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RE: Officer Involved Shooting July 1, 2025

A fatal officer involved shooting occurred in Dubuque County, near Cascade, in the early morning hours of July 1, 2025. Involved were James Sherrill, now deceased, Dubuque County Sheriff's Deputy Sergeant Adam Williams, injured by gunshot, Investigator Chad Leitzen of the Dubuque Police Department, and Officer Cole Millard of the Monticello Police Department. The incident was thoroughly investigated by the Iowa Division of Criminal Investigations. The investigation is now relatively complete, awaiting only final autopsy and lab reports, which are not necessary for my purpose. I have had an opportunity to fully review the findings of that investigation as well as all relevant body camera and squad car footage, photos, interviews, reports and all other evidence and information collected by the investigators.

I have reviewed all relevant background information on Mr. Sherrill and I am fully aware of the federal investigation involving numerous subjects, including Mr. Sherrill,

which was ongoing prior to this incident. As a result of that investigation, task force officers were aware that Mr. Sherrill was a target of a federal drug investigation and that he was involved with guns. They were aware that people involved with drug trafficking often possess guns to protect themselves, their product and their money during transactions. Task force officers were also aware of Mr. Sherrill's state of despair, believing that his life had spiraled out of control, that things were coming to an end and that he anticipated eventual suicide by cop. Though I am fully aware of, and have considered all the details of the entire investigation, that investigation remains ongoing and setting forth any further related information herein would likely compromise that investigation. The purpose of my review is to make a determination as to whether or not the involved officers who discharged their weapons were legally justified in their use of force.

On June 30th /July 1st task force officers tracked Mr. Sherrill from Des Moines, through Cedar Rapids and up Highway 151 through Monticello. The decision was made to stop Mr. Sherrill and take him into custody to reduce the safety risk concerning other parts of the federal investigation. At approximately 4:00 a.m. on July 1st, Linn County had no deputies available and Jones County had only one deputy available in position to assist, one state trooper was available, however, was located south of Anamosa on Highway 1. Dubuque County had three deputies on duty but none were near Cascade. Monticello had an officer, Cole Millard, available on Highway 151 in the median, monitoring traffic.

Officer Millard was contacted to assist because that was the only available marked squad car. While officers trailed Mr. Sherrill in unmarked cars, they were coordinating with the State Patrol, Dubuque County Sheriff's Department and Dubuque Police Department for eventual assistance. Units were being positioned further up the road with stop sticks, anticipating that the stop might turn into a pursuit. After the first exit into Cascade was passed, Officer Millard was moved into position behind Sherrill in his marked squad car and engaged his emergency lights to initiate a felony stop. Sherrill responded by pulling his truck off the highway and stopped on the shoulder of the roadway. The task force vehicles then pulled in behind the marked squad car and officers dismounted.

Sgt. Williams approached Officer Millard's squad car and from there directed Sherrill to turn off the engine. Sherrill complied. Sgt. Williams directed Sherrill to put his hands out the window and drop the keys. Though he put his hands out the window, Sherrill did not drop the keys as directed. Sgt. Williams directed Sherrill multiple times to step out of the vehicle and Sherrill did not comply. Instead Sherrill responded to each directive with repetitive questions concerning "What's going on?" and "Why did you stop me?" Sgt. Williams told Sherrill on numerous occasions that he would

explain everything once Sherrill exited the vehicle. Sgt. Williams asked if anyone else was in the vehicle and Sherrill responded only his dog. Sgt. Williams asked if Sherrill had any guns or other weapons in the vehicle and Sherrill stated "No".

Sgt. Williams eventually decided to approach the vehicle in order to hear and communicate better. Officers approached Sherrill's vehicle with Officer Millard in the lead with his rifle, followed by Sgt. Williams, Officer Soppe of the task force, and Jones County Deputy Nilan Lansing who had arrived at the scene subsequent to the initial stop. Officer Millard took up a position near the left front fender while Sgt. Williams positioned himself at the driver's window. Deputy Lansing pulled his handcuffs staying to the rear of the door, while Officer Soppe stayed behind both Williams and Lansing.

Sgt. Williams again directed Sherrill to keep his hands outside of the vehicle and continued with numerous directives to exit the vehicle, stating that he doesn't know what is in the vehicle that might constitute a threat or a danger. Sherrill continued to ask the same questions about what is going on in a continuous loop, which is a common stall tactic to buy time to consider options during a stop. Sgt. Williams continuously told Sherrill that he needs to listen and that everything will be explained once he is out of the vehicle.

While Sgt. Williams was engaging Sherrill, Investigator Leitzen moved into position on the passenger side of the vehicle. Though the windows were blacked out, Leitzen found that if he put his tactical light directly up against the window, he could see inside. Leitzen saw Sherrill's dog and a large knife sheath on Sherrill's belt on his right hip. Leitzen relayed the information concerning the knife to the officers on the driver's side. Soppe eventually inquired about the knife and Sherrill acknowledged the knife, stating it was legal. While on the passenger side of the vehicle, Leitzen heard the vehicle start and he retreated, believing Sherrill was about to run. When Leitzen reached the rear bumper, the engine shut off, so he moved back up to the passenger door. Leitzen then heard the taser deployment and heard Sherrill yell out. Leitzen grabbed the door handle and found it unlocked. He opened the door and saw Sgt. Williams and Sherrill fighting for the keys and then saw Sherrill reach down beside the seat and pull up a handgun. Leitzen shouted "GUN" and fired three rounds into Sherrill, hitting him in the ribs on the right side. Thereafter, Leitzen shouted "GUN" "GUN" "GUN" while retreating to the rear of the vehicle.

While Sgt. Williams was at the driver's door engaged with Sherrill, he made the decision to holster his weapon in an effort to gain trust with Sherrill. Sherrill suddenly withdrew his hands from the window and started the engine. Sgt. Williams reached into the vehicle, shut off the engine and began hand fighting with Sherrill for the keys.

As the fight for the keys began, Officer Soppe moved in, shouted “taser” and deployed his taser. Though the taser failed to incapacitate Sherrill, it did cause him to release his hold on the keys. The taser was redeployed and again, likely because of the short range and minimal spacing of the barbs, the deployment failed to incapacitate Sherrill. As the effect of the second taser wore off, Sherrill reached down beside the seat with his right hand and came up with a pistol, which was seen by Investigator Leitzen. Sgt. Williams also saw the weapon and with his left hand, grabbed Sherrill’s right wrist, keeping the muzzle of the weapon pointed towards the floorboards of the truck. While attempting to maintain his hold on Sherrill’s wrist, Williams realized that he could not hold it much longer, drew his own weapon from its holster, which was an inside the waistband holster, which got briefly tangled up in his shirt. Once untangled, Sgt. Williams let go of Sherrill’s wrist and raised his weapon to a two hand position and began firing at Sherrill. At some point between holding Sherrill’s wrist and withdrawing his hand from the vehicle, Sgt. Williams’ hand was struck by a bullet.

At about the time Leitzen fired three round, Officer Millard moved more toward the front of the vehicle with his rifle, targeting Sherrill through the windshield. When Leitzen shouted “GUN” “GUN” “GUN,” Officer Millard fired multiple rounds from his rifle at Sherrill through the windshield.

Ambulances were called and Mr. Sherrill was pronounced deceased in the ambulance. Just short of 6 pounds of methamphetamine was located in the vehicle.

In order to be justified, the force used by the officers who fired the shots must have been reasonable. Reasonable force is the force which a reasonable person, in like circumstances, would judge necessary to prevent an injury or loss. Reasonable force can include deadly force if it reasonable to believe that such force is necessary to avoid injury or risk to one’s life or safety of another, and it is reasonable to believe that such force is necessary to resist a like force or threat. Iowa Code 704.1, 704.2, and 704.3.

In *Graham v. Connor*, 490 US 386 (1989), the U.S. Supreme Court held that use of deadly force by a police officer must be evaluated from the perspective of a reasonable police officer on the scene and in the same circumstances. Reasonableness of police use of force cannot be evaluated from the perspective of a civilian nor can it be evaluated with a clearer vision afforded by 20/20 hindsight. The Court further stated that the fact law enforcement officers often are required to react quickly in tense, uncertain, and rapidly evolving situations are factors that must be considered in determining reasonableness. Since *Graham*, the Supreme Court has narrowed the analysis to focus on the exact moment that the force was applied. The factors which must be taken into account from the officer’s perspective include the knowledge of the officers from the federal drug investigation concerning Mr. Sherrill’s suspected drug

trafficking, his mental state, as well as their general knowledge concerning weapons used in drug trafficking and the potential for drug trafficking suspects to run, causing dangerous pursuits. Though Mr. Sherrill stated he had no weapons, he, in fact, had a knife and a handgun readily available to him. There was also a large quantity of methamphetamine present in the vehicle, which confirmed the intelligence from the federal investigation.

Dash camera and body camera video is compelling, as they capture the entire incident from several different angles. Officers exhibited extraordinary restraint under the circumstances. Sgt. Williams took a substantial and serious risk by holstering his weapon in an effort to coax Mr. Sherrill out of the vehicle. Once Sgt. Williams holstered his weapon, it took approximately two seconds for Sherrill to withdraw his hands and start the engine, then approximately four seconds for the first taser to be deployed, and approximately four additional seconds for the second taser deployment. Thereafter, it took approximately three seconds until Leitzen's three rounds were fired, and then approximately six seconds until Millard and Williams fired numerous rounds. The entire incident took less than twenty seconds, and officers were required to process this dangerous situation very quickly. Officers acted professionally and according to their training to neutralize a clear, immediate, and deadly threat.

There are times police officers find themselves in untenable positions by persons they encounter. Mr. Sherrill placed officers in that untenable position and unfortunately left these officers with no other reasonable alternative under the circumstances than to shoot in their own defense. The actions of Sgt. Williams, Investigator Leitzen, and Officer Millard were justified under the laws of the State of Iowa, and no criminal charges are justified or warranted. The Dubuque County Attorney's Office considers this investigation closed.

Sincerely,



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