

MINNEAPOLIS

No charges against Minneapolis police officer who killed man who had shot ex-girlfriend

County attorney said the cop "reasonably believed" the man was an immediate threat to ex-girlfriend, others.

By Chao Xiong (<https://www.startribune.com/chao-xiong/10646266/>) Star Tribune |

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The Minneapolis [police officer who fatally shot a man last year while responding to a domestic incident](http://www.startribune.com/bca-identifies-minneapolis-police-officer-who-shot-and-killed-man-during-domestic-dispute/528394062/%3Frefresh%3Dtrue) (<http://www.startribune.com/bca-identifies-minneapolis-police-officer-who-shot-and-killed-man-during-domestic-dispute/528394062/%3Frefresh%3Dtrue>) acted legally in order to protect himself, a woman at the scene and her children, the Hennepin County Attorney's Office said Monday.

Officer Jason Wolff shot and killed Mario Benjamin on Aug. 2 after he and his partner responded to ShotSpotter activity and found Benjamin in the middle of the street near the motionless body of his ex-girlfriend.

Benjamin had shot the woman, whose four children were at the scene in the 2400 block of N. Emerson Avenue.

"Mario Benjamin was a dangerous individual," Hennepin County Attorney Mike Freeman said in a written statement. "He senselessly shot his former partner in front of their children. ... He also refused to submit to repeated police requests to drop his weapon."

The county attorney's office said no criminal charges would be filed against Wolff, noting that his actions were "objectively reasonable and necessary."

The shooting left the woman, who survived, temporarily paralyzed from the waist down.

According to the county attorney's office: The woman was dropping Benjamin off at his friend's home so she could move to North Dakota with her four children. Benjamin is the father of her two youngest children, who were 5 and 6 at the time.

Benjamin and the woman fought, and he fired two shots at her while she was outside a van the family was traveling in. The woman was struck once in the upper right chest, which caused a severe spinal cord injury that required "significant time" in the hospital.

Wolff and his partner, Ryan Davis, were on patrol when they responded to the scene about 2:45 a.m.

The officers' body and squad cameras captured their interaction with Benjamin. Wolff examined the woman while Benjamin knelt close to them. Davis stood nearby. The woman's 13-year-old child had been standing nearby when they arrived.

The officers thought Benjamin was helping the woman until he stood up and they saw a pistol in his right hand. The officers drew their guns. Wolff pointed his weapon at Benjamin and ordered him to "drop the gun," the county attorney said.

The officers moved away from Benjamin and the woman, who was lying in the street. Benjamin ignored the officers' multiple orders to drop his gun.

The woman's 15-year-old child emerged from the van and carried the 6-year-old behind the vehicle. Police later learned that the 5-year-old had slept through the incident in the back of the van.



The state Bureau of Criminal Apprehension investigated the scene after Minneapolis police shot and killed a man early Friday morning on



Mario Benjamin

According to the body camera video reviewed by the Star Tribune, Benjamin held the gun to his head and said "I'm not gonna hurt you," as officers repeatedly ordered him to drop it.

When Benjamin refused to drop his gun, Wolff fired six shots at him, striking him at least five times.

The officer "reasonably believed" Benjamin was "an immediate danger" to the woman, the children and the officers, the county attorney said.

After Benjamin was shot, Davis kicked the gun out of his hand and handcuffed him. Wolff tended to the woman, who told him, "I can't feel my leg."

The Hennepin County Medical Examiner found that Benjamin suffered seven gunshot wounds, some of them caused by the same bullet. He had amphetamine, methamphetamine, THC, the active ingredient in marijuana, and the pain medication naproxen, in his system at the time.

"I want to extend my deepest sympathy to the woman and her children during this difficult time," Freeman said. "The shooting by Benjamin caused tremendous grief for everyone involved. Officer Wolff's actions saved the woman and protected her children."

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