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911 calls provide look into January shooting in Saks neighborhood

By Kirsten Fiscus, Star Staff Writer, kfiscus@annistonstar.com Apr 2, 2016

At least four people dialed 911 five times in the span of six minutes from a Saks neighborhood the night of Jan. 15, reporting gunshots that took the life of Deatrice Barclay and wounded Joel Abbott.

Transcripts of those calls, provided to The Anniston Star after a public records request to Calhoun County 911, document the confusion, fear and shock of the events of that night.

Deatrice Marquiste Barclay, 42, was shot to death outside his home on Permita Street on Jan. 15 in an exchange of gunfire with Joshua Shane Parker and Joel Evan Abbott around 9:40 p.m. according to the 911 transcripts. Parker, 23, and Abbott, 24, have since been charged with murder.

The first call came from the sister of Abbott's girlfriend, before any shots had been fired. She told operators that her sister "was coming up our street, and she's had a gun pointed at her truck."

Police have said that Abbott's girlfriend drove a white truck with a Confederate flag that was towed from the scene that night. Some members of the community have alleged Barclay's death was a hate crime, pointing to the flag as evidence.

"She came flying up the road because she was scared to death, because it had a sight on it, and she could clearly — clearly see the sight," the caller told the 911 operator.

Abbott's lawyer, Bill Broome, in February after a bond reduction hearing told reporters that his client's girlfriend called 911 and told an operator that someone had shone a green laser pointer into their truck.

The Star's asked the 911 agency for transcripts of all calls related to the shooting that night and any calls relating to a green laser pointer. In the transcripts provided, the only mention of a laser-like instrument was in that first call.

Barclay's uncle, Charles Barclay, said in a March phone interview that he was unaware of his nephew owning a gun with a sight on it. Barclay, who pleaded guilty in 1998 to attempted first-degree assault and firing a gun into an occupied vehicle, should not have owned a gun. State law says anyone convicted of committing or attempting to commit a violent crime is not allowed to own a gun.

"I don't think he had one," his uncle said. "It was never mentioned to me he had one."

Deatrice Barclay's wife, Sherry Barclay, declined to speak for this article.

It is unclear how Barclay first came in contact with Parker and Abbott, but Parker's father, Jimmy, said in January that Abbott and his girlfriend had been at a Wal-Mart in Anniston before the shooting.

Charles Barclay said it is possible his nephew stopped at the Wal-Mart for gas, since it would have been on Deatrice Barclay's way home.

Barclay's night

Barclay left work from Tyson Foods in Gadsden that Friday night between 5 p.m. and 5:30 p.m., his uncle said.

"It would take him about 30 minutes to get home from work," his uncle said. "I'm not sure what he did after work, probably went to the bank, paid bills, personal stuff before he came over to my house that night."

Barclay got to his uncle's house in Anniston near Hobson City between 8:15 p.m. and 8:30 p.m. to help him work on a car, Charles Barclay said.

"I'm not exactly sure what time he got here, but I know he was here at 8:50 p.m.," he said. "I called my brother-in-law at 8:50 p.m. and Deatrice was still here."

After leaving his uncle's home around 9:10 p.m., his uncle said, Barclay stopped at the Burger King on Quintard Avenue, about a 10-minute drive.

"I used to have the receipt that had the time on it, but you can see him on the video tapes from Burger King," Charles Barclay said.

From the Burger King, Charles Barclay said, he presumed his nephew went home, about a 12-minute drive to the house on Permita Street. The first 911 call came in from Permita Court, just around the corner, from the home where Abbott's girlfriend parked her truck, at 9:40 p.m.



Deatrice Marquiste Barclay

5 p.m. - 5:30 p.m. Jan. 15

Barclay leaves work

Barclay left work at Tyson Foods (501 Paden Road, Gadsden AL 35903) (about 30 minute drive to Saks) then went to Charles Barclay's house



Barclay arrives at his uncle's home

Calling for help

In her call to 911, Abbott's girlfriend's sister told the operator "there's a big argument going on," and "I'm not going over there to get shot."

Then, according to the transcript, someone begins screaming.

The girlfriend's sister says "oh my God" three times before telling the operator, "there's shots being fired."

"They are firing at my cousin and my sister's boyfriend," she said. "They pulled a gun on my cousin and — and — and our best friend, and they returned fire."

At 9:42, according to call logs, Parker spoke with the operator.

"There's — one, I believe, is dead — and one that's got a wound in his arm," Parker said.

After the operator told Parker not to disturb the scene or any weapons, Parker responded that "there's one gun still in my hand. I never dropped it. It's mine."

Later, Parker tells the operator, "The gun is actually — the white male that got shot, he went down. When he went down, the other guy — the other guy kept shooting. I grabbed the gun. And the guy went down."

Later calls

The second call to 911 that night came from a neighbor, who reported hearing gunshots, and seeing a vehicle stopped in the street and two people he did not know on foot.

The third call was from a friend of Abbott, who said that shots had been fired, that someone had been hit.

The fourth call, at 9:41, was from Abbott's girlfriend's sister, apparently while Parker was still on the phone with the operator from the original call. She told the operator "he pulled a gun on them first," apparently referring to Barclay, who she said had also been hit by gunfire.

The fifth call came at 9:44 from another neighbor, who reported hearing gunshots and seeing a man with a gun walking down the street while people across the street screamed.

'Valid and just defense'

Two of the five calls were made by neighbors who were not directly involved in the incident, two were from the sister of Abbott's girlfriend, and one came from another caller at the Permita Court home. While the transcripts seem to suggest that Abbott and Parker confronted Barclay and guns were drawn, the circumstances surrounding the shooting and the reasons for the altercation are far from clear.

Jimmy Parker said five days after the shooting that his son was acting in self-defense when he fired his gun. Abbott's girlfriend's sister also said this to a 911 operator, according to the transcripts.

Attorney David Johnston, representing Parker, said Wednesday that he had not heard the 911 recordings but that he believed there is a "valid and just defense for self-defense."

"We are still waiting on discovery," he said by phone. "That is not a knock on the District Attorney's office. It is just still early in the process."

Johnston said he hopes and expects to have the transcripts within the next 30 days.

"Anytime there is an outside agency involved, things can take a little longer or be more difficult to get done," he said referring to the State Bureau of Investigation, which handled the case instead of the Anniston Police Department.

When the transcripts' contents were described for him, Johnston said the events seemed to fall in line with what witnesses had told him.

"I'm not surprised they seem favorable for us," he said. "My client was only involved because he went to check on a friend."

Broome said Wednesday he also had not heard the audio tapes.

"To some extent, this verifies what my guy has been saying," he said by phone Wednesday.

Abbott allegedly walked to Barclay's house to get a vehicle description for the 911 operator, Broome said. In the first call with Abbott's girlfriend's sister, she tells the operator that she is unsure whether Barclay was driving a truck or an SUV after Abbott had already walked down to Barclay's house. That is the first and only time the 911 operator attempts to get a vehicle description in any of the transcripts.

'All the facts'

Calhoun County District Judge Chris McIntyre denied a bond reduction Feb. 22 for both Parker and Abbott and passed the case to a grand jury.

A grand jury will meet in April, Calhoun County District Attorney Brian McVeigh said Tuesday, but declined to specify when. Grand jury procedures are conducted in secret. During a grand jury, prosecutors will present evidence to a panel of jurors who will decide whether or not to indict Parker and Abbott on the murder charges.

McVeigh said 911 recordings are used as evidence in about half of cases where they are available, depending on whether they contain anything of value.

"We will certainly review them to see if there is a victim who gives clues to who the assailant is, or if witnesses call in," he said.

Asked whether the calls' contents led him to worry about the strength of the state's case, McVeigh said other evidence is admitted to corroborate or balance the perspective.

"The assumption is what someone says to 911 is accurate," he said. "However, there is the risk that if the assailant is the one to call that they are trying to bolster their story. That's why we look at all the facts."

It is too early in the process to decide whether the 911 recordings will be used as evidence at trial, McVeigh said, but he has listened to them. He declined to comment on the recordings in connection with Parker's and Abbott's cases.

Both Johnston and Broome said their clients would testify.

“We’re going to put on an aggressive defense,” Broome said. “We are going to put Abbott, his girlfriend, her sister, everyone on the stand.”

“I’ve absolutely thought about putting Parker on the stand,” Johnston said. “No questions or hesitations, he’s testifying.”

Parker, who officials have said was moved from the Calhoun County Jail for safety reasons, remained in the Cleburne County Jail on Wednesday with bond set at \$500,000, according to jail administrators. Abbott was booked into the Calhoun County Jail and remained there until Feb. 25 when he was moved to Etowah County, Chief Deputy Matthew Wade said in March.

“We would have moved him immediately, like Parker, but we didn’t want to put his medical costs on someone else,” Wade said, referring to the gunshot wounds Abbott received during the incident.

Abbott remained in the Etowah County Jail on Wednesday with bond set at \$500,000, according to jail records.

Staff writer Kirsten Fiscus: 256-235-3563. On Twitter @kfiscus_star.

KirstenFiscus

