

# Commonwealth of Virginia

## COUNTY OF FAIRFAX

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FAIRFAX, VIRGINIA 22030-4047

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COMMONWEALTH ATTORNEY

March 16, 2022

### REPORT ON FEBRUARY 15, 2022, OFFICER INVOLVED SHOOTING

Fairfax County police officers responded to a residential area around 8:05 a.m. on Feb. 15, 2022 regarding a suspicious vehicle that had been parked on a residential street since the previous day. The caller told police they believed someone was sleeping inside the vehicle.

Two officers responded, knocked repeatedly on the doors and windows of the vehicle, but did not get a response. The officers could not see inside the vehicle because the windows were covered. A check on the tag revealed that it was stolen and did not match the VIN of the vehicle. The officers opened the rear door and announced their presence. Because the vehicle had a stolen tag on it and there was no response from inside, they decided to have it towed.

While waiting for a tow truck to arrive, Officer Trevor Jones went to his cruiser and called the last registered owner of the suspicious vehicle. While he was on the phone, the second officer greeted the tow truck driver and explained the situation. The officer explained that they had been unsuccessful in opening the driver's door, which was necessary to tow the vehicle.

The tow truck operator opened the sliding door on the driver's side and Michael Vaughn tossed out a blanket he was under from his location on the rear seat.

Vaughn was armed with a rifle and began to quickly exit the van. As he did, Officer Jones left his cruiser, drew his weapon, and told Vaughn, "Hey, do not move." Almost simultaneously, the other officer shouted, "He's got a gun." She drew her weapon and moved herself and the tow truck operator to cover behind a third vehicle. As that occurred, Vaughn raised the barrel of the rifle towards her.

When Officer Jones saw the other officer take cover, he also began to retreat

to cover behind his cruiser. As Vaughn continued to hold onto his rifle, Officer Jones saw the man turn toward him and begin to point the rifle at him. Officer Jones fired three shots from his position of cover near the rear of his cruiser. Two rounds hit Vaughn.

Body camera footage showed Vaughn drop the rifle and fall to the ground. Both officers approached Vaughn, removed the weapon, and began to render medical aid. Medics arrived at 9:03 a.m. and transported Vaughn to the hospital for treatment.

The investigation of the incident included a review of dispatch records, radio and mobile data communications, reports, interviews, body-worn camera footage and physical evidence. Based on these facts, Officer Jones had a reasonable fear of serious injury or death for himself and others involved. It was therefore legally permissible for Officer Jones to use the level of force he employed. Accordingly, I find no violations of criminal law on the part of Officer Jones and decline to bring any criminal charges against him.