

# Alabama officer won't be charged in fatal Thanksgiving mall shooting

Sanchez, Ray; McLaughlin, Elliott C; Burnside, Tina . CNN Wire Service ; Atlanta [Atlanta]05 Feb 2019.

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## FULL TEXT

The police officer who killed Emantic Bradford Jr. at a Birmingham-area mall on Thanksgiving night "did not commit a crime ... and thus will not be criminally charged for his actions," Alabama Attorney General Steve Marshall said Tuesday.

Marshall said it was also his understanding that the FBI will not be initiating a civil rights case against the Hoover, Alabama, officer.

Benjamin Crump, the attorney for Bradford's family, in a statement called Marshall's determination "outrageous and beyond comprehension" and said the attorney general had concluded "that it was reasonable for a trained law enforcement officer to fatally shoot an innocent civilian, one whose only action was an attempt to help protect the public and whose only 'crime' was being black."

Bradford's parents also spoke to reporters about the decision.

"You think I'm going to let it go?" Bradford's father asked reporters. "As a black man, it's wrong."

"I want to know, if that was your child would you consider this justice?" his mother asked. "You shoot my child three times and y'all call that justice?"

The officer who killed Bradford is in the process of returning to work, Hoover Mayor Frank Brocato said Wednesday, adding that the city will pay for his defense in any civil proceedings.

"We will defend our city, and we will defend our police officer," he told reporters.

The Hoover officer is not being identified, he said, because he is being treated as a private citizen. If a private citizen were investigated and found not to have committed a crime, his or her name would not be released, Brocato said.

"We're glad it's over, but it's not over for (the Bradford family). They lost a son, and we will never forget that," he said.

'You can't tell the story through the video'

The officer was working mall security Thanksgiving night when he killed Bradford after a shooting that left two people injured.

Hoover police initially identified Bradford, 21, as the suspect, then recanted and said he brandished a weapon -- only to recant that statement as well, saying Bradford was mistaken for an active shooter because he was holding a gun at the scene, which "immediately heightened the sense of threat to approaching police officers."

Witnesses have said Bradford, armed with a permitted weapon, was helping mall patrons when the officer shot him in the back, Crump has said.

Marshall also released surveillance video Tuesday of the November 22 incident after showing it to Bradford's family.

In the edited video, a crowd can be seen dispersing from apparent gunfire, with Bradford taking a few steps toward the shooting scene before he is shot by one of two officers approaching him from behind. What appears to be a gun slides on the ground in front of Bradford as he falls to his side, the video shows.

"You can't tell the story through the video," Brocato said. "You have to look at all the facts."

Witnesses told police they heard officer order Bradford to drop weapon, attorney general says

Marshall, in his report, said the officer identified Bradford "as an immediate deadly threat to innocent civilians and thus shot Bradford to eliminate the threat."

He called the officer's actions "reasonable under the circumstances and were consistent with his training and nationally accepted standards for 'active shooter' scenarios."

The report quoted two unidentified witnesses as telling investigators the officer ordered Bradford to drop his weapon.

"Drop your weapon, drop your weapon sir, put your weapon on the ground," one store employee told investigators she heard the officer say before he shot Bradford.

Another employee told police she saw Bradford take an "aggressive stance" and heard an officer order him -- "literally three times" -- to drop his weapon before he was shot.

In two statements from the officer -- the first taken minutes after the shooting, the second a week later -- the officer makes no mention of ordering Bradford to drop his weapon.

"I observed an armed suspect quickly moving towards the two males standing near the railing," the officer said in his second statement. "The suspect was advancing on the two males and had a black handgun in his right hand. I fired my duty weapon at the armed suspect to stop him."

The officer's actions did "not constitute a crime under Alabama law" and "should not be presented to a grand jury for potential criminal prosecution," the attorney general's report said.

Family's attorney says case 'riddled with dubious actions by officials'

Crump called for the immediate release of the full, unedited surveillance video, noting that the officer "admitted he provided no verbal warning."

Brocato and City Attorney Phillip Corley told reporters Wednesday they had handed over all video to the state attorney general and the Alabama Law Enforcement Agency, neither of which is likely to release the footage because of the parallel investigation into the shooting that preceded Bradford's killing.

"Are we to accept that it is reasonable for our law enforcement officers to respond by acting on their inherent biases?" Crump asked. "In this case, it looks very much like the officer's reasoning was 'black man plus gun equals shoot.'"

He added, "The decision to evade a grand jury mimics the (darkest) patterns of injustice woven throughout Alabama's sad history of race relations. From the beginning, this case has been riddled with dubious actions by officials."

Crump accused the attorney general of "doing everything he can to exonerate the officer's inexcusable actions, trying to justify the officer's failure to follow proper procedures -- and, more importantly, to ignore the civil rights of an innocent, law-abiding man who happened to be black."

Dillon Nettles, policy analyst with the American Civil Liberties Union of Alabama, said the group is reviewing the report to determine how to proceed.

"The attorney general's characterization of E.J. Bradford as a 'threat' that needed 'eliminating' reveals how little regard the attorney general has for the life of this black man," Nettles said in a statement. "Police officers need to be held accountable when they shoot and kill innocent people."

Confusion from the outset

Hoover police initially said Bradford shot Brian Wilson, 18, in the suburban mall and that an officer killed Bradford as he fled. Molly Davis, 12, also was shot, police said, adding it wasn't clear by whom.

Police later changed the story, saying witnesses and forensic tests indicated that while Bradford may have been involved in an altercation, he likely did not fire the rounds that injured the victims.

His family has said Bradford was not at the mall with any of the victims or the suspect. He went there with his cousin and two friends and, possessing a permit to carry a weapon, pulled out his gun after the shooting began. He was helping people escape danger when he was killed, the family says.

Erron Brown, 20, was arrested days later in Georgia and charged with attempted murder in Wilson's shooting, police said. Brown's attorney has said video will clear his client. No charges have been filed in the shooting of the

12-year-old.

The officer who shot Bradford was on paid administrative leave pending the state investigation. Hoover police are also conducting an internal investigation that will likely take 30 days, the mayor said Wednesday.

The family has said its independent medical review showed Bradford had been shot three times in the back. The bullets struck him beneath his ear, at the base of his neck and just above his buttocks, Crump said.

CORRECTION: The headline on this story has been updated to correct when the shooting occurred.

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