputies tried to stop Dial using their patrol cars.

Reserve Deputy Adam West got involved -- driving his personal pick-up.

Sheriff Oddie Shoupe was not involved in the chase, but he gave orders to the radio dispatcher authorizing deputies to shoot Dial.

The radio dispatcher said, "Per 59 (the sheriff) use deadly force if necessary. Take the subject out by any means necessary."

After that order, Deputy West took out his gun.

They were on Highway 111 with few cars in sight.

Minutes later deputies pushed Dial's truck off the road.

West got out of his truck and immediately opened fire.

Officer Charlie Simms also started shooting.

Dial was struck in the head.

He was unarmed.

The video is hard for Robyn Dial to understand.

"I feel with every part of me that's exactly what they wanted to do was kill him."

Dial's lawsuit focuses on what the sheriff said after the shooting to another deputy, on that body camera they didn't know was on.

Sheriff Shoupe: "I told em, I said take him out."

Deputy: "I heard."

Sheriff Shoupe: "Da\*\*, I don't give a sh\*\*."

Deputy: "It wasn't long after that I heard 'shots fired.'"

Dial is suing White County, the Sheriff, Deputy West and Sparta Officer Simms claiming they used excessive force.

The lawsuit claims Sheriff Shoupe "preferred to shoot and kill Mr. Dial rather than risk damaging his patrol cars."

Sheriff Shoupe: "They said 'we're ramming him.' I said, 'Don't ram him shoot him.' Fu\*\* that sh\*\*. Ain't gonna tear up my cars."

"If they don't think I'll give the da\*\* order to kill that motherfu\*\* they're full of sh\*\*. (Laughter) Take him out. I'm here on the da\*\* wrong end of the county," Shoupe said on the body camera.

He seemed upset he was not there when the shooting happened.

"I love this sh\*\*. God I tell you what, I thrive on it."

Attorney David Weissman said there was no reason to shoot Mr. Dial.

"I don't know how you can thrive on taking a human life. That's not law enforcement," Weissman said.

He said the sheriff's comments prove he was more concerned with his patrol cars than Dial's life.

"If that's the mentality of the highest policy maker in the county, that's scary," Weissman said.

The TBI and District Attorney ruled the shooting justified.

But immediately afterward, Deputy West was clearly upset.

Sheriff Shoupe comforted West by telling him he did exactly as he was ordered.

"You don't have to worry about this. I made the decision. You don't have to worry about it. I took that away from y'all. You don't have to worry about nothing. Everything's cool. You done exactly right," the sheriff said.

Robyn Dial will never believe her husband needed to die.

"They could have let him go ten more miles down the road, he probably would have run out of gas... I just hope he knows I loved him," Dial said.

District Attorney Bryant Dunaway is standing by his ruling that the shooting was justified.

He admitted he had not heard the sheriff's comments on the body camera when he first made that ruling.

Sheriff Shoupe declined to comment on the story.

District Attorney Dunaway put out a new release after the shooting -- but before he had seen the sheriff's comments on the body camera that stated in part:

"Dial's truck drove down an embankment on the right side of Highway 111 and then began to drive back up to the grass hill toward the highway and toward the Sparta Police Officer's vehicle."

It concludes, "It is clear from the circumstances that Mr. Dial was a dangerous and unstable subject" who posed a risk to law enforcement and to other citizens.