

AFFIDAVIT FOR PROBABLE CAUSE

STATE OF INDIANA, COUNTY OF MARION, SS:

Detective Michael McWhorter swears (affirms) that:

On Friday, May 27, 2022, at approximately 01:57 am, officers with the Indianapolis Metropolitan Police Department were dispatched to [REDACTED] Tinton Court at the Carriage House East Apartments on a report of a person shot. Once on scene, officers came into contact with the suspect, Ms. Tonika Miller. The victim, Mr. Dashawn Roscoe, was lying on the ground, and Miller was attempting to render aid to Mr. Roscoe, but her efforts were ultimately unsuccessful. Mr. Roscoe was pronounced deceased on scene by Medic 02, and Detective McWhorter with IMPD Homicide was requested.

Once on scene, Detective McWhorter learned that Ms. Miller was sitting inside a police vehicle, where she had told officers that she had accidentally shot Mr. Roscoe with her handgun. Ms. Miller had driven her vehicle down the street from the location of the shooting and parked near the front of her apartment building. The front driver's door of her vehicle was still open. Ms. Miller's vehicle is a 2003 green Mazda Tribute with Indiana registration (QAL557). A 9mm handgun ((Taurus G2C 9mm, SN for slide: ADA871834, SN for lower: PT111G2A) was visible on the driver side floorboard. A single 9mm Lugar spent shell casing was next to Mr. Roscoe's body.

Ms. Miller pointed out her apartment to officers on the scene, located at [REDACTED] Aristocrat Drive, Apartment [REDACTED], Indianapolis. Officer D. Craig with IMPD went to Ms. Miller's apartment and found two small children inside: D.M., nine months old, and D.R., three years old. The children were unsupervised, and Officer Craig stood by with the children until other officers arrived. Officer Craig told Detective McWhorter that he observed what appeared to be human blood on the outer door handle and inside the apartment on a hallway light switch. The Department of Child Services was contacted, and a caseworker was requested. A caseworker arrived on scene and took possession of both children.

Detective McWhorter called for the assistance of the Marion County Crime Lab, and Crime Lab Technician Kaylee Schellhaass responded to the scene. Two search warrants were sought and granted for Ms. Miller's vehicle and Ms. Miller's apartment. CSU Schellhaass processed the scene and collected the handgun, while Ms. Miller's vehicle was towed to Animal Care and Control for further in-depth processing.

Ms. Miller was then transported to the IMPD Homicide Office for questioning. Once at the office, Detectives McWhorter and Craciunoiu spoke with Ms. Miller about the shooting. Ms. Miller was read her Miranda warning and advised she understood and waived her right to counsel. Ms. Miller gave a full statement.

Ms. Miller stated that she had had an intimate relationship with the victim, Mr. Dashawn Roscoe, for approximately five years. Ms. Miller stated that Mr. Roscoe and herself live in their apartment with both of their children, ages three years old and nine months. Ms. Miller stated that this is a one-bedroom apartment and that both children sleep in the bed with Mr. Roscoe and Ms. Miller on a nightly basis.

Ms. Miller stated on the night of the shooting, she and Mr. Roscoe had put the children to bed around 10:30 pm and began hanging out in their living room. Ms. Miller stated that Mr. Roscoe proposed that they go to the playground in the apartment complex down the street from their apartment to have sex on a blanket. Ms. Miller stated she agreed. Detective McWhorter asked Ms. Miller how she felt about leaving the children alone in the apartment while she went to the park to have sex. Ms. Miller stated she and Mr. Roscoe didn't feel like it was that far away and they would not be gone for very long.

Ms. Miller and Mr. Roscoe drove to the park and had sex as planned. When going to the park, Miller stated that she had brought her handgun for protection since they were out late in the apartment complex. After having sex, she said that she and Mr. Roscoe had an argument about cheating on him, and she eventually left Mr. Roscoe at the park. She eventually returned to the park and located Mr. Roscoe walking around the parking lot. She pulled up next to him in her vehicle. Ms. Miller stated that she and Mr. Roscoe began to argue, and Mr. Roscoe was asking/trying to sit in Ms. Miller's lap. Ms. Miller said Mr. Roscoe was facing the vehicle, with his left hand holding onto her steering wheel and his right arm down to his side. Ms. Miller said as she got out of the car, she grabbed Mr. Roscoe's right wrist with her right hand because she didn't want him to strike her. Ms. Miller stated that she also had her handgun with her in her right hand. When asked to clarify this statement, Ms. Miller changed her story and said it was in her left hand.

Ms. Miller continued to say that once she was outside of the vehicle, she was going to attempt to get back into the car on the passenger side so that Mr. Roscoe could drive home. Ms. Miller stated Mr. Roscoe pushed her in the back. She then turned around with the gun in her right hand and struck Mr. Roscoe on his right shoulder. Ms. Miller stated she saw the gun go off, striking Mr. Roscoe in the right cheek with a single round.

Detective McWhorter asked Ms. Miller if she had a valid handgun license. She stated she does not have a valid handgun license but has applied for one.

Detective McWhorter then asked Ms. Miller if she was familiar with the handgun used in the shooting, and Ms. Miller stated she was familiar with it and that she bought the handgun herself in March of this year. Detective McWhorter then asked Ms. Miller if she had ever fired the handgun before the shooting of Mr. Roscoe, and Ms. Miller stated she had been to the gun range twice to shoot the weapon. Detective McWhorter asked Ms. Miller if the handgun had a safety, and Ms. Miller said it did. Detective McWhorter asked Ms. Miller if she was ever shown by range staff or anyone else the proper way to use the safety on the handgun, and Ms. Miller stated she was shown how to use the safety when she purchased the gun.

Ms. Miller stated she took the safety off the handgun when she took it to the park to have sexual intercourse with Mr. Roscoe. Detective McWhorter asked Ms. Miller why she took the safety off, and Ms. Miller stated that she could use the handgun faster in an emergency. When CSU Schellhaass processed the handgun from inside the vehicle, CSU Schellhaass advised Detective McWhorter that the safety was on the handgun.

Surveillance video was obtained from Watchtower, the video system provider for the apartment complex. The video shows Mr. Roscoe and Ms. Miller leaving their apartment at 12:50 am and traveling to the neighborhood playground area in Ms. Miller's vehicle. At 1:48 am, Ms. Miller is seen traveling back to her apartment in her vehicle, leaving Mr. Roscoe naked at the playground. Ms. Miller enters her apartment for approximately 1 minute and then travels back to the playground area. Once Ms. Miller realizes Mr. Roscoe is no longer at the playground, Ms. Miller travels back toward her apartment, where she is met by Mr. Roscoe in front of the leasing office and community room. Mr. Roscoe can then be seen trying to get into the vehicle, and there appears to be some struggle between Mr. Roscoe and Miller. As Miller exits the vehicle, Mr. Roscoe appears to shove Miller. Miller then pushes Mr. Roscoe and strikes him while holding her gun. Mr. Roscoe immediately drops to the ground. Miller then tries to apply pressure around Mr. Roscoe's head. Ms. Miller is then observed on video surveillance getting into her vehicle and driving to the middle of the parking lot near the front of her building, running inside, and then running back to Mr. Roscoe's body on foot. Ms. Miller stays with Mr. Roscoe's body until IMPD arrives on the scene.

Detective McWhorter attended the autopsy of Mr. Dashawn Roscoe later on May 27, 2022. The autopsy was performed by head pathologist Dr. Poulos with the Marion County Coroner's Office. Dr. Poulos advised that Mr. Roscoe died from a single gunshot wound to his head, with an entry wound to his right cheek, where the bullet traveled through Mr. Roscoe's face and neck, hitting his left carotid artery and exiting at the base of his left ear.

All events occurred in the county of Marion, state of Indiana.

I swear (affirm), under penalty of perjury as specified by IC 35-44.1-2-1, that the foregoing representations are true.

/s/ Michael McWhorter
AFFIANT

DATED: 06/09/2022