

## Experts provide analysis of video released by - Danville Register & Bee (VA) - April 12, 2018

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Sunday morning's fatal police-involved shooting of 25-year-old **Juan Markee Jones** may have been a case of suicide by cop, suggested a former police officer and use-of-force expert.

"When he rapidly turns around and extends his arms [toward police] ... if you have a person that does this, it looks like they're trying to draw fire," said Roy Bedard, who was a police officer in Tallahassee, Florida, for 30 years. "He's clearly disturbed. It looks like he's getting officers to do this one deed ... something he doesn't want to do himself."

Bedard, who lives in Tallahassee, gave a detailed analysis of the police body-camera video of the shooting, released by Danville Police Chief Scott Booth on Tuesday.

The use-of-force expert said he believed the shooting was justified.

The roughly eight-minute video begins when police arrive at 205 Sunset Drive early Sunday morning just before 1 a.m., where Jones is observed with a woman who earlier called emergency dispatchers claiming that he assaulted her.

Another officer arrives on the scene, and asks if the man is armed.

"I don't know," an officer replies.

Jones stays in his car, ignoring commands to turn it off, get out, and show his hands. Instead, Jones drives his car into a brush-filled, wooded area at the end of a cul-de-sac. Officers chase him down.

Partially surrounded, Jones gets out of the vehicle, but does not show officers his hands. He stands with his back to his car and his left side toward the officers. His left hand is at his side and his right hand invisible to officers.

An officer holds a Taser and fires in an attempt to stun Jones. It doesn't work — because of the brush, only one of the two prongs fired from the pistol-like device hits Jones, meaning there is not a full circuit connected to him to deliver an electric shock.

Seconds later, Jones whirls around with his hands outstretched at chest level. Gunshots are heard and Jones drops.

"He makes all the moves that are typically associated with somebody holding a firearm," Bedard said.

No weapons were found at the scene, confirmed the Virginia State Police, the agency tasked with

investigating the shooting.

Police officers are trained to look for postural cues in those types of situations, he said, pointing out Jones's sudden turn and extension of his arms.

"Those postural cues, to a trained police officer, create a belief that there's a firearm there if there isn't," Bedard said.

Also, it was dark outside and police officers were dealing with an entangled, convoluted environment during the confrontation with Jones just before he was shot, Bedard said.

"It's difficult to see with clarity," he said while viewing the video and giving an analysis of the actions in it. "The only option they have is to look at postural cues. This guy is in a thicket. Police are dealing with limited light sources, they are dealing with not being able to see his hands."

But another expert said the outcome could have been different.

"He wasn't going to cooperate under the scenario that unfolded, but that didn't have to be the outcome," said Jeffrey Fagan, Isidor and Seville Sulzbacher professor of law at Columbia Law School in New York. "For example, they could have explained to him what would happen if and when he got out of the car."

"They could have shown more detailed and personal knowledge they had about him [from his record, if there was one] to establish some type of personal connection to him," Fagan added. "They could simply have waited him out. Eventually, he would have both calmed down and become tired."

Also, just before the shooting, officers could have told him to lie down on the ground and explained why they wanted him to do so, which would be for everyone's safety, Fagan said.

"In other words, narrowing the psychological space between him and them might have calmed him enough to get his cooperation," he said.

As for other parts of the video, the police could have de-escalated the situation at the beginning by separating the suspect and the woman who made the initial complaint, Bedard said.

In the video, the woman can be heard yelling at Jones as police are ordering him to get out of his car.

"No, they're going to lock you up," the woman says at one point. "You shouldn't have kicked my door."

The way police hemmed Jones into the cul-de-sac with their cars was reasonable, Bedard said.

Also, calling for backup was the smart thing to do, he added.

"It's unusual circumstances," Bedard said.

By using a Taser at first, police were establishing a "force continuum" using the amount of force necessary to deal with the situation, he said.

"The officers are calculating a variety of unusual circumstances in trying to find meaning in what's going on here," Bedard said. "It's not entirely unseen."

Officers seem confused and are having to sort out a lot of information in a short amount of time.

Verbal commands were loud and succinct, he pointed out.

"They're doing a very good job of controlling communication, with one person giving commands," Bedard said, adding that too many officers giving orders at once can create more confusion.

Maxwelle Sokol, a member of the National Police Accountability Project, said she does not have enough facts to say whether the shooting was justified.

"It's not clear to me where the other officers were," Sokol said. "A lot of things are not clear in the video, which makes an assessment difficult at this stage."

Eugene O'Donnell, professor of law and police studies at John Jay College of Criminal Justice at City University of New York, pointed out the complexity of the situation, where police officers were calm and collected and then matters escalated quickly.

Officers are going to be highly concerned when they can't see the suspect's hands, O'Donnell pointed out. Non-compliance is also a red flag, he said.

"Police are not like everybody else," he said. "The police mindset is often the worst-case scenario."

The video shows how quickly a routine event can turn into something that police believe puts their lives in danger, O'Donnell said.

The national conversation about fatal police shootings of suspects and the use of force could be causing suspects to act more irrationally in those situations, O'Donnell added.

"With some of the political conversation, we may have a climate where it puts irrational people at risk," he said.

In addition, a society — like the United States — with so many guns will see more fatal police-involved shootings because those situations are more likely to pose a danger to officers, he said.

"In America, you have the ever-present problem of guns," he said.

Also, police are on high alert because officers say suspects are less compliant now and law enforcement authority has eroded, he said.

"That can actually have the unintended effect of putting irrational people at greater risk," O'

Donnell said.