



Office of the Washington County Attorney

Kevin Magnuson, County Attorney

News Release

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FOR IMMEDIATE RELEASE

Date: September 9, 2024

Washington County Attorney's Office concludes that police acted lawfully in shooting incident in Oakdale

Stillwater, Minn. – An Oakdale police officer lawfully used force when he shot at a man who had fired a round from a handgun at him, Washington County Attorney Kevin Magnuson announced.

In a memorandum to the Minnesota Bureau of Criminal Apprehension (BCA) dated September 6, 2024, the Washington County Attorney's Office determined that Officer Andrew Dickman of the Oakdale Police Department was justified in the use of deadly force against 25-year-old Davione Leeante Malone. Malone was not struck by the round Officer Dickman fired at him. The decision comes after prosecutors reviewed an extensive BCA investigation.

According to the memo, on the night of March 11, 2024, Oakdale police officers responded to a 911 call in which the caller said Malone was threatening a woman with a gun. Malone was prohibited from having contact with the woman by a Domestic Abuse No Contact Order (DANCO). The woman texted a friend that she needed help, and another friend called 911.

The woman and her one-year-old granddaughter were in a vehicle with Malone. Officers located the car in a parking lot in Oakdale. When four officers, all in separate squad vehicles, tried to surround Malone's vehicle, Malone evaded the officers and fled the scene at high speeds.

Some of the officers pursued Malone, while others broke off from the pursuit to drive directly to the house of the woman in the vehicle, where they suspected Malone might be heading. Malone eventually reduced his speed and drove to the woman's house, which is also located in Oakdale.

Malone pulled into the driveway of the woman's house. The two officers who broke off from the pursuit were already in the area; Officer Dickman and another officer were behind Malone's vehicle. As Officer Dickman was pulling into the driveway behind Malone, Malone quickly got out of his vehicle without shifting it into park. Malone fired one shot at Officer Dickman, who was still in his squad vehicle. The bullet struck Officer Dickman's squad car near the right front fender and ricocheted into the passenger mirror.

Officer Dickman then discharged one round from his service weapon toward Malone through the windshield of his squad vehicle. Malone, who was not struck by the round, ran into the house. The woman then got out of the car, got her grandchild out of the car, and ran to waiting officers.

The four officers then lined up and pointed their squad cars toward the house. All four officers were outside of their squad cars, using them for cover. A window near the center of the home then opened.



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About seven seconds later, Malone fired three more shots from the window at the officers. One of the rounds struck the windshield of one of the squad cars, just to the right of where an officer was standing.

The Washington County SWAT team responded with an armored vehicle and eventually took Malone into custody after a standoff that lasted several hours. No other people were inside the home. Officers recovered a black .22 caliber handgun and spent shell casings from inside the home.

Officers interviewed the woman, who said Malone's mood had changed during the course of the day such that she knew she was in danger. The woman told officers that, after she told Malone she needed to get her granddaughter home, Malone drove them to the parking lot where police first encountered them. The woman said she and Malone started to see squad cars arriving. Malone then said, "I'm tired of them following me," and "I'll die before I got back to prison." Malone then took off in the car and drove back to the woman's home.

As a result of this incident, the Washington County Attorney's Office charged Malone with two counts of attempted first-degree murder of a peace officer, four counts of first-degree assault for using deadly force against peace officers and being a prohibited person in possession of a firearm. Those charges remain pending.

"Mr. Malone fired multiple rounds at police officers who were protecting a vulnerable woman and child," Magnuson said. "The use of violence—and especially firearms—against police officers is completely unacceptable. These officers were simply trying to do their jobs and go home to their families at the end of their shifts. Instead, their lives were needlessly placed in grave danger. I am grateful to the work of Officer Dickman and his colleagues for their valor and skill in apprehending the shooter. My office will do everything we can to ensure that justice is done."

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