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**Office of
State's Attorney
Champaign County, Illinois**

STATE'S ATTORNEY PRELIMINARY REPORT RE:

RANTOUL POLICE DEPARTMENT OFFICER INVOLVED SHOOTING JUNE 7, 2023

Summary Of the Preliminary Investigation

The State's Attorney's role in an officer-involved shooting is to review the evidence and determine if the officers acted consistently with Illinois law with regards to use of deadly force and to determine if there were any violations of Illinois criminal law. I have reviewed the evidence gathered in the Illinois State Police investigation of the June 7, 2023, Rantoul officer-involved shooting and am prepared to release a final opinion on those issues.

Based on my review of the evidence and applicable Illinois law, Jordan Richardson was in violation of Illinois criminal laws in that he fled from police while illegally possessing a firearm and controlled substances. Rantoul Police Department Sgt. Jerry King's use of deadly force in firing his weapon in Richardson's direction while Richardson was in possession of a firearm and disobeying commands to drop the weapon was legally justifiable given the totality of the circumstances.

Summary Of Evidence

I have reviewed reports and body camera video from all Rantoul Officers involved with the incident on June 7, 2023. I have reviewed preliminary autopsy information and reports from the Illinois State Police. I have reviewed reports from Champaign, Urbana and University of Illinois Police who came to assist in the investigation. I have reviewed

surveillance video from neighboring residences. I have reviewed fingerprint analysis reports from the Illinois State Police lab. My review of the reports and electronic evidence listed above leads me to the conclusions described below about the events of June 7, 2023.

On April 4, 2023, at approximately 3:00 p.m., Rantoul Officer Rene Wissel attempted a traffic stop on a gray Dodge Avenger traveling south on Liberty Avenue in Rantoul because the vehicle had expired plates and the registration was suspended for a mandatory insurance violation. The Avenger fled from Officer Wissel, swerving into oncoming traffic and creating a safety risk for other motorists. Office Wissel terminated the chase and reported the license plates.

On June 7, 2023, at approximately 12:30 p.m., the Avenger was located parked in the driveway at 412 E. Campbell, Rantoul. Officer Wissel arrived in his squad car, in uniform, with the intention of impounding the vehicle pursuant to Rantoul city ordinances. When Officer Wissel approached on foot, Jheremia McKown exited the driver's side and engaged with Officer Wissel. McKown repeatedly leaned into the car despite Officer Wissel's repeated commands to stay outside the car.

Officer Wissel unholstered his taser due to McKown's refusal to obey commands and based on officer safety concerns. Officer Wissel reported that at that time he saw a passenger in the front passenger seat. McKown, while leaning into the car, told the passenger, later identified as Jordan Richardson, "bro you're good, go." At that point Officer Wissel attempted to take McKown into custody and McKown struggled with Officer Wissel.

Officer Wissel, while fighting with McKown, saw Richardson exit the passenger side of the vehicle and run westbound. Officer Wissel reported that he saw Richardson drop a handgun on the sidewalk, pick it up and continue running. Officer Wissel called for assistance, and called out on the radio, "got one running with a 32," police radio code for firearms. Officer Wissel described Richardson as wearing gray sweats and dreads.

Officer Wissel ultimately got McKown into custody. A search of the Avenger revealed approximately 6 pounds of cannabis in large plastic bags on the floorboard of the car and two loaded Glock handguns under the driver's seat. McKown had \$2600 in US currency on his person. Officer Wissel's body camera captured his interaction with McKown consistent with his report.

Officer Tyler Johnston arrived at 412 E. Campbell in response to Officer Wissel's call for backup. Officer Johnston was driving a squad car and was in full uniform. He saw Officer Wissel struggling with McKown and saw Richardson run from the passenger side of the car. Officer Johnston heard Wissel yell "he dropped a 32" and saw Richardson stop in the front yard of a house, reach down and pick up an object and continue running through the back yard. Officer Johnston chased Richardson, yelling "drop the gun, drop the gun, police, stop." Richardson continued running, jumping over two chain link fences as he fled. Officer Johnston's body camera captured his interaction with Richardson consistent with his report.

Sergeant Jerry King, in full uniform and driving a police vehicle, responded to assist. As he approached, he heard Officer Johnston report on the radio that the fleeing suspect was heading south towards East Belle Avenue, wearing a gray hoodie, gray sweatpants, dreads, and had a "32", meaning firearm. As Sgt. King approached the 400 block of East Belle Avenue, he saw Richardson emerge from between two houses and run southbound. Sgt. King reported that he could clearly see the firearm, with an extended magazine, in Richardson's right hand. Sgt. King reported that Jordan turned his head towards the police vehicle, causing him to stumble as he ran. Sgt. King reported that Richardson dropped the gun as he fell forward.

Sgt. King immediately exited his squad car and drew his firearm, and saw Richardson pick up the gun and run up the driveway of 420 E. Belle. Sgt. King pointed his gun towards Richardson and jogged in the same direction, yelling "drop the gun right now, drop that fucking gun, drop the gun, you're going to get shot, drop the gun!"

Richardson again stumbled, this time falling on the driveway approximately 50 feet from Sgt. King.

Sgt. King reported that Jordan was sitting on the ground facing away from Sgt. King, supported by his left hand, and holding the gun in his right hand. Sgt. King yelled "drop the gun!". Sgt. King reported that Richardson "began spinning around towards me holding his gun." Sgt. King reported "It was at this moment, with Jordan turning towards me while armed with the handgun, that I felt he was going to shoot me. I fired two rounds in quick succession at Jordan as his body, and more specifically his arm holding the gun, was spinning towards my direction." Sgt. King reported "the gun flew from Jordan's hand" as he was struck by one of the rounds fired by Sgt. King. Sgt. King then approached and found Richardson's gun on the ground by his left side. Sgt. King then administered first aid until paramedics arrived. Sgt. King's body camera captures his interaction with Richardson consistent with his report.

A home security video system at 420 E. Belle obtained during the investigation captured the interaction between Richardson and Sgt. King. The video shows Richardson emerge from the east side of 411 E. Belle and run South towards the driveway at 420. As Richardson crosses Belle Sgt. King's squad car pulls up from the west. Sgt. King exits the police vehicle and gives a command for Jordan to drop the gun. Richardson looks back at Sgt. King and the police vehicle and ran up the driveway and out of camera view. Approximately 6 seconds elapse between the time when Sgt. King gave the first command until he fired the first shot. In total Sgt. King gave 3 commands to drop the gun, one warning that Richardson would be shot, and a final command to drop the gun before firing.

A home security system at 404 E. Campbell captured Richardson running through the yard at that residence. Richardson drops a large item and a smaller item. He returns, stops and picks up the larger item in his left hand, and leaves the smaller item behind, chased by Officer Johnston. A gun with an extended magazine is visible in his right hand.

The homeowners at 404 E. Campbell located a bag of pills in the area where the smaller item was dropped. Investigators determined that the pills were Xanax.

A home security system at 408 E. Campbell captured Richardson running across the backyard at that address. Richardson runs into view, drops the gun from his right hand, stops and crouches down, and picks the gun up again in his right hand. Officer Johnston is heard in the background yelling "drop the gun!" Richardson continues to run across the backyard of 408 E. Campbell and exits onto East Belle Avenue.

The Illinois State Police Springfield Forensic Science Laboratory conducted fingerprint analysis on the firearm and extended magazine collected from the scene. Richardson's fingerprints were found on the extended magazine.

Jordan Richardson did not have a valid FOID card and was 18 years old, and therefore cannot lawfully possess a firearm, and specifically cannot possess a firearm that could be concealed.

Analysis of Sgt. King's use of deadly force

720 ILCS 5/7-5 is the statute that governs a peace officer's use of force in Illinois. Section (e) requires that the decision by a peace officer to use force be evaluated carefully and thoroughly, in a manner that reflects the gravity of that authority and serious consequences of the use of force by peace officers.

Section (f) requires that the decision by a peace officer to use force shall be evaluated from the perspective of a reasonable officer, based on the totality of the circumstances known to or perceived by the officer at the time of the decision, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgements about using force.

Section (h)(3) further defines totality of the circumstances to mean "all facts known to the peace officer at the time, or that would be known to a reasonable officer in the same situation, including the conduct of the officer and the subject leading up to the use of deadly force."

Section (a) of the statute specifically defines the circumstances under which a peace officer's use of deadly force would be justified. Specifically, a peace officer is justified in using force likely to cause death or great bodily harm when:

- (i) He reasonably believes, based on the totality of the circumstances, that such force is necessary to prevent death or great bodily harm to himself or another person; or
- (ii) When he reasonably believes, based on the totality of the circumstances, both that:
 - 1) Such force is necessary to prevent the arrest from being defeated by resistance or escape; the officer reasonably believes the person to be arrested cannot be apprehended at a later date, and the officer reasonably believes that the person to be arrested is likely to cause great bodily harm to another; and
 - 2) The person to be arrested committed or attempted to commit a forcible felony which involves the infliction or threatened infliction of great bodily harm or is attempting to escape by use of a deadly weapon, or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay.

Section (a-5) requires that, where feasible, a peace officer shall, prior to the use of force, make reasonable efforts to identify himself as a peace officer and to warn that deadly force may be used.

Applying the facts and evidence gathered in the Illinois State Police investigation, it is the opinion of the Champaign County State's Attorney that Sgt. King's use of deadly force was legally justifiable. Sgt. King reasonably believed, based on the totality of the circumstances, that Richardson presented a risk both to Sgt. King and to the public. Sgt. King was aware that Richardson had fled from the initial encounter with Officer Wissel while carrying a firearm. Sgt. King was aware that Richardson had fled from Officer

Johnston while carrying a firearm. Sgt. King was in full uniform and driving a police vehicle, making it clear that he was a police officer acting in his official capacity. The encounter occurred in a residential neighborhood during the daytime, at a time and place where civilians could be endangered by Richardson's conduct.

When Sgt. King encountered Richardson, Richardson turned and looked at the squad car and continued fleeing up a driveway in a residential neighborhood while carrying a firearm, clearly aware that the police officer was commanding him to drop the gun. Sgt. King gave Richardson multiple commands to drop the gun and warned him that he would be shot if he did not comply. Despite those commands and warnings Richardson continued to flee and after he fell, held the gun in his hand and turned towards Sgt. King.

As the statute notes, "(T)he totality of the circumstances shall account for occasions when officers may be forced to make quick judgements about using force." Sgt. King was faced with making a split-second decision to use deadly force due entirely to Jordan Richardson's repeated refusal to obey lawful orders, both from Sgt. King and from Officer Johnston, to drop the gun. Instead, Richardson fled through backyards of a residential neighborhood and, after falling to the ground, turned towards Sgt. King with the gun in his hand, pointing the gun towards Sgt. King, and putting Sgt. King in reasonable apprehension of death or great bodily harm. In this case, a careful analysis of the totality of the circumstances supports a determination that Sgt. King's use of deadly force was legally justifiable.

A handwritten signature in black ink, appearing to read 'Julia Rietz', with a stylized, cursive script.

Julia Rietz, Champaign County State's Attorney