



# Office of the Washington County Attorney

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Kevin Magnuson, County Attorney

## News Release

**Contact:** Amanda Fehlen, Criminal Analyst

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**FOR IMMEDIATE RELEASE**

**Date:** August 15, 2024

### **Washington County Attorney's Office concludes that police acted lawfully in shooting incident in Woodbury**

**Stillwater, Minn.** – A Woodbury police officer and a Washington County sheriff's deputy lawfully used force when they shot a man who pointed a high-powered pellet gun that appeared to be a firearm at police, Washington County Attorney Kevin Magnuson announced.

In a memorandum to the Minnesota Bureau of Criminal Apprehension (BCA) dated August 15, 2024, the Washington County Attorney's Office determined that Officer James Stoffel of the Woodbury Public Safety Department and Deputy Brian Krook of the Washington County Sheriff's Office were justified in the use of deadly force against 61-year-old Donald Eugene Roche. The decision comes after prosecutors reviewed an extensive BCA investigation.

The use of force occurred after Roche pointed a 4.5 mm CO<sub>2</sub>-powered Crosman high-velocity SNR357 pellet gun at officers. The pellet gun was designed to, and did, look like a firearm. The manufacturer's website states that it has the heft and feel of a Saturday Night Special and warns that its misuse may cause serious injury or death.

According to the memo, Roche stole a wallet from a construction site in Oakdale, then used stolen credit cards from the wallet to make fraudulent purchases at two stores in Woodbury, including over \$1,500 in fraudulent purchases at a Target store.

Police first encountered Roche as he walked from the Target store toward the vehicle he had driven to the store. Officers attempted to arrest Roche, but they disengaged when they saw Roche carrying what appeared to be a revolver. Roche retreated to his vehicle.

After Roche got into his vehicle, police set up a perimeter. Members of the Washington County SWAT Team responded to the parking lot and attempted to negotiate Roche's surrender for over an hour. The negotiations were unsuccessful. Roche then got out of the vehicle carrying the revolver.

Officers gave Roche verbal commands to put his hands in the air, but Roche did not do so. Instead, Roche walked to the front of the vehicle while still holding the revolver. He pointed the revolver at multiple officers. SWAT Team members attempted to gain Roche's compliance by deploying less than lethal rounds, some of which struck Roche. But Roche still did not surrender or put his hands in the air.



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Instead, Roche extended his right arm and pointed the revolver in the direction of the officers. Officer Stoffel, fearing for himself, other officers, and innocent bystanders, fired two rounds from his service rifle. One of the rounds struck Roche.

Despite being struck with a round, Roche remained uncompliant with police and took cover behind the vehicle. Members of the SWAT Team approached Roche and ordered him to drop the gun. Roche walked around the vehicle and toward Deputy Krook, who continued to yell at Roche to drop the gun. Roche then began to move the revolver toward Deputy Krook, which made Deputy Krook fear for his safety and the safety of nearby officers. Deputy Krook fired four rounds from his service pistol at Roche, one of which struck Roche.

Officers then rendered medical aid to Roche, who was transported to Regions Hospital. Roche was treated for his injuries before being released to the Washington County Jail.

Roche was charged with two counts of Assault in the Second Degree and one count each of Financial Transaction Card Fraud and Burglary in the Third Degree. On July 18, 2024, Roche pleaded guilty to both counts of Assault in the Second Degree. The length of Roche's sentence will be determined by the Honorable Siv Mjanger at a sentencing hearing on September 30, 2024. During Roche's guilty plea, Roche said police "had every right" to shoot him based on his actions. Roche also said he had decided he wanted the officers to shoot and kill him because he did not want to go back to prison.

"Mr. Roche intentionally threatened the lives of law enforcement officers to exploit their trained reactions and compel the use of deadly force, Magnuson said. "Fortunately, that force was not lethal here, but the effects of being forced to react with deadly force can be very damaging to law enforcement and their families. This 'suicide by cop' attempt is a reminder of the swiftly evolving and unpredictably dangerous scenarios they face on a daily basis. I am grateful that there are brave people who nevertheless take these significant risks to assist and protect us."

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