



MEDIA RELEASE

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Update: Marshall Investigation

(Murphys, CA) On February 2, 2013, deputies and detectives from the Calaveras County Sheriff's Office responded to a residence on the 1200 block of Sandalwood Drive in the Forest Meadows subdivision, Murphys, for a suspicious circumstance/welfare check. Upon arrival they found three deceased persons, Phillip Marshall (54), Marshall's 14 year old daughter, Macaila Marshall and his 17 year old son, Alex Marshall. The cause of death of all three people was a single gunshot wound to the head. The Marshall family dog, a Shih Tzu breed, was also found deceased in the master bedroom from a single gunshot wound.

The investigation revealed that between January 31, 2013 and February 2, 2013 at an unknown time Macaila and Alex were shot while sleeping on a U-shaped sectional couch in the living room. Phillip Marshall was last seen and spoken to by a neighbor on January 31, 2013. He received a refill of prescription medications on the same date. Alex's last documented communication was by instant messaging (cell phone) on January 31, 2013 at 10:40 PM. Macaila's last documented communication, via cellular phone, was on January 31, 2013 at 10:10 PM. She took a cell phone self-portrait at 10:55 PM. Phillip Marshall and his children were found deceased on February 2, 2013 at approximately 3:10 PM.

During the investigation sheriff's detectives discovered the following:

- Sean Marshall initiated divorce proceedings against Phillip Marshall in 2008. She withdrew the request in 2009. In October 2012, she reinstated the divorce process, at which time Phillip Marshall moved back to his house in Forest Meadows.
- The investigation revealed that the Calaveras County Sheriff's Office had several prior contacts with Phillip and Sean Marshall. During **November 2008** several court petitions filed by Phillip Marshall to obtain full custody of children; requests denied. **November 11, 2008:** Erin Chamberlain (Sean's sister) reports Phillip in front of her residence, and that Phillip is mentally unstable and heavily medicated. She further reported that Phillip had made a threat to Sean that she "will not see December". **November 22, 2008:** Erin Chamberlain states that Phillip is supposed to drop something off at her residence and that she is afraid for the safety of the children. She also reported



that Sean is upset that Phillip keeps calling and driving by the residence. **December 5, 2008:** Phillip has physical altercation with Erin Chamberlain and is arrested. An emergency protection order is issued. Investigation also found that Phillip left phone messages at Erin's residence. One message stated, "If you don't call me, mom is going to have problems, we don't want this". Message also says "Sean, you are going to get what's coming to you." A second message states, "Macaila, this is daddy. We are going to have lunch. We need to talk right now. If not, something is going to happen".

December 7, 2008: Sean Marshall reported that Phillip violated the emergency protection order. **December 13, 2008:** Erin Chamberlain reports that Phillip keeps calling their house. **December 14, 2008:** Another report by Erin Chamberlain that Phillip keeps calling. **December 15, 2008:** Phillip reports that Macaila has been calling his (Phillip's) friends and family and telling them that she (Macaila) is afraid of Phillip and that he is out of control. Phillip states that he believes Sean is manipulating Macaila to make the calls. **December 15, 2008:** Report by Macaila that Phillip left threatening message on her answering machine that she is not to call her uncle Bob. **December 23, 2008:** Report to court: Current custodial visitation remains in effect; however, Macaila is not to be forced to have visitation with Phillip. **January 2, 2009:** Civil standby requested by Phillip to pick up Alex from Sean. Requested that deputy call Sean and tell her to "turn kids over without a problem".

- On January 27, 2013 Phillip Marshall purchased a distinctive type of Fioocchi brand 9 millimeter handgun ammunition from Big 5 Sporting Goods store in Sonora. Store security video was obtained and a positive identification of Marshall was able to be made from the video as the person who purchased the ammunition. Inside the house detectives located and seized the same clothing that Marshall was seen wearing on the video. They also located the Big 5 Sporting Goods store purchase receipt for the ammunition inside Marshall's car, which showed that he paid cash for the ammo. In October 2011 Marshall purchased the Glock 9mm handgun from a gun store in Turlock, CA. The gun was registered to him.
- The Glock handgun was sent to the California Department of Justice crime lab for fingerprint analysis, and is scheduled for DNA and ballistics examination (results pending on the DNA and ballistics). The fingerprint analysis positively identified Phillip Marshall's fingerprints on the interior plastic carton of the ammunition box and the gun magazine. In regards to prints on the gun, DOJ lab analysts explained, "The only usable friction ridge impressions remaining in this case were two patent impressions appearing on [the] Glock 19 handgun. These patent impressions were visible on the slide area of the handgun upon the initial examination. The patent impressions lack sufficient quality and quantity of friction ridge detail for identification purposes, but are usable for elimination



purposes. Subject Phillip Randolph Marshall could not be eliminated as the source of these two patent impressions due to similarities in ridge flow and ridge characteristics in agreement with his left thumb and left index finger.”

- During the search of Phillip Marshall’s house detectives located numerous documents on the kitchen counter. These documents included a list of financial debt he owed, dated 02/01/13 and totaled \$67k, as well as child support-related documents and information. A handwritten note was found inside of a spiral binder noting the debt amount and a handwritten comment stating, “Debt Kill.” The binder was found lying next to a laptop computer that was identified as belonging to Phillip Marshall.
- There was no sign of forced entry into the Marshall home. All doors were found closed with some having been left unlocked. Detectives found items of value in plain view, including two computers inside the home, and it did not appear that the house or any of the furniture had been ransacked. The computers, described as a desktop and a laptop, were seized by detectives during the search of the home and sent to the law enforcement High-Tech Task Force in Sacramento for forensic analysis. The results of the analysis are pending.
- During the evidence processing phase of the scene, directional blood spatter coming from Phillip Marshall, including blood cast-off from his head was found on and around his body. Marshall was described as being right handed. Autopsy results showed that he had a single contact gunshot entry wound to right side of his head, with a muzzle impression on his skin. The impression left by the Glock 9mm gun barrel muzzle established that when he shot himself he held the gun rotated in an inverted (upside down) position. The inverted positioning of the handgun is a natural body/arm posture of someone shooting themselves, and is consistent with him having shot himself. No disruptions or voids were found in the high and low velocity blood spatter patterns. Marshall was found lying on his back in the living room behind the sectional couch. The gun was located under his right side midsection. The manner of the contact gunshot combined with the lack of voids and blood disruptions confirmed that a fourth person was not present as the shooter. Four expended shell casing were found at the scene; three in the living room and one in the master bedroom. All four cases matched the unexpended cartridges in the Fiocchi ammunition box.

Phillip Marshall suffered a “point blank” gunshot wound to the right side of his head. Investigators determined the firearm was being held upside down as indicated by the muzzle impression found on Phillip’s head. The blood spatter and a lack of displacement or disruption found at the scene proved to Investigators that no other persons were in close enough proximity to have shot Phillip Marshall.



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- During a search of Marshall's master bedroom closet detectives located a 50-round box of Fiochi ammunition on a shelf outside of the safe. The box of ammunition matched the ammunition Phillip Marshall purchased at Big 5 Sporting Goods. They found 43 unfired cartridges in the box. One unfired cartridge was found lying on the laundry room floor. A total of four rounds were fired during the murder-suicide. One live round was found loaded in the chamber of the gun. The gun magazine was empty.
- Detectives found that the safe was left open. Outside the safe, where they found the box of Fiochi ammunition, they also found a wedding ring resting on top of the Fiochi box. Inside the safe they discovered five zip lock bags containing marijuana (approx. 1 ounce total) next to a marijuana medical recommendation card (dated 2011), various prescription medications, and a Big 5 Sporting Goods shopping bag outside the safe. A handwritten note was left on the marijuana medical recommendation card that read "Hi Sean!"
- Macaila was found lying on the right side of the couch as you face it, and Alex was found on the left side. Both were covered in blankets and it appeared that they were sleeping at the time they were shot. There were no signs of a struggle. During the autopsy a single contact gunshot entry wound was found on the left side of Macaila's head. This was consistent with her body positioning on the couch at the time she was discovered. Alex had a near contact gunshot entry wound to the right side of his head. Two expended bullets were recovered from the couch from below each child indicating that they were shot while lying on the couch. One bullet was recovered from a pillow below Macaila's head, and one was recovered from a couch cushion below Alex. The couch was saturated in blood, indicative of the couch being the primary location where they had been shot. No secondary blood evidence was found to indicate that they had been shot in another location of the house and moved to the couch. Witnesses stated that it was common practice for Macaila and Alex to sleep on the couch rather than in their beds.
- Blood samples taken during the autopsies were sent to a toxicology lab for toxicology analysis. The results showed that Macaila had a .05 % blood alcohol content and .32 mg/L of diphenhydramine (an over the counter antihistamine/sleep aid). Alex had a blood alcohol content of .03 %. Phillip Marshall's blood sample contained .08 mg/L hydrocodone (pain reliever/narcotic), .02 mg/L morphine (pain reliever/narcotic), and .80 mg/L hydroxybupropion (anti-depressant). Alcoholic beverages, including a bottle of whiskey and an open 12-pack of beer, were found inside the Marshall home.
- According to records obtained, Marshall was diagnosed with bi-polar disorder. Additionally, the reports stated that he suffered periods of depression and mania, which led to his dismissal, or "grounding," as a pilot in September 2006.
- A search warrant was served at a local clinic for Phillip Marshall's medical records. The medical records noted that he suffered from chronic back pain, and was prescribed prescription narcotic pain medications for this condition. His medical records suggested



that he also suffered from some sort of mental illness, drug dependency, anxiety, and depression. He was prescribed anti-depression medications for his mental health. During mid-year 2012 through January 2013 he frequented the medical clinic seeking additional pain medications. Clinic physicians had him sign a pain medication contract, which directed him to take his medications as prescribed, and to not seek medications from other physicians. The medical record indicated that he was to schedule an appointment with a psychiatrist. It is unknown if he ever attended this appointment.

- In order to demonstrate a length of time between the two gunshots that struck Alex and Macaila, the detectives and firearms instructors with the Calaveras County Sheriff's Office conducted a live gunfire test. In the test they positioned targets in the exact positions and distance as how Alex and Macaila lay on the couch. During the multiple tests the detectives found that it took an average of a total of two seconds to shoot each victim, demonstrating that it was possible to shoot both children prior to one of them waking up.
- On a Saturday, beginning at approximately 9:30 AM Detectives conducted a decibel meter sound experiment at the Marshall house. In advance of the experiment, due to the extremely low availability of the type of ammunition that Marshall had purchased, the Fiochi Ammunition Company, for the purpose of this experiment, donated a box of the exact same type of ammunition that Marshall had purchased at Big 5 Sporting Goods (92 grain EMB-Expansion Mono-Block). The detectives were also able to locate a second box through the Big 5 Sporting Goods corporate office. Furthermore, the detectives used an identical Glock Model 19 nine-millimeter semi-automatic handgun for the test. Additionally, they re-constructed the scene by using a donated couch. Melons were used to simulate a human head. A bullet trap barrel and sandbags were used to shoot into for safety. Over a period of time the detectives fired a total of sixteen rounds from inside the home while the decibel meter was positioned at various points outside the Marshall home. One point of measurement included inside the home of the nearest neighbor who shared a property line with the Marshall property. The neighbor's house sat approximately 50 feet from the Marshall house. Throughout the test, while inside the neighbor's home, the detectives received an average decibel reading of 50 decibels. They also received an average decibel reading of 50 decibels at various points of measurement outside the Marshall home. A prior control test inside of a closed room with a running refrigerator compressor registered 45 decibels on the decibel meter. At the conclusion of the test the detectives interviewed residents surrounding the Marshall home to inquire whether or not they had heard the gunshots. None of the residents spoken to said that they had heard the shots, nor were they aware that the experiment was taking place. The Calaveras County Sheriff's Dispatch Center did not receive any reports of "shots fired" calls from the area of the subdivision during the testing process. The neighbor, whose house the detectives used to obtain an interior reading, was present during the experiment. After the firing of six rounds, the neighbor indicated that the neighbor had heard the shots; however, due to the low volume the neighbor felt that the neighbor would not have heard the shots if the neighbor were sleeping. The neighbor went on to



say that despite the fact that the neighbor is a "very light sleeper", the neighbor would not have been awakened by the noise. The neighbor clarified the statement by reiterating that the shots were not loud enough to have awakened the neighbor despite the neighbor's close proximity to the Marshall residence.

- Based on interviews, evidence, and other factual information developed during this investigation there appears to be several contributing factors that led to this murder-suicide. Phillip Marshall had been under the care of a doctor for several years and appeared to be battling chronic pain, drug dependency, and mental health troubles. The prescription drugs that he had been prescribed seem to be very sensitive to dosages, especially when combined with other medications, which was the case with Marshall.
- A medical doctor consulted during the investigation stated that combining bupropion (anti-depressant) with hydrocodone (narcotic) can have adverse reactions in regards to mental health. Additionally, missing a dose or taking too much of one of these prescriptions could also cause adverse reactions. Research showed that the Food and Drug Administration warned that any abrupt changes in psychotropic medications (such as what Marshall was prescribed) could result in suicide, hostility, or psychosis.
- There was no evidence to support a theory that anyone else could have committed this crime, or that any other persons were present at the time of the shootings. Macaila and Alex Marshall both appeared to be sleeping at the time they were shot, indicating no signs of a struggle with a possible intruder. There was no evidence of a struggle with Phillip Marshall, and no signs of forced entry into the home. Various items of value were still present inside the home, and no evidence of any additional weapons was found. Lastly, there was no evidence that Phillip Marshall or his children were moved or repositioned after the shooting, which would indicate an altered crime scene. Based on the final findings of the investigators, evidence shows that Phillip Marshall and not an outside fourth person, shot and killed Macaila, Alex, the family dog, and then himself. To conclude, it is determined that this case was a double murder-suicide.