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NEWS RELEASE

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DAO'S FINDINGS ON OFFICER-INVOLVED SHOOTING IN MALVERN

District Attorney Deb Ryan announced today that the investigation of the May 19, 2022, fatal shooting at the 800-block of Charleston Greene in Malvern is completed and found that it was a lawful use of force by police.

The independent investigation of the shooting was conducted by the Chester County Detectives, as mandated by DAO policy for all officer-involved shootings. During the investigation, Chester County Detectives interviewed numerous officers and witnesses and reviewed police body cam footage, various police reports, 911 calls, and other evidence collected at the scene. The Malvern Police Department and all of the officers involved in the case cooperated with the investigation.

The incident occurred on May 19, 2022, at approximately 11:11 a.m., after a person contacted 911 to report that a female subject was having a mental health crisis and had written a "goodbye" message. The caller had just received an email from the subject, which was interpreted as a suicide letter. When the 911 caller informed the female that police were notified to conduct a safety check, she responded, "No, they will not. Go on Twitter."

Police were immediately dispatched to the 800 block of Charleston Greene for a well-being check. All officers were wearing standard-issued police uniforms. The entire incident was recorded on their body cams.

As soon as officers announced their presence at the subject's residence, she began to scream agitatedly and demanded to know why they were bothering her. She then opened her front door, and it was immediately apparent that she had a firearm in her right hand and a cell phone in her left hand. She walked toward the police and yelled that she was in a "crisis situation" and "get on Twitter now." She also indicated that the entire incident was being recorded "live on the internet" as she held up her phone.

Concerned for their safety, the officers took cover, drew their firearms, and called for backup. They repeatedly commanded her to drop her firearm, but she refused. She screamed that she had a right to own a gun. She held the firearm over her head and waved it around at certain points. She told police that if they dropped their guns, she would drop hers, or else she "would be scared for her life like you are."

One officer calmly engaged with the woman to successfully de-escalate the situation, and she eventually dropped the gun inside the front entrance of her residence. The officer thanked her. All police officers holstered their weapons.

The woman began to walk toward the police officer outside with only her cellphone in her hand. Believing that the situation had been diffused, the officer slowly began to walk toward her as he spoke. She then ran back into the house and grabbed the gun. Police feared she would endanger herself, them, someone in the home, or surrounding neighbors.

One officer pursued her into the house to gain control of the gun, and a struggle ensued. The woman had her finger on the trigger and waved the gun around at the officers. Seeing that the officer was unable to secure the weapon and believing that their lives were in danger of imminent serious bodily injury or death, another officer ordered the officer struggling with her to move away. The woman stood up and aimed the gun at police. From approximately five feet away, the officer shot the woman three times.

Life-saving measures were immediately administered by police, but the woman died shortly after. The entire incident lasted 57 seconds.

Police recovered the woman's black Glock 19, 9mm handgun, and found a round in the chamber.

Investigators later found a picture of the woman holding a black handgun on her Twitter account with a caption that read, "Do not think I am not prepared."

In Pennsylvania, a law enforcement officer's use of deadly force is governed by section 508 of the Pennsylvania Crimes Code. A law enforcement officer is "justified in using deadly force only when he believes that such force is necessary to prevent death or serious bodily injury to himself or such other person." 18 Pa.C.S.A. §508(a). In addition, the use of deadly force by law enforcement officers is justified to defeat the escape of a person and the person to be arrested has committed or attempted a forcible felony or is attempting to escape and possesses a deadly weapon, or otherwise indicates that he will endanger human life or inflict serious bodily injury unless arrested without delay. 18 Pa.C.A. §508(a)(1)(i)(ii).

Based on the totality of the circumstances, it was apparent that the subject proceeded to take actions that placed all officers in imminent danger of death or serious bodily injury. By waving her firearm with her finger on the trigger while struggling over the gun, she jeopardized the lives of all present. The subject created a situation where the police officer had a reasonable belief that his life, and the lives of others, were in danger of serious bodily injury or death, thereby justifying the use of deadly force according to 18 Pa. C.S.A. §508.

Approved for release by Deborah Ryan, District Attorney