

Officers justified in fatal shooting of veteran - Tulsa World (OK) - June 12, 2018

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A district attorney has determined that two Owasso police officers were justified when they fatally shot a man who allegedly approached them with two firearms in March.

Duane Preciado, 39, was shot and killed by the officers on the night of March 21 after he reportedly approached them and refused commands to drop his weapons.

Matthew Ballard, district attorney for Craig, Mayes and Rogers counties, wrote in an April report that Officers Casey Lawson and Laura Lehner of the Owasso Police Department "were compelled by Mr. Preciado's actions to respond with deadly force."

Ballard noted that the officers attempted to defuse the situation and "even retreated and attempted to wait for backup."

"Given the circumstances, the officers displayed admirable patience and bravery," Ballard wrote.

The Owasso Police Department was called shortly before 10:30 that night to a residence in the area of 108th Place North between 151st East and 154th East avenues in the Lake Valley addition about a welfare check.

According to Ballard's report, Preciado was a "depressed veteran" who was suicidal at the time.

Upon arriving at the residence, the officers rang the doorbell and knocked, at which point Preciado became "irate," allegedly screaming at them to get out of his house and threatening to shoot them. The officers had not entered the residence, Ballard wrote.

The officers eventually retreated behind a white pickup in a neighbor's driveway. As they did so, Preciado allegedly continued to threaten them. While behind the vehicle, both officers reported hearing the sound of a rifle or shotgun round being racked, according to the report.

Body camera footage reportedly showed that the officers stayed behind the vehicle for more than four minutes, at which point Preciado allegedly exited the home with two firearms, later revealed to be a semi-automatic pistol and an AK-47 rifle, screaming profanities.

He reportedly continued to threaten the officers. At one point, he allegedly said he was "unstable," according to Ballard's report.

As Preciado approached the truck, he allegedly twice yelled "kill me." The officers reportedly commanded him to drop his weapons at least nine times before firing upon him.

Three rounds in total were fired. Preciado was taken to St. John Medical Center in Tulsa, where he was pronounced dead.

"The officers were justified in their belief that the immediate use of deadly force was necessary to prevent serious bodily injury to themselves," Ballard wrote.

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