

Prosecutor: Danville police justified in lethal - Danville Register & Bee (VA) - June 18, 2018

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In the course of about 20 minutes in the early hours of April 8, a Danville woman was assaulted and her accused assailant was shot and killed by Danville police, show videos released by the Danville Commonwealth's Attorney's Office on Monday.

It was the culmination of a domestic dispute between Shantaria Plunkett, of Sunset Drive, and **Juan Markee Jones**, 25, that began Christmas Day, with Plunkett filing assault and battery charges against Jones, Danville Commonwealth's Attorney Michael Newman said during a news conference.

The domestic abuse complaint is why police had no choice but to try to arrest Jones that early April morning, Newman explained. And his erratic movement, later seen on video, is why officers feared for their lives and shot to death the unarmed man.

"We are not seeking any charges on the officers," Newman said, nearly two weeks after receiving the investigation from Virginia State Police.

Capt. Dennis Haley, with the Danville Police Department, said the two officers involved in the shooting — Christopher S. Simpkins, with five years on the force, and David J. Branch, with two years on the force — had been on administrative assignment throughout the investigation.

"They were not on the street," Haley said. "They were assigned to other duties."

On April 8, surveillance video appears to show Jones arriving at the Sunrise Store on North Main Street shortly before 1 a.m. A few minutes later, Plunkett arrived and walked over to his vehicle briefly, then walked toward her car.

Jones followed her, shoved her into the side of her car and Plunkett fell to the ground. He then is seen hitting Plunkett then circling his hands around her neck.

"He was actually strangling her," Newman said, noting that the marks on her throat were later visible to police officers.

Jones drove off and Plunkett called 911, reporting the incident and asking for police and ambulance assistance, then went to her home on Sunset Drive.

Newman said the residence was Plunkett's, but she had allowed Jones to stay there despite "multiple reports of being called to the address," said Virginia State Police Special Agent Rick Conley.

Moments later, Jones pulled up.

A neighbor's surveillance video shows him opening the screen door at the front of the house then trying to kick the door open.

Plunkett again called 911, leaving her house through the back door. While she was on the phone, the first police car arrived.

Ultimately, five police officers with body cameras were at the address.

Newman showed video taken by Officer C.A. Mitchell's body camera, with slightly different angles than the video police had released shortly after the incident — but the end result was the same.

Jones tried to leave the scene, driving to the end of the cul-de-sac. On the video, officers are heard telling Jones to wait since there was nowhere for him to go on the dead-end street.

"The officers did what they were supposed to do," Newman said. "They tried to wait him out."

Then Jones surprised them by driving through brush into a wooded area, where his car stopped.

Officers ran down the road, shouting for Jones to get out of the car and show his hands. Instead, he stood by the car, with his side to the police so his right arm and hand were hidden.

The officers tried using a less-than-lethal Taser to subdue him, but it failed because one of its two prongs got caught in the brush. When Jones swung toward the police with his arm raised, five shots were fired, two hitting Jones. He was declared dead at SOVAH Health-Danville.

It was an event that seemed to fall into the national narrative of unarmed black men being shot to death by police. So did the protest that erupted on the steps of the Danville Municipal Building the day after the shooting. To quash rumors, Danville Police Chief Scott Booth addressed the protestors and the next day released some footage of the event.

Immediately after the shooting, local police called in the state police to investigate. At the Monday news conference, Newman showed the 3 inches-thick notebooks full of documents and reports, and videos of the scene at the Sunrise Store, tapes of the 911 calls, and body camera video of the whole time police were on Sunset Drive.

After reviewing the findings, Newman said he would not be prosecuting the police officers.

Conley and his partner in the investigation, Special Agent Matthew Wade, said the state police are being called in by more local police departments to investigate officer-involved shootings in an effort to show an impartial investigation is taking place.

One tool they say is very helpful in those investigations are the body cameras many department now have.

"They pay for themselves," Conley noted.

Newman said the release of the initial body camera video showed exactly how things played out.

"Danville is ahead of the curve with body cameras," he said, noting the cameras tracked the incident from the officers' arrival to "the unfortunate shooting."

"We're being open," he said. "We're not covering anything up."

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