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OFFICE OF THE PROSECUTING ATTORNEY Audrain County, Missouri

December 8, 2025

Col. Michael Turner
Superintendent
Missouri State Highway Patrol
1510 East Elm Street
Jefferson City, MO 65101

Re: DDCC Troop F Investigation – Incident Number #250429250 – Death Investigation

Dear Colonel Turner:

I have received the reports from Tpr. Lawson and MSHP Troop F DDCC concerning an officer-involved shooting death which occurred in Harrisburg, Boone County, on September 7, 2025. Ty Lewis was shot by a Boone County Sheriff's Deputy during an encounter at the home. Sheriff Carey of Boone County requested the assistance of DDCC, and upon completion of the investigation, my office was named as Special Prosecuting Attorney after the recusal of the Boone County Prosecuting Attorney's Office. I have reviewed the materials in an expedited fashion, as it is in the public, and law enforcement's interest, to have the issue thoroughly and extensively reviewed and a determination made regarding the investigation and its outcome.

The purpose of this letter is to confirm that my office has received and reviewed this investigation, and does find that the use of lethal force in this case was justified. Boone County Sheriff's Office Deputy Kevin Stroer's conduct was objectively reasonable under the circumstances. Deputy Stroer was dispatched to a domestic call reporting a person in the home threatening with a firearm. As Deputy Stroer arrived on scene, he was investigating the premises before making exigent entrance into the location of the domestic call based on a threat to the life of a third person. Suspect Ty Lewis was located inside the residence at a range of less than fifteen feet from Deputy Stroer. After six clear, direct commands from Deputy Stroer where Lewis verbally resists the commands, Lewis twisted his body towards Deputy Stroer with his arm rising and his hand containing a firearm. Deputy Stroer fired seven shots, five of which struck Lewis in the torso, causing his death. Deputy Stroer, and responding deputies and officers, immediately rendered aid to Lewis, but such aid was ultimately unsuccessful. Found immediately near Lewis's body was the handgun which Deputy Stroer observed was raising toward him and the other officers. The Lewis weapon was loaded, and was made safe by responding officers. The shooting and its aftermath were capture on body-worn cameras. Additional responding officers additionally had body-worn camera footage.

Upon review, I have found the use of force to be justified under Missouri law, and believe Deputy Stroer's actions, and the actions of the other responding Deputies, were appropriate, proportional, swift and conscientious to attempt to avoid further danger to life, body and health of citizens and officers alike. The Boone County Deputies' professional response was consistent with professional law enforcement standards and instruction.

After a review of all available information, I find from the evidence that Deputy Kevin Stroer did have an imminent, reasonable apprehension of immediate serious physical injury or death from the acts of Ty Lewis. This apprehension was reasonable, and justified, in that Lewis presented a serious, substantial risk of serious physical injury or death to others, the public, Deputy Stroer, and to other officers. In fractions of a second, Deputy Stroer identified a likely deadly threat to himself and immediately took necessary action to prevent harm to himself, bystanders, and other deputies. It is my conclusion that there is ample evidence that would lead a jury to likely find that Deputy Stroer was justified in his use of deadly force. Deputy Stroer's use of force was proportional, as he was faced with deadly force, it was imminent, reasonable, and could not have been avoided. National Prosecution Standards, and Missouri law, require a prosecutor to have a reasonable basis to believe that a conviction, beyond a reasonable doubt, is reasonably likely, and in this case, I find there is no reasonable likelihood that I could prove the elements of any crime beyond a reasonable doubt, and therefore, that no charges are warranted.

Ty Lewis's decision to point a gun at a law enforcement officer is tragic and resulted in a loss of life. However, the use of lethal force was justified and proper, and I will consider the investigation closed. The MSHP DDCC's investigation was thorough, rigorous, complete and professional, and left no questions unanswered. All agencies involved, including the Boone County Sheriff's Office, were cooperative and engaged with the investigation. All officers involved in this outcome were also likewise professional and forthright, and should receive appropriate aftercare and counseling for post-traumatic stress.

I am providing courtesy copies of this letter to DDCC Captain Donald Crump, Boone County Sheriff Dwayne Carey and Boone County Prosecuting Attorney Roger Johnson.

Please call if you have any questions or concerns.

Sincerely,

/s/ Jacob W. Shellabarger

Jacob W. Shellabarger, Mo. Bar #59738

Special Prosecuting Attorney for Boone County

Audrain County Prosecuting Attorney

Copy: Boone County Sheriff Dwayne Carey
Boone County Prosecuting Attorney Roger Johnson
Lt. Colonel Wallace V. Ahrens, MSHP GHQ
Major Paul Kerperin, MSHP Criminal Investigation Bureau
Captain Donald Crump, MSHP DDCC GHQ
Captain Jason Crites, MSHP Troop F