

MATTHEW FREDBACK  
Prosecuting Attorney

STATE of IDAHO

COURTHOUSE ANNEX BUILDING  
219 1ST AVENUE SOUTH  
SUITE 201  
HAILEY, IDAHO 83333



TIMOTHY K. GRAVES  
Chief Deputy

TEL (208) 788-5545  
FAX (208) 788-5554  
EMAIL [mfredback@co.blaine.id.us](mailto:mfredback@co.blaine.id.us)

BLAINE COUNTY PROSECUTING ATTORNEY

May 7<sup>th</sup>, 2024

Detective Washburn  
Meridian Police Department

RE: CITF Investigation into Officer Involved Shooting of Christian Johnson

Dear Detective Washburn:

Pursuant to the Memorandum of Understanding Agreement between the Blaine County and the Ada County Prosecuting Attorney's Offices dated June 6, 2022, I was requested to review the investigation conducted by the Critical Incident Task Force (CITF) to determine whether criminal charges should be filed against the officers involved in the shooting of Christian Johnson. Here, CITF was led by the Meridian Police Department as the investigative agency. I have carefully reviewed the investigation, comprised of reports, photographs, video and audio recordings, and have concluded that the shooting was justifiable under Idaho law. For this reason, I am declining to file criminal charges. A summary of the facts, applicable law, and the reasons for my decision are explained below.

On August 3, 2023, shortly before 11:00 a.m., Ada County Dispatch received a call from an unidentified person. In an audio recording of the call, a muffled sound could be heard but the caller did not speak. The dispatcher called the number back, and the call was answered. The caller was mumbling his responses but said that he was in trouble and gave his name as Christian Johnson and an address at 1101 S. Dale Street, Apt. 204. Between long gaps of silence where Christian was unresponsive, he finally stated he was forfeiting

his bail money with Aladdin Bail Bonds and requested to be picked up. He then reported that he was going to be killed at a social media event. Christian failed to answer any other questions but stayed on the line and the dispatcher explained that the police would be responding. In this call, Christian sounded distressed and was slurring his words. Within a couple minutes, Christian called back, and this time he mumbled something unintelligible but mentioned a gun. He remained on the line but did not speak again for the remainder of the two-minute call. Then, within a minute, Christian called dispatch a third time, asking when law enforcement would arrive. He was told they were on their way.

The calls were routed by dispatch to the Boise Police Department (BPD) for a welfare check on Christian. BPD Officer Garrett Miller had just begun his shift when he became aware of the call. Officer Miller recognized Christian Johnson from a 911 hangup call at the same address a couple of days prior. At that prior call, Officer Miller met Christian in person and spoke with him at his residence. Christian told Officer Miller that he had “smoked a bunch of meth” and had not been sleeping for at least a couple days. Officer Miller noticed Christian was exhibiting symptoms of paranoia. Since Officer Miller had this prior interaction with Christian, he decided to respond to the welfare check call.

BPD Corporal Andrew Johnson also responded to the welfare check on Christian. On his way to Christian’s apartment, Cpl. Johnson called Christian to get more information as to what was going on. Christian told Cpl. Johnson that he wanted to go to Aladdin Bail Bonds. Christian was difficult to understand, and his responses were muffled. Cpl. Johnson asked Christian if he needed help and offered to connect him with resources such as counseling, treatment, and the hospital. On the phone, Christian became uncommunicative, and Cpl. Johnson discontinued the call. Cpl. Johnson then called Officer Miller and they discussed their conversations with Christian, and Officer Miller relayed that Christian had a criminal history that included several prior resisting and obstructing law enforcement charges.

Cpl. Johnson arrived first to the apartment complex at 1101 S. Dale Street, and Officer Miller shortly thereafter. The complex was under construction and several dumpsters and construction materials were in the parking lot. Construction workers were inside the buildings, and residents of the apartment complex were milling about. Both officers parked their marked patrol cars, and Christian could be heard yelling from the second floor of an

apartment building. An external stairwell led from the parking lot to the upstairs apartments. Cpl. Johnson walked toward the stairwell and heard Christian yell something about a gun. Cpl. Johnson then walked back toward Officer Miller's patrol vehicle, as Officer Miller was getting out of his patrol vehicle. Cpl. Johnson told Officer Miller that Christian mentioned having a gun, and they remained standing near the back of the patrol vehicle and across the parking lot from the stairwell.

Christian then appeared on the stairwell, stopped on a landing area, and shouted at the officers. Cpl. Johnson and Officer Miller observed that Christian held a metal spike and a long hammer in one hand, and a K-Bar style knife in the other. Immediately, Cpl. Johnson told Christian to drop the weapons. Officer Miller repeated the command to drop the weapons. Christian yelled that someone was trying to kill him. Officer Miller and Cpl. Johnson continued to direct Christian to disarm himself, and Christian replied "no".

Cpl. Johnson and Officer Miller retreated to a safe position in between two parked vehicles and called for immediate police assistance. Christian continued down the stairwell and walked into the parking lot with the weapons in his hands. The officers repeatedly commanded Christian to put the knife down or drop the weapons. Christian yelled "no" and other incoherent statements toward the officers. As Christian approached, both officers raised their duty weapons. Christian moved toward the center of the parking lot, stopped, and pointed the knife toward his abdomen, indicating that he was going to stab himself.

After more commands to put the knife down, and Christian yelling no, Christian turned toward the officers and charged. As he ran, he raised both hands over his head, holding the knife in his right hand and the hammer and metal spike in his left. Quickly approaching the officers, Christian again yelled an incoherent statement with the words "you, motherfucker." When Christian was within two parking stalls away, approximately six to ten feet, and still running at them, Cpl. Johnson fired his gun. Immediately after, Officer Miller shot Christian. Simultaneously, Cpl. Johnson and Officer Miller continued shooting until Christian fell to the ground. Cpl. Johnson alerted dispatch that there had been an officer involved shooting while Officer Miller kicked the weapons away from Christian.

Christian was pronounced dead at the scene caused by multiple gunshot wounds. Officers recovered a claw hammer, a k-bar knife with a twelve-inch blade, and a fourteen-inch metal spike/pry bar.

A review of Idaho law is warranted to determine whether the shooting by law enforcement was justifiable. Idaho Code section 18-4011 provides that a homicide committed by a public officer is justified “when reasonably necessary in overcoming actual resistance to the execution of some legal process, or in the discharge of any other legal duty...” Further, the statute reads “[u]se of deadly force shall not be justified in overcoming actual resistance unless the officer has probable cause to believe that the resistance poses a threat of death or serious physical injury to the officer or to other persons”. I.C. § 18-4011(2).

The United States Supreme Court has stated that reviewing officer involved shooting cases “requires careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest or attempting to evade arrest by flight.” *Graham v. Conner*, 490 U.S. 386, 396 (1989). The Court continued “the calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation.” *Id.* at 397-397. Further, “if police officers are justified in firing at a suspect in order to end a severe threat to public safety, the officers need not stop shooting until the threat has ended.” *Plumhoff v. Rickard*, 572 U.S. 765, 777 (2014).

The dispositive issue is whether the officers’ shooting and killing of Christian Johnson was justified under I.C. section 18-4011. It is clear from the reports and videos that the officers’ intent upon arrival was to address Christian’s concerns and get him help. He had called 911 three times requesting law enforcement assistance. Before responding to Christian’s address, Cpl. Johnson called him and asked how the police could help him, offered to call someone for him and offered treatment or medical assistance. Cpl. Johnson and Officer Miller were aware that Christian was using methamphetamine, likely causing his erratic and paranoid behavior. From the moment Christian appeared to the officers, they knew he was armed and agitated. The officers ordered Christian to drop the weapons twelve separate times to avoid any violence. Christian refused to comply.

Christian was armed and belligerent, in the middle of the parking lot of a large apartment complex, at approximately 11:00 a.m. with members of the public going about their daily activities. Christian posed a threat to himself and/or the public and refused to obey the officers' lawful commands. Therefore, Officers Johnson and Miller had a legal duty to intervene. The officers gave Christian ample opportunity to comply, offered him help, and made every reasonable effort to resolve the situation peacefully. Rather than obey, Christian turned the knife toward himself and then charged the officers. As Christian approached the officers, knife raised in one hand with a hammer and metal spike in the other, the officers reasonably perceived that they were in danger and had probable cause to believe that Christian posed a threat of death or serious physical injury. Therefore, the use of deadly force was justified.

In conclusion, after reviewing the evidence in this case, Officer Miller and Cpl. Johnson's actions were reasonable and there existed probable cause to believe that Christian's actions presented a real and immediate risk of death or serious injury to the officers. Therefore, I have concluded that the shooting of Christian Johnson by Officer Miller and Cpl. Johnson was justified, and no criminal charges are warranted against either Officer Miller or Cpl. Johnson.

The Blaine County Prosecuting Attorney's involvement in this case is now complete and the criminal case review is considered closed. Please feel free to contact me if you have any additional questions or comments.

Sincerely,



Matthew Fredback  
Blaine County Prosecuting Attorney

Cc: R. Scott Bandy, Ada County Prosecutor's Office