

OFFICE OF DAKOTA COUNTY ATTORNEY  
**JAMES C. BACKSTROM**  
COUNTY ATTORNEY



Dakota County Judicial Center  
1560 Highway 55  
Hastings, Minnesota 55033-2392  
Phillip D. Prokopowicz, Chief Deputy  
Karen A. Schaffer, First Assistant  
Monica Jensen, Community Relations Director

Telephone  
(651) 438-4438  
FAX: (651) 438-4479 (Civil Division)  
FAX: (651) 438-4500 (Criminal Division)  
FAX: (651) 438-4499 (Juvenile/Admin Division)  
E-mail: attorney@co.dakota.mn.us

June 14, 2012

**NEWS RELEASE**

**GRAND JURY CONCLUDES APPLE VALLEY POLICE OFFICER  
WAS LEGALLY JUSTIFIED IN SHOOTING DEATH**

Dakota County Attorney James Backstrom announced that the Dakota County Grand Jury has concluded that Apple Valley Police Officer Tommie Booth was legally justified when he used deadly force in shooting Carl Anthony Tatum, age 48 of Apple Valley, while responding to a domestic disturbance that occurred on April 29, 2012 in Apple Valley. Backstrom said that it has long been the policy of his Office and Dakota County law enforcement agencies to have all instances of police officer shootings resulting in death reviewed by the grand jury.

The investigation into this matter revealed the following facts:

A 911 call was made by a female Apple Valley resident at approximately 5:45 p.m. on April 29<sup>th</sup> to report that she was the victim of domestic strangulation. Apple Valley Police Officers Tara Becker and Tommie Booth were dispatched to the Apple Valley townhome where the incident occurred. Upon arrival, Officer Becker spoke with the female victim in her car outside the townhome and Officer Booth spoke with the male suspect, later identified as Carl Anthony Tatum, at first inside the townhome and then on the front steps outside the townhome. After consulting with each other, the Apple Valley police officers concluded there was probable cause to arrest Tatum.

Officer Booth asked Tatum to stand up on the front steps, at which time he stated loudly “[expletive]...this,” turned and ran inside the townhome. Officer Booth and Officer Becker ran after Tatum who was running up the steps towards the living room of the townhome. Officer Booth tried unsuccessfully to grab Tatum’s sweatshirt to stop him as he was running up the flight of stairs towards the living room. Officer Booth loudly told Tatum to stop. He did not, but continued into the living room towards the loveseat he had previously been sitting on when the police officers arrived. Tatum reached under the cushion of the loveseat, pulled out a Ruger 9 millimeter pistol and turned towards the two police officers, raising the gun in the direction of Officer Booth as he did so.

At this time, Officer Booth, who was standing at the top of the stairs, had drawn his service revolver and Officer Becker, who was standing near the top of the steps, had drawn her Taser weapon. Almost simultaneously, Tatum fired two shots in the direction of Officer Booth, narrowly missing him, Officer Booth fired 9 shots from his service revolver at Tatum and Officer Becker discharged her Taser weapon at Tatum. Six bullets from Officer Booth’s weapon struck Tatum, one struck the gun Tatum was holding, one struck the couch near where Tatum was standing, and one struck the wall behind Tatum. Officer Becker’s Taser weapon struck Tatum, but only one of the two prongs attached so no electronic discharge to Tatum occurred.

Immediately after the shooting occurred, Officers Booth and Becker secured Tatum and began to administer first aid. Paramedics and other police officers arrived within minutes and Tatum was transported to Regions Hospital in St. Paul where he died later that evening.

Minnesota law authorizes law enforcement officers to use deadly force when it is done to prevent an act which exposes the law enforcement officer or another to death or great bodily harm. Minnesota law also authorizes a law enforcement officer to use deadly force if the officer believed the use of deadly force was necessary to apprehend a person believed to have committed a felony involving the use or threatened use of deadly force. Under Minnesota law, domestic assault involving strangulation and assault with a deadly weapon are both felonies involving the use of deadly force.

Backstrom indicated that the Dakota County Grand Jury concluded after review of the evidence gathered in this investigation that Officer Tommie Booth had a legal justification under Minnesota law to use deadly force in connection with the shooting death of Carl Tatum.

Backstrom commented: "This was a domestic incident that quickly escalated into a life and death situation as a result of actions taken by Carl Tatum. Both Officers Tommie Booth and Tara Becker acted decisively and professionally in all aspects of the actions they took during this incident. Both of these officers should be commended for their heroic actions in this traumatic incident which tragically, but justifiably, resulted in the death of Carl Tatum."

Backstrom thanked the Minnesota Bureau of Criminal Apprehension, which was the lead investigative agency in this incident, and the Dakota County Sheriff's Office which assisted in the investigation.

If you have questions, contact James Backstrom at 651-438-4440.