



Written by [C. Mitchell Shaw](#) on December 2, 2016

D.A. in Keith Lamont Scott Shooting: “Use of Deadly Force Was Lawful”

On Wednesday afternoon, Mecklenburg County District Attorney Andrew Murray (shown) announced that the officer who fatally shot Keith Lamont Scott in Charlotte, North Carolina, on September 20 acted lawfully, and no charges will be filed against the officer. His announcement concluded a two-month-long investigation into the officer-involved shooting that sparked nights of violent looting and rioting all around Charlotte as the Black Lives Matter (BLM) crowd claimed that another black man was shot and killed by racist cops simply for being black.



Of course, BLM conveniently ignored the fact that Scott was [a dangerous felon with a long and violent criminal history](#), who was armed and refused to comply with repeated orders from officers to drop his gun. Also ignored was the fact that Officer Brentley Vinson, who shot Scott, is also black.

As *The New American* reported after the shooting, Scott’s wife, Rakeyia Scott — along with other family members and friends — claimed Scott was not armed at the time. They said he was sitting peacefully in his car, reading a book, while waiting for his son’s school bus when he was shot by Officer Vinson.

Three days after the shooting (and three days into the riots) Mrs. Scott released a mobile phone video of the events leading up to the shooting. As we [reported](#) then:

The video, though, does not show the shooting itself. What it does provide is a timeline of what she said and what the officers said just before and just after the shooting. And that timeline does not fit her narrative of the shooting. In fact, it seems to confirm the officers’ accounts that Scott was armed with a gun and refused to drop it even after the officers issued at least 10 commands for him to do so.

While Mrs. Scott and her lawyers claim that the audio of the video (much of what the officers and Mr. Scott are doing is out of the frame of the video) supports the claim that Scott was unarmed, there is nothing in the video or audio that is inconsistent with the account offered by the officers. There is much, though, that contradicts the claims made by the family and the Black Lives Matter (BLM) crowd.

In fact, as we pointed out in [another article](#), the narrative put forth by the Scott family and friends was inconsistent and in direct contradiction of the evidence. As this writer reported in that article:

The facts simply do not support the claim of the family and the BLM crowd that Keith Lamont Scott was a peaceful man simply reading a book and posing no threat to the officers when he was shot. Here are the facts that are known at this time:

- In a recently released [video of the shooting](#) — made and released by Scott’s wife — the



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officers can be heard ordering Scott at least 10 times to “drop the gun” and his wife can be heard pleading with Scott to “get out the car” and (four times) “Keith! Don’t you do it!” (In this video, Scott was outside the frame of the camera when shot.)

- No book was recovered at the scene, but a gun — [which can be seen lying on the ground next to Scott in still shots of the video taken by local media after the shooting](#) — was recovered.
- Scott’s [fingerprints and DNA](#) were found on the gun when it was examined by police forensic investigators.
- Scott had a long and violent criminal record that included felony assault with a deadly weapon with intent to kill, misdemeanor assault with a deadly weapon, and aggravated assault with a deadly weapon in an episode where — while evading arrest — [Scott fired two shots at police officers](#) before being apprehended by those officers.
- The police officer who shot Scott is black, so it does not make sense to view his actions — whether justified or unjustified — as being motivated by racism against blacks.

In fact, when the timeline of Mrs. Scott’s video is compared to the dashcam and bodycam videos released by police two days after Mrs. Scott released her video, the story becomes even clearer. As this writer [reported](#) at the time:

Police were in the area to serve an outstanding warrant on another suspect when they saw Scott in his SUV in possession of marijuana. They were considering ignoring the matter when an officer noticed a gun. Because the drugs made the possession of the gun a felony, officers ordered Scott out of the vehicle. When he refused, they began to try to break the window. On Mrs. Scott’s video, she can be heard saying, “Keith, don’t let them break the windows. Come on out the car.” Just before Scott exits the vehicle, an officer again orders him to “drop the gun” and Mrs. Scott says, “Keith! Don’t you do it.”

In the videos released by CMPD Saturday, Scott can be seen exiting the SUV, his hands by his side as officers repeatedly order him to “drop the gun.” On Mrs. Scott’s video, she can be heard saying in a panicked voice, “Keith! Keith! Keith! Don’t you do it! Don’t you do it!” The next sound is Officer Vinson’s weapon firing four times.

Mecklenburg County District Attorney Andrew Murray made many of these same points in his hour-long announcement on Wednesday, debunking a list of what he called “erroneous claims” made by the family and friends of Scott in the days and weeks after the shooting.

For instance, though the family claimed Scott did not have a gun, the evidence shows he did. Murray showed a comparison of a security camera video of Scott’s visit to a convenience store the day of the shooting with the bodycam video of the shooting. In the convenience store video, Scott’s right pants leg shows a distinct bulge at the ankle, in the same place where his pant leg can be seen riding up in the bodycam video. In the bodycam video, something that looks like a holster can be seen on Scott’s right ankle. Police recovered both the gun (lying on the ground beside Scott’s body) and the holster (still attached to his ankle) after the shooting.

Given the evidence that Scott was armed that day — despite the denials of the family and friends — even Justin Bamberg, a Scott family attorney who initially claimed Scott was unarmed, had to admit that “it’s safe to say [Scott] did have a gun on his person” but said there is no proof that Scott was holding the gun at the time of the shooting. According to an [investigative report](#) released by prosecutors



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Wednesday, “every officer present reported seeing Scott holding a gun.” And his DNA was found on the handle of the gun when it was recovered. The gun was in the cocked position and the safety was off. His holster was empty and the gun was found by his body. To borrow a phrase from Bamberg, it’s safe to say he was holding the gun when he was shot.

Murray said of Officer Vinson and his actions that day, “What he saw was a man who had drawn a gun and when confronted by police, exited the vehicle with the gun in hand and failed to comply with officers who commanded him at least ten times to put the gun down.” He also said, “I am fully satisfied and entirely convinced that Officer Vinson’s use of deadly force was lawful.”

While Officer Vinson will not face criminal charges, he — and his department — may not be out of the woods, yet. Speaking during a press conference after the announcement, Bamberg implied that civil action may be in the works. “Based on the facts as discussed by the D.A., I can understand their decision not to pursue charges,” Bamberg said, “But that does not mean that this officer’s killing of Keith Scott was right.” He added, “All that means is that under the view of the D.A.’s office, it wasn’t criminal. And those are two completely different things.”



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