



# **SPOKANE POLICE DEPARTMENT**

## **OFFICE OF PROFESSIONAL ACCOUNTABILITY**

### **TIMOTHY B. SCHWERING**

#### **Internal Affairs Report F15-061**

This Internal Affairs investigation is associated with an Officer-Involved Shooting.

## ***Spokane Investigative Regional Response Team***



### **No Criminal Charges in July 2015 Use of Deadly Force**

**SPOKANE COUNTY, January 7, 2016** – The Spokane County Prosecutor's Office has determined that Spokane Police Officer James Erickson was justified when, on July 27, 2015, he used deadly force on Cephas Parham. Parham suffered no gunshot wounds.

On July 27, 2015, Spokane Police responded to a report of motion alarms sounding at the Peking North Restaurant, 4120 N. Division, in Spokane. Officer James Erickson arrived first at the scene. While standing by the open north door of the closed restaurant, Erickson observed a subject, later identified as Cephas Parham, run out the open door. A foot chase between Parham and the officer commenced that resulted in the two of them travelling north and east onto E. Rich, running parallel to one another at one point.



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Erickson, who was dressed in a full police duty uniform, yelled at Parham to stop and identified himself as a police officer. In the vicinity of 19 and 23 E. Rich, Parham pulled what appeared to be a black handgun from his waistband. Officer Erickson yelled at Parham to drop the gun. Parham did not do so and continued to run, but with the gun in his hand.

Officer Erickson was concerned that he could be in a gunfight at any time. He was concerned for his own safety and that of the residents in the area. Consequently, he fired two shots at Parham. Parham was not hit and the expended rounds were recovered.

After a fight with Parham and eventual use of his Taser, Erickson was able to handcuff and control Parham just as other officers arrived. Erickson suffered minor injuries as a result of the contact with Parham. The investigation later revealed that the apparent firearm was not a real handgun but was a look-alike. Police are not required to guess whether a look-alike weapon is real or not.

Under these circumstances, it was reasonable for Erickson to believe that he was being confronted with potential deadly force and to answer with deadly force. The law attaches no criminal liability when an officer acts without malice and with a good faith belief that his actions were justified. The evidence shows Officer Erickson acted with good faith and without malice, or evil intent. Therefore, criminal charges will not be pursued.