

Mother Livid After Charges Dropped Against OHP Trooper Who Shot Teen

6 news6.com/story/5e34d98ae0c96e774b35675f/mother-livid-after-charges-dropped-against-ohp-trooper-who-shot-teen

News 9



A mother is upset Thursday night after finding out that charges will not be filed against the OHP Trooper who shot her teenage son after a road rage incident last month.

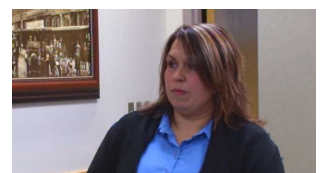
Thursday, October 17th 2013, 8:06 pm

By: News 9

- 1.
- 2.

A mother is upset Thursday night after finding out that charges will not be filed against the Oklahoma Highway Patrol trooper who shot her teenage son after a road rage incident last month.

The Cleveland County district attorney held a press conference Thursday afternoon to discuss why. District Attorney Greg Mashburn wrote a two-page letter to OHP Chief Kerry Pettingill



detailing several points on why he believes the shooting was justified.

But Tori Spencer is in disbelief that her 16-year-old son did anything deserving of a gunshot.

"Nothing proves the shooting, or shows why there should've been a shooting that day," Spencer said.

Mashburn disagrees and said in a press conference Thursday afternoon that the teenager brought it on himself.

"The subject decided to escalate it, made the decision to escalate this, even once another officer got involved he decided to keep struggling despite repeated commands just to get on the ground," said Mashburn. "And then it especially escalated even further when he starts going for the game warden's gun."

10/22/2013 Related Story: Road Rage Incident Leads To Trooper-Involved Shooting In Norman

On Sept. 22, Mashburn says OHP trooper Joe Kimmons had a car with three teenage boys inside pull over at I-35 and Tecumseh Rd. after a woman says the teens hit her car and later kicked it, leaving marks.

Kimmons was trying to handcuff the 16-year-old driver for questioning when Kimmons told investigators the teen cussed him out and fought with him, leading him to shoot the teen.

Mashburn said Game Warden Chad Strang came on scene to assist Kimmons and later the teen ended up on Strang's back and started pulling on Strang's pistol, holstered on his right side.

The dash cam video has Kimmons warning the teenager to stop moving, saying 'Stop, or I'll kill you.' To which the teen replied, 'Shoot me then mother (expletive).'

"That's a traumatic event, you know, if you cuss after that you get a pass, I can understand," Spencer said. "You have just went through a traumatic event in which you were shot by someone who was supposed to protect you."

Spencer's attorney Malik Leigh said using profanity as a reason to prompt the shooting doesn't make sense. Spencer doesn't believe her son actually reached for the gun and it's the trooper's word versus her son's since the actual shooting was not captured on the dash cam.

"When you look at how he was shot, and the manner in which he was shot, it is just not consistent with their story," Leigh said.

The teen screams and shouts for several minutes after he was shot, and he yells obscenities at the trooper and game warden, as both his teenage friends do the same from their car. Norman Police later arrived on scene with rifles pointed at the teens.

Mashburn says Kimmons' use of force was appropriate under the law, and that juvenile charges are expected to be filed against the teenager who was shot.

Kimmons' attorney Gary James was out town unavailable for comment. Spencer says she deserves an apology from the OHP after she nearly lost her son.

"My son has never been in trouble with the law before, and sure, he's not a saint, like many teenagers, but to use deadly force on a skinny little kid just doesn't seem right," said Spencer, who's also a paramedic. "I know my son, and I know some protocol. It's unjust and was not handled well at all."

On Friday at 4 p.m., Spencer's attorney will hold a rally outside the Cleveland County Courthouse to highlight law enforcement who have shot unarmed people and were not charged.



Get The Daily Update!
