



Office of the Washington County Attorney

Kevin Magnuson, County Attorney

Press Release

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FOR IMMEDIATE RELEASE

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Washington County Attorney's Office declines charges against police in fatal shootout at Stillwater apartment complex

STILWATER, Minn. – Two Stillwater police officers will not face criminal charges after they shot and killed a man while responding to a call of an active shooter, Washington County Attorney Kevin Magnuson announced.

In a memorandum to the Minnesota Bureau of Criminal Apprehension (BCA) dated July 31, 2023, the Washington County Attorney's Office determined the use of deadly force by Sergeant Dan Young and Officer Justin Dowley was justified in the March shooting of 21-year-old O'Kwan Sims. The decision comes after prosecutors reviewed an extensive BCA investigation comprised of over 2,000 pages of reports, dozens of photographs, and hours of video and audio evidence.

According to the memo, officers from the Stillwater Police Department, Oak Park Heights Police Department, and Washington County Sheriff's Office responded to several 911 calls of a disturbance at 2225 Orleans Street West at approximately 2:20 p.m. on March 4, 2023. While officers were en route to the apartment complex, telecommunicators received additional 911 calls indicating multiple shots had been fired in the building.

As Oak Park Heights police officer Lindsey Paradise arrived, she drove her fully marked squad vehicle into the parking lot near the main entrance when she heard "popping noises" and the sound of metal striking her squad. Officer Paradise immediately recognized the sound of gunfire and radioed to other responders that shots had been fired at her vehicle. Stillwater police officers arrived and spotted Sims standing in the driveway of the apartment complex parking lot. Sims was holding a pistol with an extended magazine in his hand, and when officers yelled at Sims to drop the gun, he ran around the corner of the building where they lost sight of him.

As officers moved to their squad car to retrieve a rifle and ballistic shield, they heard approximately 20 to 30 rounds of rapid gunshots fired from the direction of the apartment complex. Officers prepared to approach the gunfire and located Sims around the corner, still holding the pistol in his hand. Sims pointed the pistol at officers, and Sergeant Young and Officer Dowley simultaneously fired their weapons at Sims. He was struck three times and fell to the ground. Officers and emergency personnel rendered aid to Sims, who ultimately died from his injuries.

Officers later learned that Sims lived at the apartment with his mother, and on the date of the incident, Sims exited his bedroom and shot his mother's friend in the knee for no apparent reason. Sims then left the apartment and began shooting in the building and outside of the complex as officers arrived. The BCA's crime scene team processed the scene and located 51 bullet cartridge casings believed to have been fired by Sims. The investigation further confirmed that Sims fired the rounds that struck Officer Paradise's squad as well as a second fully marked squad vehicle on scene.

"The decision to use deadly force is never taken lightly, and we recognize the profound sorrow it brings to the family of Mr. Sims," said Magnuson. "In this situation, these officers faced a dangerous, complex, and rapidly evolving scenario. They relied on their extensive training and quick reaction to ensure not only their own safety, but the safety of the community they have sworn to protect."

"These officers really had no other option, and we know they too bear the weight of the loss of life," he added.

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