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## Chief Biehl gives this account of fatal shooting

**Dayton Daily News (OH)** - Tuesday, July 22, 2008

**Author/Byline:** Steve Bennish Staff Writer

**Section:** Local

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DAYTON — Police Chief Richard Biehl said he is losing no time in taking action **to reduce** the possibility of more police-involved shootings. There have been four such incidents since May.

"While it cannot be easily determined whether this cluster of officer-involved shootings will subside since these are very low frequency events overall, it is my commitment as police chief, as well as all members of the Dayton Police Department, **to** take proactive steps," Biehl said Monday, July 21.

- With 20 newly sworn Dayton Police Academy graduates on the street, action will be taken **to** increase the availability of supervisors assigned **to** field duties, the chief said.
- Next, academy staff will evaluate training **to** provide advanced instruction on suspect control, vehicle stops, and other tactical encounters. A community-police roundtable will be formed.
- Third, education **initiatives** will be launched **to** better educate citizens on what **to** do when stopped by police.
- Finally, this fall, police and community leaders will begin a regional gun **violence** reduction **initiative** .

"These events are truly tragic for all involved," Biehl said in giving this account of what led **to** the July 19 shooting death of Ricky L. Moore, 35:

About 10 p.m. Fifth District officers were sent **to** 532 W. Parkwood Ave. **to** investigate an armed robbery complaint. A female was robbed by three black males wearing masks, one or more of whom had a handgun. One of the suspects wore a yellow shirt.

"At about 10:20 p.m., Officer Jack Brooks stopped a black male pedestrian wearing a yellow/gold shirt near 144 W. Parkwood Avenue," Biehl said. "The officer made inquiries about the subject's identification. This subject gave the officer multiple Social Security numbers," Biehl said. The officer, alone at the time, led Moore **to** the cruiser **to** further investigate his identity.

Witnesses corroborate that account and that the officer treated Moore with respect, Biehl noted.

Brooks then patted down Moore and felt a hard object in his pants near the waist. Brooks took Moore's arm and hand **to** place them behind his back **to** place him in handcuffs, but Moore wheeled around, grabbed Brooks behind the thighs and lifted Brooks off the ground, driving him **to** the pavement on his back.

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Witnesses told police Moore "bull rushed" the officer, getting on top of him and punching him.

"The officer reports the subject attempted **to** obtain his (the officer's) handgun and then attempted **to** obtain the officer's Taser. Witnesses indicate the officer was grabbing and holding on **to** his own pockets while still attempting **to** wrestle with the subject," Biehl said.

Records show Moore was 6-foot-1, 210 pounds. Brooks is 6-foot-4, 220 pounds.

At some point, Brooks told investigators, Moore got off him and stepped away **to** the side. Brooks realized his Taser had been torn from his duty belt.

"The officer observed the subject still facing him and holding what appeared **to** be a handgun in his right hand. The officer reports he gave commands **to** the subject **to** drop the object and the subject did not comply," Biehl said. "The subject began **to** point the object at the officer. The officer fired three shots at the subject from approximately 18 **to** 20 feet away at which time the subject fell backwards on the sidewalk."

Witnesses support this account as well, Biehl said.

The Taser was found near Moore's right hand where he lay on the sidewalk. Three spent casings were found at the scene, Biehl said.

Moore, Biehl said, was known **to** police. Besides being sought for a traffic violation, he was wanted on a felony warrant issued July 17 for failure **to** appear for a drug offense in Montgomery County.

"Moore has a lengthy history of contact with law enforcement personnel, which include offenses of **violence** and drug offenses and has a caution indicator in his computer entry **to** warn officers of possible risk in encountering Mr. Moore," Biehl said.

Lt. Randy Beane, Fraternal Order of Police president, called the police shootings, "attacks on officers" that should provoke the public's ire. He cited the Moore shooting as an example.

"If the suspect was free from the officer, why didn't he run," Beane said. "I think he was going **to** kill the officer." Police shootings g in 2008

a Lary L Labensky, 44

- May 9
- Near Williamson Dr. and the 4200 block of Saylor St. Labensky was shot and killed by police after a chase ending in the back yard of a house in Harrison Twp.

b Derrick D J. Jordan, 22

- May 15
- 2100 block of Edwin C. Moses Blvd. Jordaan died after being shot in the head by undercover n police while in a car involved in a suspected drug buy.

c Alexander A Muela, 35

- May 27
- 415 Delaware Ave. Police were called after reports of shots fired. Muela appeared at the door with a shotgun and was shot multiple mult times after he did not drop the weapon. He survived the shooting.

d Ricky Moore, 35

- July 19

- 100 block of W. Parkwood Ave. Shot and killed by police during a struggle after being questioned about an armed robbery.

Harrison Twp. N a

d 75 c

Cornell Dr.

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Dayton

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