



Written by [R. Cort Kirkwood](#) on March 17, 2020

## Did Maryland Cops Shoot a Sleeping Man During SWAT Raid To Grab Guns?

“The Constitution is dead” [Duncan Lemp](#) [wrote](#) in his last tweet. He apparently had good reason to think so.

Cops in Montgomery County, Maryland, [shot him to death](#) as he slept during a gun-confiscation raid, his family and their attorney says.

The cops who shot him say Lemp was a threat who shouldn't have had guns. He “confronted” them, they say, which is why they had to shoot.



What Lemp did to invite the fatal gunfire the cops don't say, but according to the available facts, he didn't have to do much.

### Police Report vs. Family Report

[Police tell](#) the story this way:

At approximately 4:30 am on March 12, members of the Special Operations Division — Tactical Unit were in the process of serving a high-risk search warrant related to firearms offenses at an address in the 12200 block of St. James Road in Potomac. During the warrant service, the suspect confronted the officers and was fatally shot by an officer assigned to the Tactical Unit....

Lemp was prohibited from possessing firearms and detectives were following up on a complaint from the public that Lemp, though prohibited, was in possession of firearms.

Cops confiscated three semi-automatic rifles and two semi-automatic handguns.

But that account isn't true, the family says.

Family attorney [Rene Sandler told the Associated Press](#) that “an eyewitness gave a ‘completely contrary’ account of the shooting”:

She said police could have “absolutely no justification” for shooting Lemp based on what she has heard about the circumstances.

“The facts as I understand them from eyewitnesses are incredibly concerning,” she told The Associated Press.

One key fact: The search warrant police obtained to search the Lemp home, AP reported, “doesn't mention any ‘imminent threat’ to law enforcement or the public, Lemp's relatives said in a statement released Friday by their lawyers. Nobody in the house that morning had a criminal record, the statement adds.”

Cops shot the sleeping Lemp from outside the house, the attorney alleges, and no one in the house “heard any warnings or commands before police opened fire, she said. ‘There is no warrant or other justification that would ever allow for that unless there is an imminent threat, which there was not.’”



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The family says body-camera footage will show that cops shot an unarmed, sleeping man. [The ACLU wants to see](#) the body-cam footage.

The statement from police did not say why Lemp was forbidden to possess firearms.

“Maryland has a long history of controversial SWAT raids,” [Reason magazine’s C.J. Ciaramella reported](#). “In 2008, a Prince George’s County Police Department SWAT team executed a botched narcotics raid on the house of the mayor of Berwyn Heights, Maryland, and shot his two black labrador retrievers.”

That boneheaded move ended with a law that requires cops to keep detailed records on SWAT deployments: “That data showed Maryland law enforcement conducted more than 8,000 SWAT team raids between 2010 and 2014, resulting in nine deaths. But the law expired in 2014, and legislators have yet to renew it.”

Ciaramella also detailed SWAT abuses elsewhere.

### **Anti-government Extremist?**

Threatening is not how Lemp’s employer and friends describe the software developer, who “was trying to raise money for a startup company,” [AP reported](#).

“He was a talented, smart guy. Super nice. Didn’t deserve to get shot,” said Samuel Reid, whose Canadian software company employed Lemp as an independent contractor.

Tsolmondorj Natsagdorj, 24, of Fairfax, Virginia, said he met Lemp in 2016 and bonded with him over their shared interest in cryptocurrency. They also talked about politics. He described Lemp as a libertarian who frequented the 4chan and Reddit message boards, sites popular with internet trolls.

“Duncan was a young guy with a bright future as an entrepreneur,” Natsagdorj said. “He was working on things to change the world.”

Lemp was affiliated with the militia movement, AP reported, citing his social-media accounts, but his “friends said they never heard Lemp espouse any anti-government rhetoric. Sandler said Lemp was not a part of any anti-government or militia-type group.”

“He was pro-America and supported wholeheartedly all the protections of the Constitution,” [Sandler told AP](#).

The Constitution didn’t protect Duncan Lemp.

*Image: Onfokus via iStock / Getty Images Plus*

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