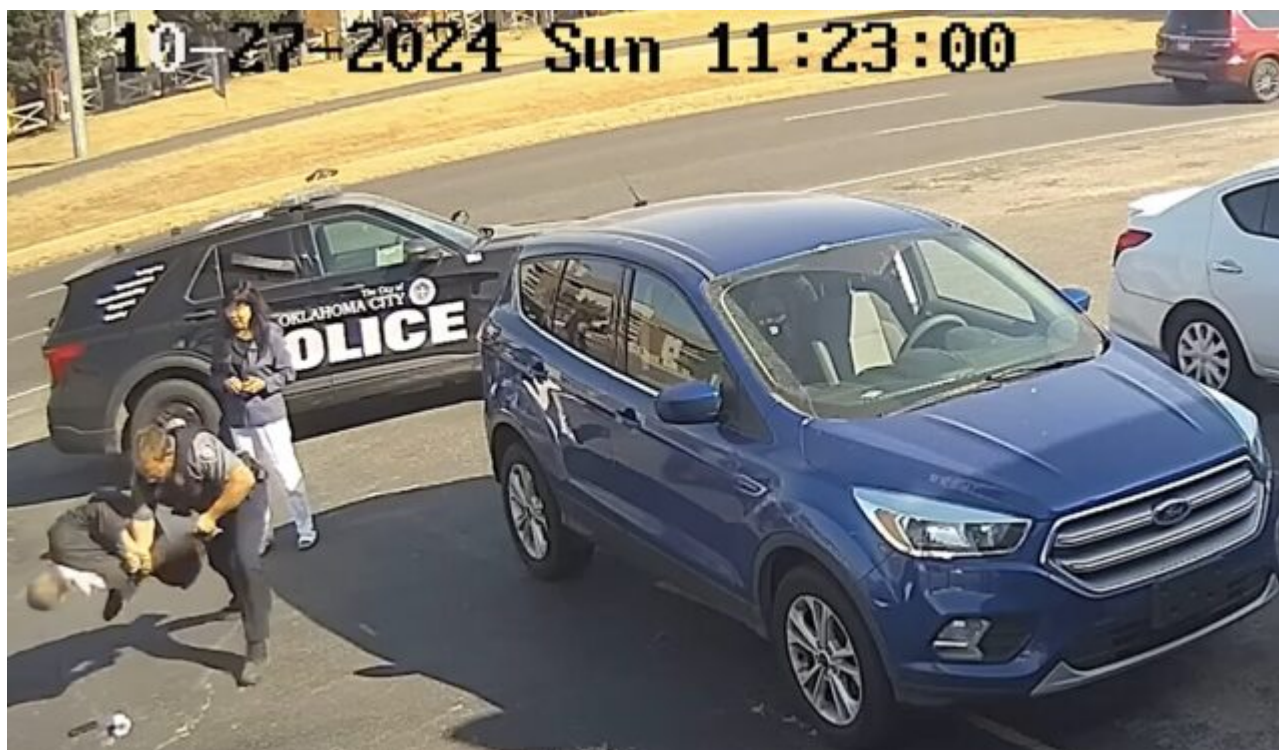




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Drummond takes another case from Behenna, drops charge on OKCPD officer who slammed Lich Vu

By **Tres Savage** - Friday, December 27, 2024



OKCPD Sgt. Joseph Gibson twists and slams 71-year-old Lich Vu into the ground Sunday, Oct. 27, 2024. (Screenshot)

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For the second time during his two years in office, Oklahoma Attorney General Gentner Drummond has taken over a high-profile Oklahoma County criminal case and dismissed the charge.

Drummond announced this afternoon that he had exercised a **state statute** to assume control over the prosecution of Oklahoma City Police Department Sgt. Joseph Gibson, whom District Attorney Vicki Behenna had charged this month with **one count** of aggravated assault and battery for throwing 71-year-old Lich Vu to the ground during an Oct. 27 argument about a traffic violation.

“As attorney general, I will not permit Oklahoma police officers to face criminal prosecution for conduct adhering to their training,” Drummond said in a press release. “While the outcome of this incident is unquestionably devastating for Mr. Vu and his family, I do not believe the officer exhibited criminal intent.”

Drummond’s conduct about Gibson “adhering” to OKCPD training seemed to contradict the **probable cause affidavit** of OKCPD Internal Affairs officer Michael Rizzi, who wrote that he consulted with OKCPD “de-escalation control and defensive tactic instructors” while investigating the arrest of Vu, who remained hospitalized earlier this month with a brain bleed and fractures to his face and spine.

“Due to Vu’s size, age, and the seriousness of the crime committed, it is believed the amount of force used by the defendant was not reasonable,” Rizzi wrote in the affidavit. “Lich Vu is described as approximately 5’4” tall and weighs between 115 and 135 pounds. He is 71 years old in poor health. The defendant is approximately 5’6” and weighs between 185 and 195 pounds and is in robust health.”

In a statement, Behenna expressed frustration with Drummond’s decision.

“I am surprised and disappointed that Attorney General Gentner Drummond took this case away from my office and the citizens of Oklahoma County,” Behenna said.

In February 2023, Drummond **took over** the Oklahoma County prosecution of then-Rep. Terry O'Donnell, who had been charged with his wife for allegedly conspiring to change state law so she could succeed her mother as a Catoosa tag agent. Two months later, Drummond **dismissed** the case against the O'Donnells, despite characterizing the influential lawmaker as "guilty" of the charges he faced.

"I think [Terry O'Donnell] violated the law, but I think because he was targeted, I am not going to tolerate the prosecution of a legislator who has the audacity to hold accountable the attorney general. That's just wrong," Drummond said. "He was targeted for what I believe is loosely a common practice at the Capitol."

Although that case had been handled by Oklahoma County District Attorney David Prater, Drummond claimed O'Donnell had been **targeted** for prosecution by former Attorney General Mike Hunter, who narrowly defeated Drummond for the top prosecutor position in 2018. Hunter **resigned** in 2021, and Drummond won the 2022 statewide election to become attorney general. (Drummond is widely rumored as a 2026 candidate for governor.)

Ironically, a Dec. 5 press release from the Oklahoma City Fraternal Order of Police Lodge 123 said Hunter was representing Gibson in his criminal case.

Mark Nelson, president of the OKC FOP Lodge 123, issued a lengthy statement commending Drummond and further supporting Sgt. Joseph Gibson:

We agree whole-heartedly with Attorney General Drummond's reasoning and determination that this was not a criminal act. We offer our sincere gratitude for his swift attention to this matter and his commitment to accurately applying the law.

We offer our deepest sympathies to Mr. Vu and sincerely wish him a swift and full recovery. No officer wants to see anyone injured. However, our members often have to make split-second decisions, and they cannot control the outcome of every situation. Unfortunately, when someone resists law enforcement, they increase the risk of harm to themselves or others.

Serving as a police officer is an extremely difficult task that carries the highest expectations. Our officers in Oklahoma City hold themselves to the highest standards, and we will continue serving this community with respect and dignity.

As we have stated from the beginning, while an internal review of Sgt. Gibson is appropriate, it was unreasonable to charge him with any crime when he was following his training. Dismissing the charge was the right thing to do, and we thank the Attorney General for his leadership.

Drummond: Vu should have 'kept his hands to himself'

In his announcement Friday, Drummond pointed to Vu's actions during the Oct. 27 traffic stop in northwest Oklahoma City, which was captured in the body camera and surveillance camera footage embedded above. As Vu argued with Gibson about the circumstances of the collision for which Gibson was writing all parties citations, he tapped Gibson's chest with the back of his hand while saying, "shut up." Security video shows Gibson then grabbed both of Vu's wrists and slammed him to the ground before handcuffing him.

Drummond's release said it is "never acceptable to strike, push, or otherwise make unwanted physical contact with a police officer."

"Our law enforcement officers work under constant stress, where the most routine interactions can become life-threatening in an instant," Drummond said. "For everyone's safety, it is imperative to follow an officer's instructions and to never strike, push, or make any kind of unwelcome physical contact with an officer. This is the law, and the law applies equally to all. No individual is allowed to hit or push an officer, regardless of whether he or she doesn't understand English well or comes from a different culture. The simple truth is, this unfortunate incident never would have occurred if Mr. Vu had kept his hands to himself."

Recently, the OKC City Council approved a reported \$1.05 million lawsuit **settlement** with the family of Bennie Edwards, a 60-year-old Black man experiencing mental health psychosis who died after being shot in the back by an OKCPD officer. Behenna had inherited a **manslaughter** charge filed by Prater against Sgt. Clifford Holman for Edwards' death, but she **dismissed** it in July 2023.

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Read the probable cause affidavit against Joseph Gibson

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