

DATE: MARCH 20, 2000
TIME: 5:05 P.M.
CASE: HOMICIDE OF ISSAIC DAWKINS - #00-0225

THE FOLLOWING IS AN INTERVIEW CONDUCTED BY DET. JIM MOSER OF THE ROME POLICE DEPARTMENT WITH WAYNE BENSON IN REFERENCE TO THE HOMICIDE OF ISAAC DAWKINS.

MOSER: Det. Jim Moser, I'm at the Rome City Police Department the time is 5:05 p.m. here on Monday, the 20th of March the year 2000, and present with me is Mr. Wayne Benson. Mr. Benson is a resident of uh, Floyd County, Rome and just for the record's sake Mr. Benson uh, I've asked you to come up to see if you would uh, grant me a few minutes on tape—you are a witness to a uh, automobile accident in which a Isaac Dawkins was uh, killed back on January 11, of this year at about 7:20 at night on Highway 27 South coming inbound just a little bit south of-of the Primrose Intersection. Uh, but I'm gone over a couple of things just for clarification and uh, it'll tell us uh, why you were in a particular area. My understanding of course is that back in January you worked for Builders—what's that called, Station?

BENSON: It's called Builder's Station.

MOSER: Uh, there in Cedartown and on particular I'm gone take you to January the 11th uh, you had gotten off that night about what time do you think?

BENSON: Between 6 and 6:30.

MOSER: Okay. Now coming from Cedartown into Rome to get to Floyd College from your work takes about how long? Just roughly.

BENSON: Umm, 15 minutes.

MOSER: Okay, and then uh, where this accident happened was just under about two miles north of Floyd College so we-we're talking 15, 17 minutes. Back on-on the 11th of January—and I know you've gone over this a few times with me and I-I appreciate you-you taking time to go over it again. As-as you know, this young man was driving a white Toyota pickup truck, matter of fact I'm gone show you some pictures and I know these are of the accident scene, some of them, and just see if that truck looks familiar as to maybe the one you were behind prior to seeing uh, a truck fitting that description or even that particular truck veer left into the median as it was going north bound.

BENSON: That's the truck.

MOSER: Okay, all right. Now if you will tell me as-as you were coming into Rome there and passing Floyd College and uh, passing uh, the Hardee's there at the red light, six mile, and coming into Rome, something caught your eye as you got closer to Walker Mountain and Eden Valley Road—what was that?

BENSON: Before I got, before you got to Walker Mountain?

MOSER: Yes.

BENSON: Uh, well the-the truck stopped in the road in the inside-outside lane and there was a car in front in of it veered off to the right of the road on the edge of the road, and the truck proceeded to get in the inside lane, and the blue car got back into the in-uh, outside lane and by the time they got to the traffic light they were both side by side, and then after they got under the traffic light best I can recall the-the pickup was a little ahead of the blue car.

MOSER: Uh-huh.

BENSON: And that's the last time I really got a clear view of 'em until we got on up the road and I seen the pickup leave the road.

MOSER: Now once you got to the red light there at Eden Valley Road and Walker Mountain Road, is it pretty dark—there's nothing lit correct? To the best of your knowledge.

BENSON: To the best of my knowledge there's not, uh-uhh.

MOSER: And this particular night was it dark during that time?

BENSON: It wasn't that completely dark you could still—had some good visibility.

MOSER: Okay.

BENSON: I could-I could see the truck real good when it left the road.

MOSER: Now, when you-when you came around the bend so to speak and uh, saw this blue car that you're describing abruptly veer off onto the shoulder of the road, about how far back do you think you were?

BENSON: Uh, probably the length of a football field or less.

MOSER: Okay, all right so—

BENSON: I slowed down for the truck, I seen the truck brake lights on, I slowed down and then the truck went on then the little blue car I didn't know what it was gone do so I just sort of just slowed down a little more and it pulled back out into the road.

MOSER: Was anyone beside you that you remember at that time or any—

BENSON: Uh, yes sir the traffic right there was you know, usually when you can (inaudible) from a traffic light which was down there at 100 Intersection you know, you got traffic there.

MOSER: Now had you stopped at the—did you have to stop at the light?

BENSON: No sir, I believe I had the light when I came through.

MOSER: Okay. Now when you came through you were behind of course this truck and this car they had the green light also as they went under the red light?

BENSON: At Walker—

MOSER: At the traffic signal?

BENSON: --at Walker Mountain?

MOSER: Yes sir.

BENSON: Uh, yes sir, they went under the light before I did.

MOSER: Okay.

BENSON: But uh, the blue truck I mean when they-the car got back in the road uh, I said well you know, I figured the light will catch 'em and I'll see who it is if it's anybody I know, and of course by the time they got up there the light had changed and they were side by side at the traffic light.

MOSER: In your best approximation were they running about the speed limit or a little bit faster or slower?

BENSON: Uh, I probably-I would say they were running the speed limit.

MOSER: Now you were in a-a little S-10.

BENSON: Right, uh-huh.

MOSER: Doesn't go that fast, correct?

BENSON: No.

MOSER: Okay, so when you-when you saw that the action of this blue car and this white truck hit his lights, did the white truck come to a complete stop or just sort of pass on, best you recall?

BENSON: Best I recall it came to a not a completely dead stop, but it—

MOSER: Awfully slow.

BENSON: --it-it slow for enough of the car just to-it just puuh went like that you know, just off real quick and right back on.

MOSER: Did you see if they actually hit or anything?

BENSON: No sir, as far as I know they did not have any contact between the two vehicles.

MOSER: So when the truck after-after almost stopping continues on, this blue car comes back in behind the truck—did-do you know if there was any contact between the two?

BENSON: No sir, they—they didn't—once uh, from the time that the blue car came back into the road uh, they were both on the same side of the road. They were—like I say when they got to the traffic light they were running side by side.

MOSER: All right, when they were running side by side to your recollection was there any jockeying for position so to speak

BENSON: No, uh-uhh.

MOSER: No swerving?

BENSON: Uh-uhh.

MOSER: Uh, anybody hanging out the windows that you saw?

BENSON: No sir.

MOSER: Anything out of the ordinary?

BENSON: No sir.

MOSER: That-that would've caught your attention?

BENSON: Well like I told you before—the only thing that really caught my attention I mean you know, like I say, they were probably right at the Co-Coca Cola Plant you come up a little hill—

MOSER: Right.

BENSON: --and then it's on that little rise right there when it got on the straight, uh-uh, they were sort of uh—you've asked me this before—I-I don't know if they'd

been a muzzle flash or what but they wasn't, cause I don't even know what a muzzle flash looks like I don't-I don't imagine, but they was a light like thing you know, I don't know how to really describe it, then this-then this little truck veered off the road and went up the median a little bit and then it crossed over went down the north bound-south bound lane for a while.

MOSER: Now this little light you saw do you think it came from the roadway? Or could've come off of the shoulder road or?

BENSON: No, this was uh, like okay let me see if I can—

MOSER: Here, you want some paper?

BENSON: Yeah, if I can. You got—now this is the highway and of course this is your median and he was coming like—well when he uh, he had the car here and the truck was here best I can remember, the blue car was sort of behind-behind him—

MOSER: Okay.

BENSON: --they had quit running, the truck had got in front of him. Uh, and as a matter of fact the truck might've sped up a little bit after he went under the light I you know uh, and then it's just like all of a sudden you-you see a little flash like and he-he just takes off you know, and gets up here and goes up the road for a long ways and then he goes over and bounces off the guard rail.

MOSER: Uh-huh.

BENSON: And before that guard rail goes into the ground and when he got to the guard rail he rolled up on the guard rail and of course that made him flip over. I think he flipped one time and landed upright.

MOSER: Right.

BENSON: Yeah.

MOSER: I see. Now this car back here or this vehicle—

BENSON: Uh-huh.

MOSER: --best of your recollection, there was a vehicle here?

BENSON: Yeah, they was one—the blue, him and the blue car was still close together, now as to what uh, how they were to (inaudible) seems like to me remember like I've told you I've run it over in my mind—the blue car was-was they wasn't side by side anymore.

MOSER: Uh-huh.

BENSON: They was side by side when they went under the traffic light.

MOSER: Right.

BENSON: And you know I lost sight of 'em until I got on up the road and—

MOSER: Right.

BENSON: --and then they went on, but my recollection that-that blue car was still in the vicinity of that truck.

MOSER: The best you remember?

BENSON: Yeah, whether it was—I don't—if it was on the side or right back into the back but it was still—they was still close together.

MOSER: Okay, so to your recollection now, the blue car hadn't turned off anywhere, he was probably still going north?

BENSON: Oh yeah.

MOSER: Okay.

BENSON: Very definitely he was still going north.

MOSER: Okay.

BENSON: There wasn't anywhere for him to turn off.

MOSER: All right, yeah he, now he could've turned off at the Coke Plant.

BENSON: Well yeah, right.

MOSER: But he didn't?

BENSON: Uh-uhh, Uh-uhh.

MOSER: Okay, all right. Now this-this blue car um, size do you think?

BENSON: Uh, I've went over that in my mind—it was a small car.

MOSER: Okay.

BENSON: It was uh, something like a Honda, little small Honda.

MOSER: Uh-huh.

BENSON: Had uh, best I can remember, sporty wheels on it.

MOSER: Do you remember how many doors?

BENSON: Uhh, four I believe.

MOSER: Anything about the windows?

BENSON: Uh, no uh-uhh, it had some kind of antenna like on the back I can't remember if it was a-was a uh, ante uh-cell phone antenna or-or, sure it was an antenna best I can remember.

MOSER: Like coming out of the window?

BENSON: Uh, well off the back window or off the uh, running board or whatever.

MOSER: Okay. Now do you know your vehicles very well?

BENSON: Well, not any-not anymore since they changed so much. I-I uh—

MOSER: I-I'm just showing you a picture and I've got it marked Number 1.

BENSON: Uh-huh.

MOSER: And it's a picture of a white truck and a little four door car, I'm not asking you to be specific, but to the best of your recollection would that be about the size of car you were talking about?

JOBY's sister's car

BENSON: Well that don't look exactly like it, I think this one's a little smaller more like a Hyundai.

MOSER: Okay.

BENSON: A Hyundai whatever you call 'em.

MOSER: Uh-huh.

BENSON: More of a slope front. That's about the color.

MOSER: You think that's about the color?

BENSON: Yes sir.

MOSER: That's sort of—

BENSON: I guess that's blue looking, bluish—

MOSER: Green.

BENSON: Greenish looking.

MOSER: Looks like an aqua somewhat.

BENSON: Yeah, yeah uh-huh. But that don't—

MOSER: Doesn't look like the car?

BENSON: No, not really.

MOSER: Okay.

BENSON: I can see it um—

MOSER: Have you spotted any cars to your recollection between then and now that you think?

BENSON: I've been looking at every car I see that looks blue I-I look at it.

MOSER: What about model or size? I mean I'm sure you've seen Honda Accords and-and uh, Hyundais since then had-do you still—

BENSON: I would say this was a late-I believe it would be a late model.

MOSER: Okay. And you believe more so than anything else it's probably a Honda?

BENSON: Uh, something like, yes,

MOSER: Something like a Honda, okay.

BENSON: Uh, seems like the best I can remember, it had sporty wheels on it like uh, uh-uh—

MOSER: Do those wheels in that picture look anything like it?

BENSON: No, not really.

MOSER: Okay.

BENSON: I didn't really you know, like I say it pulled out in front of me and I didn't really get close enough to it again to really get a good look at it, I just saw it from when it came back in.

MOSER: Uh-huh. It never passed you to your recollection did it?

BENSON: No sir, it was in front of me.

MOSER: The whole time?

BENSON: Yeah, yeah.

MOSER: Now—

BENSON: Like I say once that truck took off he-he got in the inbound lane he-he he went off and then he just he got right back in and caught it-they caught up together again up there at the traffic light.

MOSER: Where-where do you think you first picked up these vehicles?

BENSON: Where I picked 'em up?

MOSER: Yes.

BENSON: Uh, when I came around the curve right there at North Georgia Camper.

MOSER: Okay.

BENSON: That's when I—'cause when I came around that little bend in the road that's when I seen the-the truck stop.

MOSER: Tail lights, I see.

BENSON: Come on I slowed down.

MOSER: Prior to that you hadn't—

BENSON: No, uh-uhh.

MOSER: --had a chance to see 'em?

BENSON: No, uh-uhh.

MOSER: Now of course you're getting off from work trying to chill out before you get home thoughts of ease so to speak going through you mind is what you told me.

BENSON: Uh-huh.

MOSER: When I talked to you back in January, uh, so your focus wouldn't necessarily be on anybody, correct?

BENSON: That's right.

MOSER: Okay.

BENSON: That's correct.

MOSER: But now when you do believe that you possibly saw a flash uh, you think maybe—could—could it be said that it possibly came from this blue car?

BENSON: Uh, it possibly could have.

MOSER: Do you know that for a fact?

BENSON: I don't know that for a fact, no sir.

MOSER: Okay. Could you tell in anyway, shape, or form how many occupants were in any-in either of these vehicles?

BENSON: No sir.

MOSER: Okay. But did you see anything in anyway that uh, uh, gave an indication something was wrong after the initial incident where the truck-or the car veered right? Anything else prior to seeing the truck veer left, did you see anything in between then that gave you an indication—hey, those-those two vehicles, the occupants are messing with each other?

BENSON: Nothing other than the fact you know, like I say when it got to the traffic light they both were side by side and then the pickup sped up a little bit and got ahead of the little blue car—

MOSER: Uh-huh.

BENSON: --more or less you know.

MOSER: All right.

BENSON: The best I can remember when I actually-when I actually see the truck leave the road there they were-they were sort of like this.

MOSER: Have-on-the-on the times that-that of course you've driven that road coming back home since then, have you-have you noticed that same time of night any other cars that look similar?

BENSON: No sir, I've-I've watched for 'em, I haven't noticed any.

MOSER: Haven't noticed any?

BENSON: No sir.

MOSER: I see. Um, trying to think if there's anything else I can think of that uh—I think we've accomplished something today because now we-we uh, best you can recall possibly is that maybe this flash came from the area of this car that was a little bit behind this truck which would make since. And then suddenly the truck veered left, prior to it veering left it was—quote me if I'm wrong—would it be safe to say he was going north and in his lane?

BENSON: Yeah.

MOSER: With no problem?

BENSON: No problem, no problem.

MOSER: Nobody or I'm sorry—was there anyone in between you and those cars, that car and that truck? Prio to—

BENSON: No sir, and there was a car beside me.

MOSER: Uh-huh.

BENSON: Right in the uh, little-little up in front of me but they was, they wasn't any car in between me and them.

MOSER: Okay. Were you behind the truck in the inside lane or you in the outside lane?

BENSON: I was on the outside lane.

MOSER: This car that was beside you just a tad in front, do you know, any idea about it?

BENSON: No sir, no sir, I sure don't.

MOSER: All right, do you know anyone else that saw the accident? Personally know anyone?

BENSON: No sir.

MOSER: Okay. Um, anything at all Mr. Benson you think we left out that comes to your mind. Uh, anything about the description of this car with sporty wheels you say do you know what state the tag was in.

BENSON: No sir.

MOSER: Okay. Uh—

BENSON: Well I take that back it, well I know it-it wasn't an out of state tag I'm almost positive.

MOSER: You believe it's Georgia.

BENSON: I believe it was a Georgia tag.

MOSER: Okay.

BENSON: But like I say, I just got a glimpse of the tag because I slowed down and it pulled back in front of me, and uh, and of course it sped on off you know.

MOSER: Uh-huh.

BENSON: I never did get a good look at it again after that.

MOSER: Did it speed off almost like to catch up with the truck?

BENSON: Well I won't say they kicked it, but I mean they accelerated you know.

MOSER: Uh-huh.

BENSON: Uh, and I—from that distance to the-to the traffic light I'd say what, a quarter of a mile?

MOSER: Probably, probably.

BENSON: They-like I say by the time the truck got to the traffic light the car had caught up with it.

MOSER: Okay.

BENSON: And you might say it did speed up to catch the truck.

MOSER: Right. All right, uh—

BENSON: 'Cause you know, I just-when I saw it I—the first thing that came to my mind was that it was boyfriend and girlfriend or either—

MOSER: Right.

BENSON: Or either he was—a lot of times in the afternoon when you come through there especially on the traffic like you've got these cars that's more or less jockeying, see if you've got the two going the same speed—

MOSER: Yes.

BENSON: --and you get irritated you know.

MOSER: Yes.

BENSON: And I thought well maybe that's what's happened, and he's been in school all day he-he's wanting to get home or something.

MOSER: You never saw him pull out of Floyd did you?

BENSON: No sir, uh-uhh, and I just figured he might've tailgating and somebody was tailgating or whatever I never did dream anything like this was gone happen.

MOSER: Right.

BENSON: You know, I-I that was the farthest thing from my mind that somebody would do something like that.

MOSER: Now once the truck veered left is it safe to say that your focus on any other cars but the truck was obsolete and since you just focused on that truck.

BENSON: Right, I-I slowed down you know after-because I was really concerned cause there was cars coming southbound heading right towards him in both lanes.

MOSER: Did you stop in the northbound lane and then run across the median?

BENSON: Yes sir, I stopped right across the road from where the truck turned over and uh, called 911, and then I ran across the road over there.

MOSER: Okay. I-I appreciate—I'm sorry what?

BENSON: Go head.

MOSER: I was just gone tell you I appreciate you taking time for me again.

BENSON: I-I just wish there was more I could do for you.

MOSER: Well um, if you spot the-the car you think matches the description or even make or model or color or even spoke wheels whatever you can get a tag number, if you would give me a shout uh, I-I sure would appreciate it.

BENSON: Okay.

MOSER: Let me throw my card at you here. Well I'm gone stop this interview, the time looks to be about 5:23 p.m.

Det. Jim Moser
Romé Police Department

gc