

DURHAM



CITY OF DURHAM

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CITY OF MEDICINE

To: Mr. Thomas Bonfield, City Manager
From: Jose L. Lopez, Sr., Chief of Police
Date: July 8, 2015
RE: Five-Day Report/Officer –Involved Shooting on July 4, 2015

An officer-involved shooting occurred on Saturday, July 4, 2015, at the Joy Food Mart at 2109 North Roxboro Street. The incident is currently being investigated by the North Carolina State Bureau of Investigation, which is standard procedure in such cases. The Durham Police Department's Professional Standards Division is investigating to ensure that all departmental policies and procedures were followed. The Durham Police Department's Homicide Unit is investigating the incident to determine crimes committed by the suspect in this incident. These investigations are all ongoing. The preliminary review and investigation of this incident indicates the following (this information is based on reports from officers, interviews by Durham police investigators, reports from the Durham 911 Center and videotapes from the store):

Two individuals called Durham's 911 Emergency Communications Center around 12:47 a.m. on July 4 to report an armed robbery in progress with shots fired at the Joy Food Mart at 2109 North Roxboro Street. The callers told 911 dispatchers that a male with a red shirt over part of his face entered the store and fired several shots. Both callers stated that the suspect told the customers to leave or he would shoot them.

The call was dispatched within two minutes and Durham police officers called out over the radio that they were on the scene at 12:52 a.m. Officers Cornell Richards and Joshua Conser were the first officers to arrive on the scene with Officer Jonathan Fullam arriving soon after. Officer Richards reported over the radio that shots were being fired inside the store. Thirty seconds later (after engaging the suspect), Officer Richards reported over the radio that shots had been fired and the suspect was down.

Video from Officer Fullam's cruiser shows the suspect, later identified as Dmarlo Johnson, 26, of Durham, exiting the store and confronting both Officers Richards and Conser who were at the side of the business. The video also shows Johnson removing a gun from his waistband and pointing it at the officers. Officer Richards repeatedly ordered Johnson to drop his gun. According to several witnesses (officers and civilians), Johnson fired shots at the officers at which time the officers

returned fire. Johnson ran onto the roadway of North Roxboro Street, where Officer Fullam fired at him. Johnson then dropped to the ground.

Officers were told by witnesses that there might be a second suspect. Believing that there might be more gunfire, Officer Richards picked up the wounded Johnson and carried him to a safe location so that he (Johnson) would not be further injured in any potential crossfire. Officers searched briefly for a second suspect, but later determined that the person seen running from the scene was a witness and not a second suspect.

Johnson suffered gunshot wounds to his left collarbone, left knee and left foot. He also suffered a graze wound to his upper left arm. He was taken to the hospital for treatment.

Meanwhile, officers entered the business and found 48-year-old Amer Mahmood, an employee (clerk) of the Joy Food Mart, lying behind the counter unconscious. Officers called for additional EMS units. Paramedics determined that Mahmood had been shot and pronounced him dead at the scene. Investigators determined that he had been shot by Johnson during a robbery.

After speaking with witnesses and reviewing the videos from the store, investigators have determined the following:

Dmarlo Johnson drove to the Joy Food Mart and parked the vehicle he was driving near the front door. He was seen pulling his shirt over the lower half of his face with one hand and holding a gun in his other hand as he entered the store. Johnson pointed the gun at the clerk (Mahmood) and demanded money. Mahmood took the drawer from the cash register, placed it on the counter and put his hands in the air. Johnson then walked around the counter and shot Mahmood twice even though he had complied with Johnson's demands. Johnson fired another shot after Mahmood fell to the floor.

Johnson then took cash and cigarettes and went outside to put the items in his car. He went back inside the business and took more cigarettes. Upon his return, Johnson shot Mahmood again and fired shots at video cameras inside the business. Johnson also pointed the gun at other customers in the store. As Johnson was leaving the store for the second time, he encountered Officers Richards and Conser in the store parking lot.

After the shooting officers recovered a 9mm handgun near where Johnson had fallen. The 9mm is believed to have been used by Johnson during the homicide and assault on police.

Johnson was treated for his injuries at the hospital. Later that morning he was transported to the Durham County Jail, where he is currently being held without bond on a murder charge.

Officer Richards joined the Durham Police Department in 2007. Officer Fullam joined the Durham Police Department in 2012 and Officer Conser joined the department in 2014. All three are assigned to the Patrol Bureau, D Squad.

Officers Richards, Fullam and Conser will be assigned to administrative duties pending the outcomes of the investigations, which is standard procedure. At this time, it appears that no departmental policies or procedures were violated, but the incident remains under investigation.