



JEAN PETERS BAKER
Jackson County Prosecuting Attorney

January 7, 2022

Chief Charles Iseman
Grandview, MO Police Department
1200 Main Street
Grandview, MO 64030

Mr. Lantz Stephenson
Father of Lantz Stephenson, Jr.
c/o Mr. Nick Schmiemeier
10601 Mission Rd., Ste. 250
Leawood, KS 66206

Re: Fatal Officer Involved Shooting of Lance Stephenson, Jr. May 16, 2021

All Interested Parties:

On May 16, 2021, an officer involved shooting resulted in the death of Lance Stephenson, Jr.¹ occurred in Meadowmere Park at 13610 Byars Rd, Grandview, Missouri. This incident was investigated by members of the Missouri Highway Patrol at the request of the Grandview Police Department.² The Jackson County Prosecutor's Office convened its Use of Force Committee on September 23, 2021. Based on the investigation and our review and analysis, we have concluded that the evidence does not support filing criminal charges against the officers in this matter.

Summary of Facts

On the morning of May 16, 2021, at 6:22 am, an Uber driver picked up a white male patron and dropped him off at Meadowmere Park at 6:27 am.³ That male was the victim of this

¹ The victim of the use of force will hereinafter be referred to as the "Civilian" and described as a "white male" in part for purposes of this document, however, his name was Lantz Stephenson, Jr., who was seventeen (17) years of age at his death and a resident of Grandview, Missouri.

² See Department of Public Safety, Missouri State Highway Patrol, letter dated May 27, 2021 to Grandview Chief of Police, Charles Iseman.

³ See Missouri State Highway Patrol Supplemental Report Incident #210236040, Supplement 9 - Ride Share Records from Uber Technologies, Inc. Date of Report – May 16, 2021, paragraph 3.

fatal officer involved shooting.⁴ At approximately 6:33 am, Police Officers [REDACTED] and [REDACTED]⁵ of the Grandview, Missouri Police Department were dispatched on this call.⁶ Dispatchers informed the officers that a male contacted the police and stated he was dressed in all black, armed with a gun, and wanted to get in a “shoot out” with police.⁷ Both officers responded to the park.⁸

Upon his arrival, Officer 1 reported immediately seeing a white male from the waist up, dressed in black, seated near an electrical box deep in the park.⁹ He then reports the white male walking toward them.¹⁰ Grandview Police Sergeant [REDACTED] arrived at the park as well and advised the officers not to approach further.¹¹ To maintain distance, Officer 2 utilized binoculars for a better view¹², while Officer 1 used a PA system to communicate while taking cover behind the patrol vehicle door.¹³ Commands were issued over the PA system by Officer 1, including, “Let me see your hands!”¹⁴ The Civilian responded by standing up, raising his right hand, and reaching into his jacket pocket with his left hand to retrieve what appeared to be a black handgun.¹⁵ The Civilian raised the gun up, holding it sideways, but pointed the weapon in the direction of the officers.¹⁶ Both officers put on their ballistic vests and Officer 2 utilized a ballistic shield.¹⁷

Officer 1 pointed his bodycam in the direction of the civilian.¹⁸ Officer 1 was armed with his AR rifle¹⁹ while a third police officer, Officer [REDACTED], responded to the park.²⁰ [REDACTED] was armed with a less lethal munition or bean bag rifle²¹ while Officer 2 had his binoculars focused on the Civilian and armed with his service handgun.²² Officer 2 reported moving to a bank of trees, away from Officer 1 while the Civilian continued to approach them.²³ Throughout the course of these

⁴ See Missouri State Highway Patrol Supplemental Report Incident #210236040, Supplement 7 – Identification of Stephenson Jr. Date of Report – May 16, 2021, paragraph 4.

⁵ Hereinafter Grandview Officer [REDACTED] and Grandview Officer [REDACTED] will be referred to as Officer 1 and Officer 2 respectively.

⁶ See Case File, Attachment, PDF Attachments, pg. 26 and 30.

⁷ *Id.* at page 26.

⁸ *Id.*

⁹ See Missouri State Highway Patrol Supplemental Report Incident #210236040, Supplement 11 – Interview of Officer 1. Date of Report – May 20, 2021, paragraph 5.

¹⁰ *Id.* at paragraph 6.

¹¹ *Id.* at paragraph 7.

¹² *Id.*

¹³ *Id.* at paragraph 8.

¹⁴ See Missouri State Highway Patrol Supplemental Report Incident #210236040, Supplement 12 - Interview of Grandview Police Officer 2. Date of Report – May 20, 2021, paragraph 6.

¹⁵ *Id.*; See also *Interview of Officer 1*, paragraph 9.

¹⁶ See *Interview of Officer 2*, paragraphs 6 and 7.

¹⁷ *Id.*

¹⁸ See *Interview of Officer 1*, at paragraph 6.

¹⁹ *Id.*

²⁰ See Missouri State Highway Patrol Incident 210236040, RMS Report Number: R008306586, “Involved Persons” Tab; See also *Interview of Officer 1*, paragraph 6.

²¹ See Missouri State Highway Patrol Supplemental Report Incident #210236040, Supplement 3 - Condition Check of Officer’s Weapons Date of Report – May 16, 2021, paragraph 7, 9; See also *Interview of Officer 1*, paragraph 6.

²² See *Interview of Officer 2*, paragraph 9.

²³ *Id.* at paragraph 7, 8.

events, officers reported that the bean bag deployment was not viable due to the distance from the Civilian for this a device.²⁴

Continuing to communicate with the PA microphone, Officer 1 gave additional orders to show his hands.²⁵ After placing his right hand in the air, Civilian's hand then came down, and he pointed a gun at the officers and continued to walk toward them.²⁶ Officer 1 continued to command the civilian to drop the gun.²⁷ The civilian, however, kept shaking his head to indicate, "NO".²⁸

While Civilian continued advancing in the direction of Officer 1 with his gun raised, Officer 2 heard a gunshot.²⁹ Officer 1 fired once but the male kept pointing his gun at the officers and advancing toward them.³⁰ Officer 1 then fired additional rounds until the male fell to the ground.³¹ Officer 2 also returned fire at the male with his service handgun.³² Officer 2 worried that Officer 1 was hit due to the direction of the gunfire from the Civilian.³³ After shots were fired, the Civilian dropped to the ground and Officer 2 moved toward him.³⁴ Though Civilian fell to the ground he continued to point his weapon at the officers.³⁵

As the male complied with commands by rolling away from his weapon, Officer 1 immediately began CPR on Civilian.³⁶ While on the ground, the male made the following statements: "Kill me. Kill me. God loves you, not today."³⁷ Officer 2 used Civilian's shirt to apply pressure against a wound and removed Civilian's belt to use it as a tourniquet on another wound.³⁸ Officer 1 and Officer 2 both administered first aid until relieved by paramedics.³⁹

Emergency Medical personnel arrived at the park at 6:45 am.⁴⁰ While employing life-saving measures, they attempted to speak with Civilian who only responded nonverbally.⁴¹ Civilian's eyes were open, and he followed their instructions.⁴² When paramedics asked if he was

²⁴ Officer [REDACTED] reported that Mr. Stephenson remained outside of range of deployment of the less lethal bean bag because he stayed outside of 50 feet from him. This information was obtained from an interview with the prosecutor. No interview was conducted of this witness by investigators.

²⁵ See *Interview of Officer 1*, paragraph 8, 9.

²⁶ *Id.* at paragraph 9.

²⁷ *Id.*

²⁸ *Id.*

²⁹ See *Interview of Officer 2*, paragraph 8.

³⁰ See *Interview of Officer 1*, paragraph 9; See also *Interview of Officer [REDACTED]*, paragraph 7, 8.

³¹ See *Interview of Officer 1*, paragraph 9, 10.

³² Officer 1 said he began to hear shooting from the other side of the patrol car, presumably from Officer 2.

³³ See *Interview of Officer 2* paragraphs 8-10.

³⁴ *Id.* at paragraphs 10, 11.

³⁵ *Id.* at paragraphs 9, 10.

³⁶ See *Interview of Officer 1*, paragraph 12.

³⁷ See *Interview of Officer 2*, paragraph 11.

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ See Casefile, Attachment, PDF Attachments, pg. 31, "Prehospital Care Report".

⁴¹ See Casefile, Attachment, PDF Attachments, pg. 39, "Prehospital Care Report—'Narrative' Tab".

⁴² See Casefile, Attachment, PDF Attachments, pg. 34.

attempting suicide, Civilian nodded in the affirmative.⁴³ Civilian sustained multiple gunshot wounds to his body⁴⁴ and later died in surgery.⁴⁵

Contained in Civilian's pocket was a handwritten note that provided his full name and address. The only other content on this handwritten note was a line that stated, "where I live." "Live" was crossed out and "lived" was written on the note.⁴⁶

Applicable Law

In determining whether an officer used justifiable, deadly force, courts—including the United States Supreme Court—have held that "such claims are properly analyzed under the Fourth Amendment's 'objective reasonableness' standard"⁴⁷ The "reasonableness" inquiry in an excessive or deadly force case is an objective one: the question is whether the officers' actions are "objectively reasonable" in light of the facts and circumstances confronting the officer on scene at the time of the incident.⁴⁸ Under the "reasonableness standard", "[t]he 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight."⁴⁹

"With respect to a claim of excessive force, the same standard of reasonableness at the moment applies: 'Not every push or shove, even if it may later seem unnecessary in the peace of a judge's chambers, violates the Fourth Amendment.'"⁵⁰ "The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation."⁵¹

Under Missouri law, our analysis is primarily guided by statutory construct. Here, RSMo 563.031 is our guidepost and reads, in relevant part:

Use of force in defense of persons—1. A person may, subject to the provisions of subsection 2 of this section, use physical force upon another person when and to the extent he or she *reasonably* believes such force to be necessary to defend himself or herself or a third person from what he or she *reasonably* believes to be the use or imminent use of unlawful force by such other person, unless:
(emphasis added).

⁴³ *Id.* at 39, "Prehospital Care Report—'Narrative' Tab".

⁴⁴ *Id.*

⁴⁵ See Casefile, Attachments, PDF Attachments, "Office of the Jackson County Medical Examiner, Report Of The Medical Examiner", pg. 49.

⁴⁶ See handwritten note removed from the personal effects of Civilian.

⁴⁷ *Graham v. Connor*, 490 U.S. 386, 388 (1989).

⁴⁸ *Id.* at 397.

⁴⁹ *Id.* at 396.

⁵⁰ *Id.*, quoting *Johnson v. Glick*, 481 F.2d, at 1033.

⁵¹ *Id.* at 397-398.

(1) The actor was the initial aggressor; except that in such case his or her use of force is nevertheless justifiable provided:

(a) He or she has withdrawn from the encounter and effectively communicated such withdrawal to such other person but the latter persists in continuing the incident by the use or threatened use of unlawful force; or

(b) *He or she is a law enforcement officer and as such is an aggressor pursuant to section 563.046;*
(emphasis added).

Finally, in deciding whether to bring criminal charges, we must be guided by the appropriate charging standard which mandates that “[a] prosecutor should seek or file criminal charges only if the prosecutor reasonably believes that the charges are supported by probable cause, that admissible evidence will be sufficient to support conviction beyond a reasonable doubt, and that the decision to charge is in the interests of justice.”⁵²

Legal Analysis and Conclusion

Here, after applying the facts to the law, it is concluded that no criminal charges are warranted. Under the objective reasonableness standard laid out by the United States Supreme Court, the officers were “‘objectively reasonable’” in light of the facts and circumstances confronting the officer on scene at the time of the incident.

Officers were dispatched on a call of an armed male, dressed in black, who wanted to have a shootout with the police at Meadowmere Park. Upon their arrival to Meadowmere Park, officers found a white male armed with a handgun, matching the description above. Officers gave commands for the Civilian to show his hands. Officers then observed Civilian pull, what appeared to be, a real handgun from his pocket. Civilian pointed the gun in the officers’s direction and officers continued to issue commands for the white male to show his hands or drop the gun. Civilian did not adhere to these orders and continued to communicate his disregard for those commands.

Taking the totality of the circumstances confronting the officers on scene, including the nature of the call advising officers that someone wanted to have a shootout with police, the fact that officers found Civilian matching the description of the would-be assailant, Civilian’s presentation of what appeared to a real handgun, Civilian pointing the gun at the officers while advancing toward their position, and the officers failed attempts to get him to disarm himself, we conclude that the officers were objectively reasonable in their application of deadly force.

We also believe that, consistent with Missouri law, the officers used the force that they reasonably believed to be necessary—under the facts and circumstances known to them at the time—to defend themselves from what they reasonably believed to be the use or imminent use of unlawful force by another.

⁵² ABA STANDARDS FOR PROSECUTION FUNCTION 3-4.3(a) (2015); see MO. SUP. CT. R. 4-3.8(a).

It is always unfortunate and tragic when officers are faced with life and death decisions that result in death of one of any community members. It is doubly tragic when the loss of life is that of one so young and full of life and promise such as the Civilian. However, the officers acts were within the scope of their legal authority as law enforcement officers in the state of Missouri.

It is my legal assessment that no criminal charges should be filed against any of the officers who acted within the limits contained under Missouri law. I offer my sincerest condolences to the family, friends and loved ones of this young man.

Sincerely,

A handwritten signature in black ink that reads "Jean Peters Baker". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

Jean Peters Baker
Prosecutor for Jackson County

Exhibit 1



Exhibit 2



Exhibit 3



Exhibit 4

