



SALT LAKE COUNTY DISTRICT ATTORNEY'S OFFICE  
2001 S. STATE STREET, S3500  
www.districtattorney.slco.org

# **PRESS NOTICE**

FOR IMMEDIATE RELEASE

**DATE:** April 22, 2011  
**Contact:** Sim Gill (801) 230-1209 [sgill@slco.org](mailto:sgill@slco.org)

## **DA's Office Completes Review of Officer Involved Shooting**

SALT LAKE CITY – The Salt Lake County District Attorney's Office has issued a letter to the West Valley Police Department notifying the police agency that Officers Lucas Johnson's and David Black's use of firearms against Mr. Sean Krummi was lawful under Utah Code Title 76 chapter 2 part 4.

Evidence reviewed by the DA's office indicates that on April 11, 2011 Sean Krummi got into an argument with his mother, Michele Krummi. During the course of the argument, Michele Krummi locked herself in her bedroom. Sean Krummi advised Michele to call 911 because he wanted to be "removed" from her life.

Michele called 911 and informed the operator that the police needed to come to her residence because her son, Sean, was out of control. Michele further advised the operator that Sean would be violent with the officers once they arrived. Additionally, Michele advised the operator that Sean was probably under the influence of alcohol or drugs.

While Michele was speaking with the 911 operator, Sean exited the residence and sat in a chair located on the lawn adjacent to the house.

West Valley City Police Officers arrived at the Krummi residence approximately nine minutes after Michele called 911.

Officer David Black was on scene and observed Sean Krummi seated in a chair in the yard. Officer Black approached Sean and inquired of him how his day was going. Mr. Krummi did not verbally respond to Officer Black. Instead, Mr. Krummi reached down to his side and produced what appeared to be a small black semi-automatic pistol. When Mr. Krummi pulled out the pistol, he was holding it by the handle with his finger was on the trigger. Mr. Krummi held the pistol near his thigh with the barrel pointed at Officer Black.



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When Officer Black saw Mr. Krummi pull out the pistol, Officer Black immediately twice ordered him to drop the gun. At the same time he ordered Mr. Krummi to drop the gun, Officer Black drew his own sidearm. After twice being ordered to drop the gun and still pointing the barrel toward Officer Black, Officer Black, fearing for his own safety and the safety of the other responding officers, fired two rounds at Mr. Krummi. Both rounds struck him in his torso.

Simultaneous to Officer Black contacting Sean Krummi, Officer Lucas Johnson approached the scene several feet behind and to the side of Officer Black. Officer Johnson observed Mr. Krummi draw a black pistol with his finger on the trigger. Next, Officer Johnson heard Officer Black order Mr. Krummi to drop the gun. As this happened, Officer Johnson drew his own pistol. Officer Johnson observed fire from Officer Black and saw Mr. Krummi extend his arm and raise the gun he was holding toward Officer Black. Officer Johnson then fired a single round toward Mr. Krummi. Officer Johnson's fire was within a fraction of a second after Officer Black's fire. The shot fired by Officer Johnson did not hit Mr. Krummi.

After he was shot, Mr. Krummi dropped the gun he was holding and fell back. The scene was secured and Mr. Krummi was transported to the University of Utah hospital where he passed away a short time later.

Investigators at the scene located Mr. Krummi's pistol. Close inspection of the item revealed it to be a black Airsoft replica of a Taurus Millennium semi-automatic handgun. The tip of the Airsoft barrel, which was originally orange colored, had been altered to a black color. The alteration to the pistol made it visually nearly indistinguishable from the Taurus handgun upon which it is modeled.

Several civilian witnesses at the scene were interviewed. All heard Officer Black order Mr. Krummi to drop his gun at least twice before any shots were fired.

The District Attorney has reviewed this matter under Utah Code section 76-2-404, and determined that the officer's actions are justified under 76-2-404(1)(b)(i) and 76-2-404(1)(c). Section 76-2-404(1)(b)(i) states that a peace officer is justified in using deadly force when the officer reasonably believes such force is necessary to prevent a suspect from escaping arrest when the officer has probable cause to believe that the suspect has committed a felony offense involving the infliction or threatened infliction of death or serious bodily injury. Section 76-2-404(1)(c) states that a peace officer is justified in using deadly force when the officer reasonably believes that the use of deadly force is necessary to prevent death or serious bodily injury to the officer or another person.



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The District Attorney's Office reviews Officer Involved Critical Incidents to determine whether the officer's actions were legally justified under the Utah Code. Whether an officer returns to active duty is determined by the employing agency. The employing agency is conducting its own internal investigation, which is active and ongoing.

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