
August 28, 2023



**Iowa Attorney General's Review
of Officer Involved Death**

Incident of June 20, 2023
Sheffield, Iowa

Franklin County Sheriff's Office
Deputy Chase Weinandy and Deputy Ben Baskerville

Subject Involved: Matthew T. J. Davis

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AUTHORITY AND PROCESS

Pursuant to Iowa Code §13.12, the Iowa Attorney General's Office provides the following review of a fatal shooting incident that occurred on June 20, 2023, at approximately 9:55 p.m. at 1124 W. Gilman Street, Sheffield, Franklin County, Iowa. The matter involved two Franklin County Sheriff's Office deputies who responded to two 911 calls from Julia Showalter and her minor son, advising that Matthew T. J. Davis was at their home, intoxicated, suicidal, and armed with a weapon. Ms. Showalter's minor son was inside the home alone. Ms. Showalter reported that Mr. Davis had said he wanted to be shot by police.

The following review is conducted pursuant to Iowa Code §13.12 which provides direct authority for the Iowa Attorney General to assess any officer-involved death to determine whether a criminal charge is warranted.

The incident was investigated by the Iowa Division of Criminal Investigation (DCI). The investigation is complete. This office has had a full opportunity to review the findings and discuss the investigation with the agent assigned. The DCI has collected numerous statements and other evidence. The pertinent portions of the DCI report have been provided to this office. All law enforcement reports, including any audio or video recordings, will be returned to the DCI upon issuance of this document.

PERTINENT FACTS

On Tuesday, June 20, 2023, at approximately 9:45 p.m., Franklin County Communications received two 911 calls from Julia Showalter and her 15-year-old son reporting that Matthew T. J. Davis was at Ms. Showalter's home in Sheffield, Iowa. She advised that Mr. Davis was intoxicated and armed with a gun. Ms. Showalter's son's 911 call advised dispatch that Mr. Davis had arrived at the residence and was banging on the door. He said that his mother had called him and told him to lock the doors and to call 911 if Mr. Davis arrived. He said he was alone in the house and had locked the doors and turned all the lights off. The son was instructed by the dispatcher to move to the middle of the house away from windows and exterior walls and to lie on the floor, which he did.

Upon receipt of the 911 calls, Franklin County Sheriff's Office Deputies Chase Weinandy and Ben Baskerville were dispatched to the residence, arriving at approximately 9:55 p.m. They had been advised of the information provided in the 911 calls. Both deputies wore body-cameras which recorded the incident. The deputies saw Mr. Davis in the driveway holding a gun. Deputy Baskerville exited his vehicle with his service rifle and took position behind a tree on an adjoining property. Parking on the street, Deputy Weinandy took cover behind his vehicle's door armed with his service pistol.

The deputies immediately attempted to get Mr. Davis to drop his weapon. Prior to firing at Mr. Davis, the deputies had ordered,

instructed, and asked Mr. Davis at least 17 times to: “drop the weapon now,” “put the gun down now,” “you need to drop your weapon,” “let’s talk about this,” “your son wants to see you,” and “Matt, please drop your weapon.” Mr. Davis refused to comply on each occasion, responding on two audible occasions that: “I can’t do that,” and “I’m holding it.”

Less than a minute before the shooting, a vehicle passed in front of the driveway where Mr. Davis was standing with his weapon. Deputy Weinandy ordered the vehicle to leave the area. After the vehicle passed, Mr. Davis began approaching the deputies. He was ordered to “stop now!” and “Matt, you need to stop approaching us now” and to “put the gun down now!”

At this point, Mr. Davis can be seen on Deputy Weinandy’s body-camera approaching the deputies and raising the arm in which he held the gun. Officer Weinandy stated, “He’s pointing it.” When Mr. Davis pointed his weapon, Deputy Baskerville fired his rifle two times, striking Mr. Davis once in the abdominal area. After securing Mr. Davis’s weapon, the deputies rendered medical aid and called for an ambulance. During this time, Mr. Davis stated to the deputies, “Thank you for shooting me.” Mr. Davis died while enroute to the hospital.

The subsequent autopsy concluded that Mr. Davis died as a result of a single gunshot wound to the abdomen. Toxicology testing showed that Mr. Davis had a blood-alcohol concentration of 0.115 g/100 mL and detected the presence of anti-depressant medications.

Further investigation of the matter revealed that the weapon Mr. Davis had been carrying was a pellet gun. There was no way for the deputies to know what type, make, or model the pistol was during the incident. In addition, both deputies had been advised by dispatch prior to their arrival at the scene that Ms. Showalter had reported Mr. Davis had a real gun.

In an interview with Ms. Showalter, she explained that she and Mr. Davis had been in a relationship since 2017 and had a child together. They had lived together at 1124 W. Gilman Street, Sheffield, Franklin County, Iowa until June 2, 2023, after which Mr. Davis moved out due to a breakdown in their relationship. She indicated that he had begun drinking heavily before he moved out and had a history of mental health issues. She stated that after Mr. Davis moved out, he became upset and angry when he learned that she had begun a new relationship. Ms. Showalter stated that in the days before the incident, Mr. Davis had been calling and texting her making angry, rude, and inappropriate statements and inquiries.

Ms. Showalter indicated that on the evening of June 20, 2023, she took her daughter to a ball game in Hampton, Iowa. Her minor son stayed at home. While at her daughter's game, she received a call from Mr. Davis who said he had downed a bottle of vodka. She stated he sounded very drunk. Mr. Davis told her that he was having dark thoughts and wanted to see Ms. Showalter and the children. He told her that he had

stolen a real gun and was going to “end it tonight.” She was frightened and started driving home. She called her son and told him lock the doors and that if Mr. Davis arrived at the house to call 911. She indicated that Mr. Davis had a history of threatening suicide. While on her way home, Mr. Davis called and told her that he was almost to her house. He also told her that if the police arrived, he was going to take his gun out so that they would shoot him. She called 911 and advised dispatch of the above. She received a voicemail message from Mr. Davis at 9:47 p.m. in which he said, “This is all your fault.”

APPLICABLE LAW

In order to be justified, the force used by an officer who fired the shots that killed Mr. Davis must have been reasonable. Reasonable force is that force which a reasonable person, in like circumstances, would judge necessary to prevent an injury or loss and can include deadly force if it is reasonable to believe that such force is necessary to avoid injury or risk to one’s life or safety or the life or safety of another, and it is reasonable to believe that such force is necessary to resist a like force or threat. Iowa Code §§ 704.1, 704.2 and 704.3.

In *Graham v. Connor*, 490 U.S. 386 (1989), the United States Supreme Court held that the use of deadly force by a police officer must be evaluated from the perspective of a reasonable police officer on the scene and in the same circumstances. Under *Graham*, reasonableness of

police use of force cannot be evaluated from the perspective of a civilian nor can it be evaluated with a clearer vision afforded by 20/20 hindsight. The Court further stated that the fact law enforcement officers are often required to react quickly in tense, uncertain, and rapidly evolving situations is a factor that must be considered in determining reasonableness. Since *Graham*, the Supreme Court has narrowed the analysis to focus on the exact moment that the force was applied.

ANALYSIS

The actions of the deputies involved in the confrontation with Mr. Davis, including those of Deputy Baskerville who fired the fatal shot, were entirely legally justified. The decision to fire at Mr. Davis was reasonable under the circumstances. By his actions, Mr. Davis set in motion and continued the circumstances that brought about his death. Unfortunately, there is evidence that he desired that outcome. His actions reasonably placed the deputies in fear for their lives and the lives of neighborhood residents, passing motorists, and Ms. Showalter's son inside the home. Despite their restrained and repeated efforts to resolve the incident peacefully, Mr. Davis provided the deputies with no choice but to use deadly force in defense of themselves and others.

CONCLUSION

Having determined the deputies involved acted with legal justification, the Iowa Attorney General's Office considers the criminal

investigation into the deputies' conduct closed. No criminal charges are warranted.