

Jack Thorp

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November 13, 2017

Special Agent Robert Walden
Oklahoma State Bureau of Investigations
903 N West Street
McAlester, OK 74501

Reference: OSBI 2017-1289

Special Agent Walden:

I am in receipt of the above-referenced investigation conducted by you at my request regarding an alleged officer-involved shooting that occurred in Sequoyah County, Oklahoma on October 20, 2017. I want to commend you on your timely inquiry, and in the thoroughness of your investigation. After reviewing your submitted findings, I am declining the prosecution of Sequoyah County Deputy Christian Goode. It is clear from the investigation which includes numerous witness statements, items of evidence, photographs, and body camera footage that Deputy Goode was acting within the law and was justified in utilizing deadly force when he was attacked by Phillip Trammell at 10th and Enid in Muldrow, Oklahoma on October 20, 2017.

On October 20th, Deputy Goode was attempting to serve a felony arrest warrant on Phillip Trammell. Information attained by Goode lead him to a residence at 10th and Enid in Muldrow, Oklahoma. Along with backing officer, Muldrow Police Officer Brad Roberts, Goode entered the residence and searched for Trammell. Upon entering what appeared to be a laundry room in the residence, Goode encountered Trammell hiding from officers under a pile of clothing. At the time of the home search, Deputy Goode was deploying a police baton and a flashlight. After locating Trammell, Deputy Goode commanded Trammell to "show me your hands." Trammell jumped up and responded "fucking shoot me." Goode responded once again for Trammell to show his hands, and Trammell jumped up and reached behind his back and pulled out a folding knife. Upon seeing the knife, backing officer Roberts deployed a "less lethal" weapon – a tazer. The tazer was ineffective, and Trammell charged Deputy Goode with the knife, screaming that he was going to "kill" the Deputy. At this point, according to the body camera footage of Officer Roberts, Deputy Goode dropped his baton, and retrieved his firearm. With no possible area of retreat, as he was in the corner of the room, Trammell viciously thrust the knife at and into the body of Deputy Goode who was wearing a Sequoyah County Sheriff ballistic vest. Both law enforcement officers wore uniforms that clearly identified them as police officials.

Deputy Goode responded to the deadly force attack by discharging his firearm at the attacking Trammel. Ultimately, it appears that Goode fired five rounds from his service weapon, which finally stopped the deadly force attack. Goode received two sharp force wounds – one to the upper left abdomen and one to the left shoulder. Goode was rushed to Sparks Hospital in Fort Smith, Arkansas, where he was treated. It is clear from all available evidence that Trammell was an aggressor and did attack Deputy Goode, prior to Goode's use of force. Trammell passed away from the gunshot wounds he received. The entirety of this attack was captured by body camera footage. Oklahoma State Bureau of Investigation Crime Scene technicians were called to the scene, where they recovered evidence related to this attack, including a large folding knife which was found in close proximity to Trammell and was seen in the hands of Trammell as he attacked Deputy Goode.

Considering all of the information presented to me, I applied the Oklahoma law that specifically applies to law enforcement officer use of deadly force.

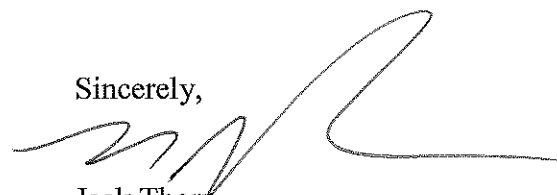
Oklahoma Statutes Citationized
Title 21. Crimes and Punishments
Chapter 24 - Homicide
Section 732 - Justifiable Deadly Force by Officer

A peace officer, correctional officer, or any person acting by his command in his aid and assistance, is justified in using deadly force when:

1. The officer is acting in obedience to and in accordance with any judgment of a competent court in executing a penalty of death; or
2. ~~In effecting an arrest or preventing an escape from custody following arrest and the officer reasonably believes both that~~
 - a. such force is necessary to prevent the arrest from being defeated by resistance or escape, and
 - b. there is probable cause to believe that the person to be arrested has committed a crime involving the infliction or threatened infliction of serious bodily harm, or the person to be arrested is attempting to escape by use of a deadly weapon, or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay; or
3. ~~The officer is in the performance of his legal duty or the execution of legal process and reasonably believes the use of the force is necessary to protect himself or others from the infliction of serious bodily harm; or~~
4. The force is necessary to prevent an escape from a penal institution or other place of confinement used primarily for the custody of persons convicted of felonies or from custody while in transit thereto or therefrom unless the officer has reason to know:
 - a. the person escaping is not a person who has committed a felony involving violence, and
 - b. the person escaping is not likely to endanger human life or to inflict serious bodily harm if not apprehended.

In reviewing the investigation as a whole, and applying *21 Okl.St. Ann. § 732* which outlines the lawful use of deadly force by a law enforcement officer, to the facts I have reviewed, it is my opinion that the actions of Deputy Christian Goode were justifiable in accordance with Oklahoma law, and I decline to file any charges against Deputy Goode in the officer involved shooting he was involved in on October 20, 2017 in Sequoyah County, Oklahoma. Furthermore, this tragedy highlights the extreme lethality of knives, and the lack of protection Deputy Goode was afforded by his ballistic vest. If you have any questions, please do not hesitate to contact me.

Sincerely,



Jack Thorp
District Attorney