

Grand jury declines to indict cop who fatally shot - Lima News, The (OH) - August 15, 2018

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DAYTON (AP) — A police officer who authorities say fatally shot an armed man who turned a gun on a woman and on the officer who was responding to a domestic violence call at an Ohio apartment won't face criminal charges.

Montgomery County Prosecutor Mat Heck Jr. said Tuesday that grand jurors declined to indict the officer in 24-year-old **Mitchell Simmons'** May 5 death in the Dayton suburb of Kettering.

Investigators said 31-year-old Kettering officer Andrew DiSalvo heard a female screaming, identified himself and entered the apartment, where he saw Simmons pointing a gun at a woman's head. Authorities say Simmons pointed the gun at DiSalvo and back at the female, and DiSalvo fired his weapon, killing Simmons. Authorities said Simmons shot at the female but missed.

Jurors found the officer acted lawfully.

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