

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
METROPOLITAN POLICE DEPARTMENT**

**FINDINGS OF FACT IN USE OF FORCE INCIDENT**

<b>Force Type (s):</b>	Discharge of a Firearm – Non-Fatal Injury Electronic Control Device (ECD) Deployment
<b>Incident Date:</b>	May 18, 2024
<b>Publication Date:</b>	October 7, 2024
<b>Involved MPD Member(s): Rank, Division Assigned, Race/Gender:</b>	Sergeant 1 Second District Black/Male
<b>Subject of the Force's Race/Gender and Age at time of the use of force incident:</b>	Black/Male 28 years old
<b>Use of Force Review Board Date:</b>	October 3, 2024

**SYNOPSIS OF USE OF FORCE**

Sergeant 1 (SGT1) deployed an Electronic Control Device (ECD), commonly referred to as a taser, and discharged his service pistol at the subject of the force. Consistent with MPD policy, this use of force incident was referred to MPD's Internal Affairs Division (IAD) for investigation. MPD's use of force investigative procedures are outlined in [GO-RAR-901.07 \(Use of Force\)](#). After all available evidence was collected and analyzed, and statements from police and civilian witnesses were reviewed, the IAD final investigative report was completed on September 23, 2024. The material facts regarding this use of force incident are outlined below.

**EVENTS THAT LED TO POLICE CONTACT**

1. On May 18, 2024, Second District members responded to 2400 Virginia Avenue, Northwest, for a call of a mental health consumer (the subject of force) who was in crisis.
2. On scene, the members spoke to a friend of the subject of force who described his concerning behavior.
3. The members attempted to make contact with the subject of force at his apartment but there was no answer.
4. The members requested the assistance of the Department of Behavioral Health's (DBH) Community Response Team (CRT).
5. While the members awaited the arrival of DBH/CRT, the subject of force was seen in the lobby area and the members spoke with him.
6. DBH/CRT members arrived and assessed the subject of force. DBH/CRT members advised that the subject of force was a candidate for involuntary mental health observation.

**EVENTS THAT LED TO THE USES OF FORCE**

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7. The subject of force was standing with his hands in his pockets and members attempted to handcuff him. The subject of force told them not to touch him and resisted their hand controls.
8. SGT1 gave an “arc warning” to the subject of force with his ECD.
9. As members attempted to grab the subject of force’s arms, the subject of force removed his right hand from his pocket and swung the knife, cutting a member’s neck.
10. SGT1 deployed his ECD twice at the subject of force but it did not result in Neuromuscular Incapacitation. The subject of force still held the knife.
11. SGT1 dropped his ECD and transitioned to his service pistol.
12. The subject of force charged towards one of the members. SGT1 discharged three rounds from his service pistol at the subject of force.
13. The subject of force continued advancing towards the member and SGT1 discharged five rounds from his service pistol at the subject of force, paused about a second and discharged a single last round.
14. The subject of force was ordered to lay on the ground, complied and was handcuffed.

**ACTIONS AFTER THE USES OF FORCE**

15. The subject of force was arrested for Assault on a Police Officer. His knife was recovered on scene.
16. The subject of force sustained an apparent gunshot wound to a hand and an apparent graze gunshot wound to the thigh.
17. The subject of force was transported to the hospital and received medical and mental health treatment.

**PROSECUTORIAL REVIEW BY THE US ATTORNEY’S OFFICE (USAO)**

As outlined in MPD policy, [GO-RAR-901.07 \(Use of Force\)](#), the discharge of a firearm is considered a serious use of force, and the incident was referred to the USAO to make an independent determination whether the use of force involved any criminal wrongdoing that should be prosecuted. On June 6, 2024, the USAO notified the MPD they were declining to prosecute the incident.

**FINDINGS OF INTERNAL AFFAIRS DIVISION (IAD) ADMINISTRATIVE  
INVESTIGATION**

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On September 23, 2024, the IAD final investigation made the following findings based on a preponderance of the evidence regarding the uses of force by the involved member:

- The Use of Force- First ECD Deployment - by SGT1 was **JUSTIFIED.**
- The Use of Force- Second ECD Deployment - by SGT1 was **JUSTIFIED.**
- The Use of Force- Discharge of a Service Pistol, First Round - by SGT1 was **JUSTIFIED.**
- The Use of Force- Discharge of a Service Pistol, Second Round - by SGT1 was **JUSTIFIED.**
- The Use of Force- Discharge of a Service Pistol, Third Round - by SGT1 was **JUSTIFIED.**
- The Use of Force- Discharge of a Service Pistol, Fourth Round - by SGT1 was **JUSTIFIED.**
- The Use of Force- Discharge of a Service Pistol, Fifth Round - by SGT1 was **JUSTIFIED.**
- The Use of Force- Discharge of a Service Pistol, Sixth Round - by SGT1 was **JUSTIFIED.**
- The Use of Force- Discharge of a Service Pistol, Seventh Round - by SGT1 was **JUSTIFIED.**
- The Use of Force- Discharge of a Service Pistol, Eighth Round - by SGT1 was **JUSTIFIED.**
- The Use of Force- Discharge of a Service Pistol, Ninth Round - by SGT1 was **JUSTIFIED.**

**FINDINGS OF THE USE OF FORCE REVIEW BOARD (UFRB)**

On October 3, 2024, the UFRB convened to review the final investigative report prepared by the IAD and the evidence regarding the use of force by the involved member. The UFRB ruled:

- The Use of Force- First ECD Deployment - by SGT1 was **JUSTIFIED.**

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- The Use of Force- Second ECD Deployment - by SGT1 was **JUSTIFIED.**
- The Use of Force- Discharge of a Service Pistol, First Round - by SGT1 was **JUSTIFIED.**
- The Use of Force- Discharge of a Service Pistol, Second Round - by SGT1 was **JUSTIFIED.**
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