

1. Agency POTSDAM POLICE DEPARTMENT		2. Div/Precinct		New York State <b>INCIDENT REPORT</b>		3. ORI NY0442900		5. Case No.		6. Incident No. 54742	
7,8,9. Date Reported (Day, Date, Time) MONDAY 10/24/2011 17:10				10,11,12. Occurred On/From (Day, Date, Time) MONDAY 10/24/2011 17:10				13,14,15. Occurred To (Day, Date, Time)			
16. Incident Type MURDER-MURDER						17. Business Name					
19. Incident Address (Street Name, Bldg. No., Apt. No.) 100 MARKET STREET APT 3B											
20. City/State/Zip POTSDAM NEW YORK 13676											
21. Location Code (TSLED) POTSDAM VILLAGE 4529				23. No. of Victims 1		24. No. of Suspects 1		26. Victim also Complainant? No			
Location Type MULTIPLE DWELLING											
18. Weapon(s) Used PERSONAL WEAPONS (EG, HANDS, FEET, TEETH, ETC)											

22.OFF. No.	LAW	SECTION	SUB	CL	CAT	DEG	ATT	NAME OF OFFENSE	CTS
1.	PL	140.30	02	B	F	1	C	BURG DWELLING CAUSING INJURY	1
2.	PL	125.25	02	A	F	2	C	MURDER/DEPRAVED INDIFFERENCE	1

### ASSOCIATED PERSONS

25. TYPE	Name (Last, First, Middle, Title)	DOB	Street Name Bldg., Apt.No., City, State, Zip	Res Phone Bus Phone
PERSON REPORTING	VOGEL, MARISSA L			(315)
OTHER ASSOCIATE	DUMAS, RICK			(315)
RELATIVE/RELATED	CYRUS, TANDY			(315)
VICTIM	PHILLIPS, GARRETT J			
LAW ENFORCEMENT OFFICER	ASHLEY, ANDY			(315)
OTHER ASSOCIATE	WOOD, JUNE H		CORONER	(315)
SUSPECT	HILLARY, ORAL N			(954)
CHILD	RICE, KALEB JT			(315)

### VICTIM

Name	27. DOB	28. Age	29. Gender	30. Race	31. Ethnicity	32. Handicap	33. Residence Status
PHILLIPS, GARRETT J	08/13/1999	12	MALE	WHITE		NO	RESIDENT
Victim DID receive information on Victim's Rights and Services pursuant to New York State Law <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							

## SUSPECT

<b>Person ID #</b> 33922		<b>34. Type/No.</b> SUSPECT		<b>35. Name (Last, First, Middle)</b> HILLARY, ORAL, N			
<b>37. Apparent Condition</b>				<b>38. Address (Street Name, Bldg., Apt. No., City, State, Zip)</b> [REDACTED] POTSDAM, NY 13676			
<b>39a. Home Phone</b> (954) [REDACTED]	<b>39b. Work Phone</b>	<b>40. Social Security</b>	<b>41. DOB</b> [REDACTED]	<b>42. Age</b> 37	<b>43. Gender</b> MALE	<b>44. Race</b> BLACK	
<b>45. Ethnicity</b> NOT HISPANIC		<b>46. Skin</b>		<b>47. Occupation</b>			
<b>48. Height</b>	<b>49. Weight</b>	<b>50. Hair</b>		<b>51. Eyes</b>		<b>52. Glasses</b>	<b>53. Build</b>
<b>54. Employer/School</b>				<b>55. Employer Address</b> POTSDAM, NY 13676			
<b>56. Scars/Marks/Tattoos /Description</b>							
<b>36. Alias/Nickname/Maiden Name</b>							
<b>Last Name</b>		<b>First Name</b>		<b>Middle Name</b>			
		NICHOLAS					
		NICK					

## PROPERTY

<b>58. Name</b> PHILLIPS, GARRETT J		<b>Property Status</b> NONE	
<b>Property Type</b> NOT APPLICABLE		<b>Make or Model / Drug</b>	
<b>Serial No.</b>	<b>Qty/Measure</b> 0	<b>Value</b> \$100.00	
<b>Description</b>			

**Total Property Value:** \$100.00

## VEHICLE

<b>59. Vehicle Status</b> OBSERVED		<b>60. License Plate No.</b> [REDACTED]	<b>61. State</b> NY	<b>62. Exp. Yr.</b>	<b>64. Value</b> \$0.00
<b>63. Plate Type</b> PASSENGER AUTOMOBILE (REGULAR PLATES)		<b>65. Year</b> 2009	<b>66. Make 67. Model</b> HONDA CRV		
<b>68. Style</b> HARDTOP, 4 DOOR*			<b>69. VIN</b>		<b>70. Color(s)</b> LIGHT BLUE
<b>71a. Towed By</b>			<b>71b. Towed To</b>		
<b>72. Vehicle Notes</b>					

# NARRATIVE

Date of Action	Date Written	Officer Name & Rank
10/24/2011	10/24/2011	SCHNEIDER, ROBIN (DISP)
<b>Narrative</b>		
Complainant reports that she thought she heard something fall in the apartment across the hall from hers and then heard someone yell "No" or "Help". She went to see if everything was ok and after knocking on the door, she heard the door lock. Notified Potsdam Police.		
1716 Officer Wentworth on scene		
1724 Patrol requests contact be made with Rick Dumas who owns the property to inquire who resides there and contact information.		
Rick Dumas states the last name is Cyrus and believes she works in Massena. States she has a child that is about 6 or 7. Mr. Dumas will respond with a key to assist Patrol. Officer Wentworth advised.		
1737 Patrol advises Rescue needed on scene and expedite and 2nd patrol respond with medical bag. All call paged for rescue to respond to location and Officer McCargar advised.		
1737 Patrol advises he is starting CPR		
1738 A-264 oos als		
8 responding to scene		
1829 Chief requests off-duty patrols called in		
Smith to respond for evidence collection		
1925 Deputy Ashley responding for tracking		
1928 Lt. Murray requests the Coroner contacted		
no answer at residence		
page completed		
1938 Deputy Ashley arrived - tracking begins		
1950 Coroner - June Wood is at CPH		
1955 Trooper Rozler at PPD		
1957 Trooper Snell at PPD		
2000 18 Washington Street - Benson, Smith and Bates		
2007 Judy Trimboli at PPD		
2013 Benson and Smith 10-8 from Washington Street and out at 100 Market		
2018 Officer Ames requests Benson bring a large paper evidence bag and digital camera to CPH		
2027 Officer Benson 10-8 from 100 Market enroute to CPH with items requested		
2132 Sgt. Ames requests PVRs with R-263 for lighting assist at scene.		
2141 Sgt. Smith requests a lock to cph for the morgue - Sgt. Bates responding with lock		
2156 R-263 out of service with Tim Rivers and Adam Schneider		
Date of Action	Date Written	Officer Name & Rank
10/25/2011	10/25/2011	MCCARGAR, SHAWN (PTL)
<b>Narrative</b>		

10/24/11 17:37 While investigating complaint #54743 Officer McCargar received a radio transmission from Officer Wentworth requesting assistance with first aid for the above incident. Officer McCargar cleared and was en route to the above location with emergency lights and siren activated on patrol vehicle 722.

17:38 Officer McCargar arrived at the above location and enter the apartment building closest to Market Street at 100 Market Street. As Officer McCargar entered the building he went up the stairs to the apartment on the left numbered 3. As Officer McCargar entered the apartment he Officer Wentworth asking for assistance in locating a breathing mask to assist in CPR. As Officer McCargar entered the first bedroom on the left side of the hallway he observed a young male child approximately 10 years old laying motionless on the floor in the entryway to the bedroom, Officer McCargar also observed another male subject in the room identified as Rick Dumas, at that time Officer Wentworth was administering chest compressions on the child. Officer McCargar immediately located the breathing mask, that is when a member of the Potsdam Voluntary Rescue Squad arrived and Officer McCargar turned over the mask to that member. Officer McCargar then began to look around the room to check for a cause of injury, while trying to get the victim to respond to verbal and physical commands. Several attempts to get a response from the victim were unsuccessful, at that time the victim did not have a pulse and was not breathing. Officer McCargar observed some swelling around the victims browline and noticed several scrapes on the victims knees, appearing to have the characteristics of a rug burn. The victim also appeared to be blue in the face.

17:44 Officer Wentworth advised Officer McCargar to notify Lt. Murray of the situation and to start taking photographs of the scene. Officer McCargar called Lt. Murray via cell phone and left a voice mail explaining the situation. Officer McCargar advised Officer Wentworth of the phone call which Officer Wentworth then advised Officer McCargar to call the PD and have Robin call Chief Tischler.

17:52 Officer McCargar called the Potsdam Police Department and advised Dispatch Schneider to call Chief Tischler as we had an unresponsive male approximately 10 years old with unknown cause of injury, while on the phone Lt. Murray called and Officer McCargar advised him of the same. Officer McCargar began photographing the scene starting in the living room and kitchen area, nothing seemed out of place. Around that time the Potsdam Voluntary Rescue transported the victim to the Canton Potsdam Hospital. Officer McCargar then began photographing the first bedroom on the left where the victim was found, then continued down the hallway to the second bedroom on the left and began taking photographs, Officer McCargar observed that there was a pillow on the floor and the bed was not made. Officer McCargar then moved to the bathroom, which was the third room on the left and took photographs, nothing seemed out of place in the bathroom. Officer McCargar then entered the third bedroom located at straight ahead at the end of the hallway and began taking photographs, while photographing Officer McCargar observed that the blinds in the window were very bent up and out of shape. After a closer look Officer McCargar also noticed the window was opened and the screen was bent in an outward direction as if someone had climbed out. At this time Chief Tischler arrived and Officer McCargar notified Chief Tischler and Officer Wentworth of his findings. Officer McCargar photographed the area then proceeded outside the building to obtain photographs from the exterior. While photographing Officer McCargar observed what appeared to be where a person had slipped in the grass jumping off the lower ledge of the above building just below the window with the screen bent outward. Upon further investigation of the ledge by Chief Tischler it was noticed that a tile on the surface of the ledge appeared to have a substantial crack as if a person had jumped down on it, Officer McCargar photographed the area and then taped the area off with police tape and secured the area.

18:34 Officer McCargar called the St. Lawrence County Sheriff's Officer request a K-9 unit respond to assist with tracking a possible suspect. Officer McCargar spoke with Deputy Corbett who stated the departments K-9 handler was off duty for the night but they would try to call him in.

18:51 Officer McCargar received a call from Deputy Ashley from the St. Lawrence County Sheriff's Office, Officer McCargar explained the situation and Deputy Ashley advised he is en route from Ogdensburg.

19:35 Deputy Ashley arrived and entered the taped off area below the window with his dog, at that point it appeared the dog picked up a scent and Officer McCargar observed Deputy Ashley and his dog go towards Market Street followed by SGT Bates and Officer McCargar lost site of the officers.

20:07 Deputy Ashley and his dog returned and started the search over again with the same results.

Approximately 21:45 Officer McCargar was relieved by a member of the New York State Police and began canvassing Cottage St. with Officer Wentworth in search of possible witnesses yielding negative results at that time. Upon returning to the Potsdam Police Department Officer McCargar downloaded all photographs to the photo storage drive in the evidence folder with this incident number.

Date of Action	Date Written	Officer Name & Rank
11/16/2011	11/16/2011	DANIELS, CHARLIE (SGT)
Narrative		
Crysta Corbet entered PPD and turned over a Recordable Disc labelled Canton Potsdam Hospital. Oct. 24, 2011, Szoke office Camera II. I took possession of the Disc completed a chain of custody form and placed the Disc along with the chain of Custody Document in EV-1. Chief Tischler and Lt. Murray will be informed of the Disc in the AM.		
Date of Action	Date Written	Officer Name & Rank
03/29/2012	03/29/2012	SEYMOUR, MATT (PTL)
Narrative		
Evidence item 503A from NYSP Crime Lab case 11HL-04833 was received via UPS carrier and placed into locker #8 in EV1.		

# ADMINISTRATIVE

<b>74. Inquiries</b> DMV CH	<b>75. NYSPIN Message No.</b>	<b>76. Complainant Signature</b>	
<b>77. Reporting Officer Signature (Include Rank)</b>  PTL MARK WENTWORTH	<b>78. ID No.</b>  16	<b>79. Supervisor Signature (Include Rank)</b>  CHIEF EDWARD TISCHLER	<b>80. ID</b>  11
<b>81. Status</b> PENDING INVESTIGATION	<b>82. Status Date</b> 10/24/2011	<b>83. Notified/TOT</b>	