

# Updated: COUNTY ATTORNEY: Officers justified in shooting death of Vernon May (video)

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## FULL TEXT

Jan. 25--BEMIDJI -- It took five seconds to fire the nine rounds that killed Vernon May during a traffic stop in November.

Those five seconds have been the focus of intense scrutiny since they happened nearly two months ago. They've been the topic of rallies and speculation and articles and letters and town hall discussions.

And now, the full sequence of events leading up to those five, late-night moments have been released to the public. Along with that new release of information, the two men at the center of the controversy have been cleared of any wrongdoing.

Beltrami County Attorney David Hanson said Thursday there will be no charges filed against Beltrami County Deputy Brandon Newhouse and Bemidji Police Officer Bidal Duran for the death of May, a 34-year-old Red Lake man.

In addition to his statement, Hanson released the video footage and an 11-page report, detailing the facts and analysis of the traffic stop that resulted in May's death. The report included portions of interviews with both Duran and Newhouse, as well as the other two individuals who were in the vehicle with May.

"While the death of another human being by deadly force is never to be taken lightly, there is no question that the actions of both Officer Duran and Deputy Newhouse in this matter were justified," Hanson wrote in the conclusion of the report.

May died just before 11 p.m. on Wednesday, Nov. 28, when officer Duran initiated a traffic stop near the intersection of Ridgeway Avenue Northwest and 30th Street, near the Paul Bunyan Mall.

\* Click here for a slow motion version of the police video.

Before the traffic stop, the Paul Bunyan Drug Task Force notified Duran the GMC Envoy that May was in stopped at a residence suspected of illegal drug activity, the report said. Duran located the vehicle and began following it. He activated his emergency lights when he realized the vehicle had a broken top brake light, which is located at the top of the vehicle, centered above the back window. Duran later told investigators he didn't know who was in the vehicle at the time he first made the stop.

In addition to May, there were two other men in the car, both of whom were in the front seats. The initial encounter appears non-confrontational in Duran's body cam footage as the driver began to search for the vehicle's insurance paperwork.

"How are you doing?" May asked Duran from the back seat after Duran first noticed him.

"I'm good; I'm good," Duran replied to May. "How are you guys?"

After identifying May in the back seat, Duran received word through his earpiece that there was a warrant for May's arrest.

Deputy Newhouse arrived shortly after Duran initiated the stop. Duran spoke to the two men in the front seat from the passenger side. May was seated behind the driver. While Newhouse stayed on the passenger side, Duran walked around and opened the rear, driver-side door where May was seated. Duran told May to get out since he was going to be arrested for the warrant.

The video footage released by the county attorney's office alternates between the dash cam in Duran's squad

vehicle and the body camera on his uniform.

At the moment May got out of the vehicle, the video footage switches to the dash camera in the squad vehicle, showing both Duran and May from a short distance away. The county attorney's report says May didn't comply when Duran told him to put his hands behind his back.

In the following moments, Newhouse yelled "gun" multiple times, according to the written report. That's when Duran and May began a half-minute struggle for control of the gun. Duran pushed May back into the vehicle, and began screaming a number of commands, such as "let it go, Vernon!"

Newhouse ran around the vehicle from the passenger side to help Duran.

Both Duran and Newhouse later told investigators May said "You're going to have to shoot me."

On the video, May can be heard saying "shoot me" several times, but much of the audio surrounding those words is unclear.

Duran told investigators he began losing grip of the handgun during the struggle and that he thought May would shoot him if he didn't shoot first, the report said.

"The whole time he was trying to point it at me," Duran told investigators. "No matter what was going to happen, he was going to try to hurt me or someone else."

Both Duran and Newhouse fired their weapons instantly after Duran pulled himself away while May was still in the back seat of the vehicle. The report said 10 shots were fired, nine by Duran and one by Newhouse. However, the autopsy indicated that May's body only had nine entry wounds.

"It seemed like he just didn't care if he was going to hurt anyone or himself," Newhouse told investigators.

The other two men in the vehicle said they didn't know May had a gun at the time they were pulled over. According to the report, May's handgun was a Taurus G2C 9mm.

The report said May's system tested positive for methamphetamine, amphetamine, Fentanyl, Norfentanyl and morphine.

The weapon May had was reported stolen in Red Lake on Sept. 11, 2018, about two and a half months prior to the traffic stop, according to the county attorney's report.

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