

## **Rapid City Police Department Shooting Summary Detailing Events That Took Place on June 4, 2014**

On 6-4-2014, the South Dakota Division of Criminal Investigation (DCI) was called by the Rapid City Police Department to conduct an investigation into an officer involved shooting that occurred in the parking lot of the Clock Tower Garden Apartments located at 614 Sheridan Lake Road, Rapid City, SD. The shooting resulted in the suspect, Harold Murphy, being shot 4 times and as a result, died of his injuries. The Rapid City Police Officer involved in the shooting was Officer Jerrell Lewellen. Also in the immediate vicinity was RCPD Officer Luke Lang. The following information is a synopsis of the events that occurred on 6-4-2014 and the investigation that was conducted by the South Dakota DCI.

### **Synopsis**

On 6-4-2014 at approximately 11:20 p.m., Officer Jerrell Lewellen was patrolling in the area of West Main and Sheridan Lake Road. Officer Lewellen observed a subject driving a 4-wheeler eastbound on West Main Street with no headlights. The subject turned onto Piedmont Street at which time Officer Lewellen followed in an attempt to make a traffic stop. A short time later, the 4-wheeler came to a stop in the parking lot of the Clock Tower Apartments located at 614 Sheridan Lake Road.

At approximately 11:20 pm, the in-car camera captures Officer Lewellen making contact with the male subject, who identifies himself as Harold Murphy. Murphy stated that he came around the corner of the parking lot and fell off of the 4-wheeler.

At approximately 11:21 pm, the in-car camera depicts Officer Lewellen requesting Murphy to sit down on the curb. Murphy is then seen sitting down on the curb. He is then heard saying that his back is hurting him. Murphy initially refuses medical assistance and then does ask for it. Officer Lewellen does request medical assistance at his location for a 35 year old white male, having back pain.

At approximately 11:22 pm, Officer Luke Lang arrived on scene to assist and is seen standing next to Murphy. Officer Lewellen contacted RCPD dispatch via radio to check on possible warrants for Murphy. A short time later, Dispatch advised that Harold Murphy had a no bond warrant for assault and a revoked driver's license.

At approximately 11:24 pm, the in-car camera captures Officer Lewellen approaching Murphy and telling him to stand up. Murphy began to stand up and then is seen bolting to the left out of the view of the camera, at the same time Officer Lang is observed attempting to detain Murphy and chasing after him. The in-car camera audio is still able to pick up the recording of the incident. The audio recording captures a scuffle occurring between Officer Lewellen, Officer Lang and Murphy. During this scuffle, several shots are fired. Officer Lewellen then calls Dispatch advising shots fired and that medical was needed.

At approximately 11:25 pm, several other officers arrive on scene and began first aid on Murphy until EMS arrived. Murphy was pronounced dead at the scene by EMS personnel. No officers were shot during this altercation.

Officers Jerrell Lewellen and Luke Lang were contacted by DCI Agents. Both officers were wearing their issued Rapid City Police uniforms. Their duty weapons and magazines were secured, documented and inventoried. The inventory showed the following:

- Officer Jerrell Lewellen's .40 cal. Glock handgun contained 11 rounds in the magazine and 1 round in the chamber.
- Officer Luke Lang's .40 cal. Glock handgun contained 15 rounds in the magazine and 1 round in the chamber.

### **Shooting Scene Investigation and Interviews**

The shooting scene investigation conducted by DCI produced items of evidence that confirmed the in-car camera video footage. Specifically, there were 10 spent .40 caliber shell casings found on scene. The location and caliber of the shell casings found is consistent with the video/audio and statements from the Officers present.

There were a total of eight expended bullets and/or bullet fragments recovered at the shooting scene. Harold Murphy was in possession of a Glock 22 .40 caliber handgun that he fired at Officers and this handgun was found on scene. The handgun was inventoried and found to have seven live rounds in the magazine and one live round loose in the magazine well. The handgun appeared to have malfunctioned as there was an expended shell casing lodged in the ejection port of the gun. This is commonly referred to as a "Stovepipe" malfunction. Murphy was also in possession of approximately 1.3 ounces of methamphetamine, 4 grams of heroin and 8 grams of mushrooms, along with \$7410 in cash.

The South Dakota Forensic Lab conducted testing on the Officer's firearms and the firearm possessed by Murphy. They concluded that six of the shell casings found on scene matched Murphy's weapon. They also concluded that 4 of the shell casings found on scene matched Officer Lewellen's Duty issued Glock .40 caliber. Officer Lang did not fire his weapon. All rounds have been accounted for.

On 6-5-14, Officers Lewellen and Lang were interviewed separately by DCI Agents. Officer Lewellen advised that upon being advised of the warrant for Murphy, he approached him and asked him to stand up. At that time, Murphy bolted away from both Officer Lewellen and Officer Lang. Officer Lang grabbed Murphy and threw him to the ground, at which time both officers became entangled with Murphy on the ground, in an attempt to restrain him and affect an arrest. Officer Lewellen was yelling at Murphy to stay down on the ground. Officer Lewellen then felt Murphy resist, hunch up and noticed scuffling toward the head of Murphy. At that time Officer Lewellen heard several gunshots coming from the direction of Murphy and he was afraid that Officer Lang or he would be shot. Officer Lewellen drew his duty weapon and fired 3-4 shots into Murphy's body. Officer Lewellen stated he was in fear for his life as well as the life of Officer Lang.

Officer Lang advised that after becoming entangled in a struggle with Murphy, he observed Murphy produce a handgun in his right hand. Officer Lang attempted to control Murphy's right arm and at that time, Murphy fired several shots. Officer Lang was not able to draw his weapon as he was struggling to control Murphy and the gun in Murphy's hand. He then heard and felt Officer Lewellen fire his weapon which struck Murphy several times. Officer Lang felt in fear for his life and Officer Lewellen's life and believed that Murphy was attempting to kill both of them.

The information obtained from both Officers was consistent with the each other's statements, the in-car camera video/audio and the shooting scene investigation.

A drug screen and blood alcohol test was conducted on both Officers with negative results.

There were two civilian witnesses to the shooting incident. Their statements were consistent with those from the officers present as well as the in-car camera audio/video.

During the autopsy of Harold Murphy, DCI Agents documented that Murphy had been shot four times with two bullets being recovered from Murphy's body. Toxicology results showed that Harold Murphy had amphetamine and methamphetamine in his system. Murphy's blood alcohol content (BAC) was .000.

DCI conducted a criminal history check on Harold Murphy. The criminal history reveals Convictions for Simple Assault, Aggravated Assault, Felon in Possession of a Firearm, and DUI.

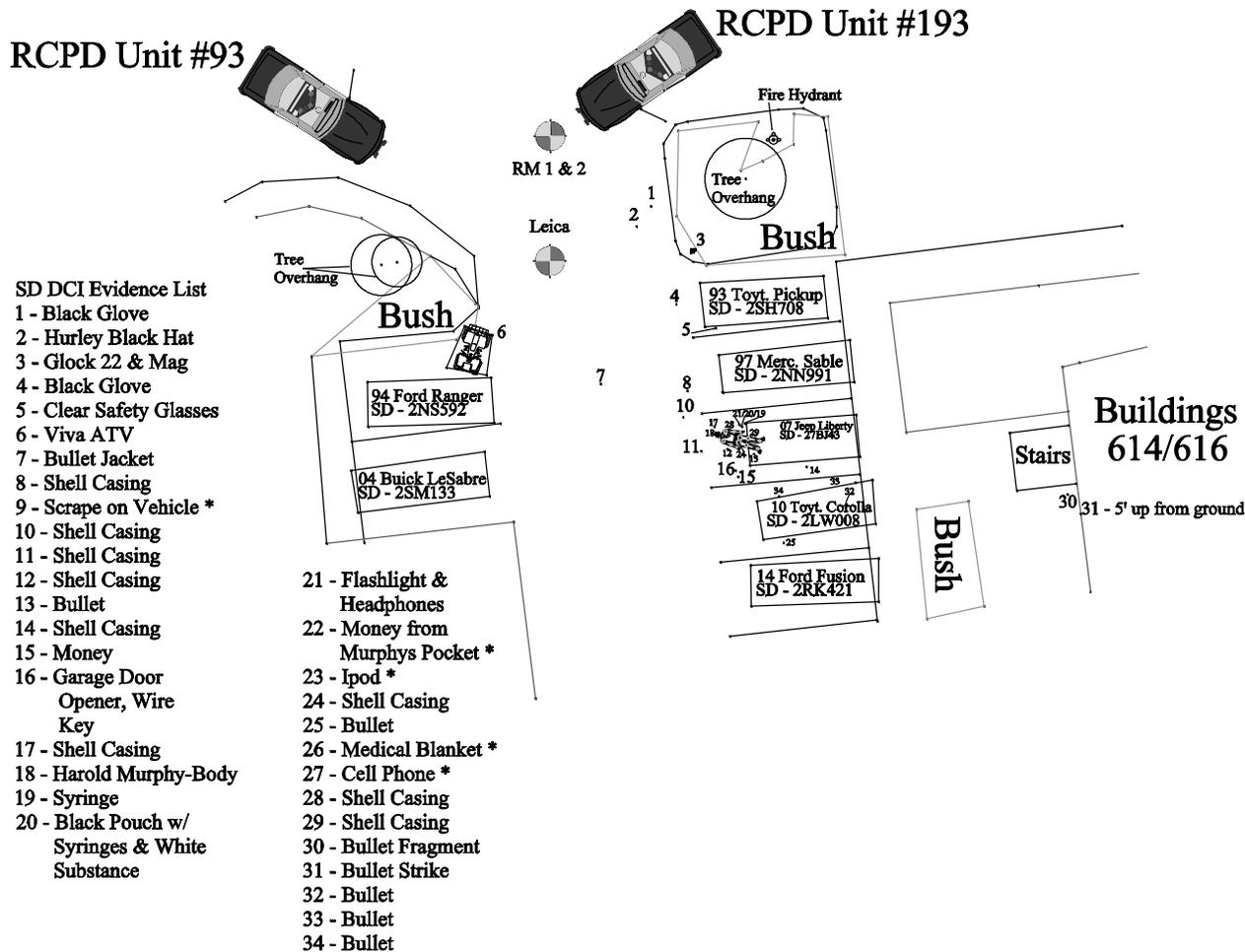
### **Investigation Results**

It is the conclusion of this report and the Attorney General that RCPD Officer Jerrell Lewellen was justified in firing his weapon and using lethal force.

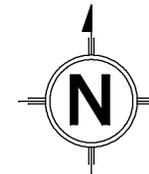
The crime scene investigation conducted by DCI is consistent with statements received from Officer Lewellen and Officer Lang and the in-car video/audio. The interviews conducted with officers and the in-car camera video/audio depicts Murphy drawing a handgun and firing it at Officers in an attempt to kill them.

On 6-5-14, Officer Jerrell Lewellen and Officer Luke Lang, were interviewed individually by DCI Agents. Both Officers advised that they feared that Murphy was going to shoot and kill them both. Officer Lewellen, therefore fired his weapon to stop Murphy.

## Additional Parking Slots



RCPD Officers Involved Shooting  
 June 4th, 2014 @ 2325 hours (Thursday)  
 RCPD CR# - 14-207198  
 SDHP CR# - HP14002252  
 Suspect - Harold Murphy  
 Officers Involved - Jarrell Lewellen (ID 689) &  
 Luke Lang (ID 713)  
 SD DCI Primary Agent - Shan Riter  
 Mapped by - Sgt. Kevin Kinney &  
 Trooper Derek Mann (SDHP)  
 Mapped on - June 5th, 2014 @ 0030 hours  
 Drawn by - Trooper Derek Mann



SCALE

