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PRESS RELEASE

Chambersburg Police Department Use of Lethal Force, Chambersburg Hospital, November 3, 2016

The Franklin County District Attorney is issuing the following in relation to the events of the November 3, 2016 use of lethal force at the Chambersburg Hospital, which resulted in the death of an armed patient who threatened to kill hospital staff and subsequently attacked law enforcement officers responding to the hospital's request for assistance.

Having been thoroughly briefed immediately after the incident and subsequently after the completion of the investigation conducted by investigators from the Pennsylvania State Police-Chambersburg Station, and having thoroughly reviewed all of the evidence gathered by investigators, I have determined that the response and actions taken by all Chambersburg Police Department involved were absolutely and unequivocally justified under the circumstances.

The community has a legitimate interest in being apprised of the circumstances which lead to the shooting and subsequent death of the suspect, and as such, the relevant facts are as follows:

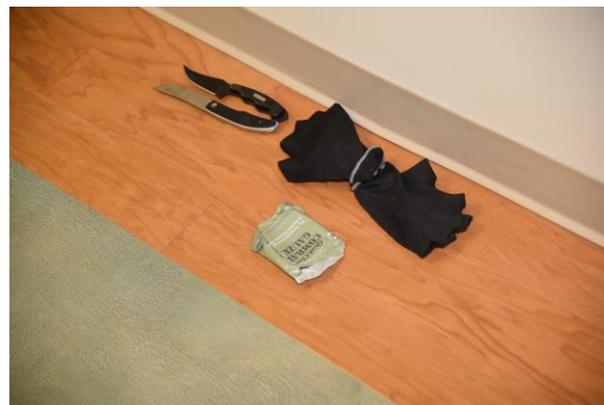
This incident occurred on 11/03/16 at approximately 0815 hours. Dennis Kirk was a patient who had been admitted at the Chambersburg Hospital, assigned to room 2236. He had been causing the staff at the hospital issues resulting in several "code green(s)," the hospital's designation for "violent behavior."

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Because he could possibly be prone to falling given his medical condition, Kirk was under constant supervision in a one-on-one status and hospital staff was with him constantly. Kirk was becoming very agitated and threatened harm to the nurse assigned to supervise him on the morning of 11/3/16, because he wanted to be discharged and felt he was being inappropriately detained at the hospital. He retrieved his back-pack and pulled out two knives and moved towards the assigned nurse with the tip of one of the knives facing the nurse.



The nurse quickly left the room and held the door shut so that Kirk could not pursue him with the knife, while other staff called for the code green. Other medical personnel assisted in preventing Kirk from leaving the room. Two Deputy Sheriffs assigned to the Franklin County Sheriff's Office immediately responded to the code green, as they were already in the hospital. One of the deputies attempted to engage Kirk in dialogue through the door, and could see him through a window in the door. Kirk responded by saying "[Expletive omitted]. You are a little boy [expletive omitted]. Come in here and die." He then continued to inform them that he planned on killing whoever came into the room.

Four Police Officers from the Chambersburg Police Department then arrived on scene and attempted to engage Kirk in dialogue as well, in order to de-escalate the situation. Kirk responded, "[Expletive omitted]. Pigs." When he walked away from the door and across the room towards the window at the far end of the room, entry was made by responding officers and one immediately deployed his Taser. Kirk then turned towards the officers, knife in his right hand. The probes of the Taser were not able to properly penetrate the thick leather coat that Kirk was wearing. Officers continuously implored Kirk to drop the knife and get on the ground, but Kirk continued towards them. Another Taser was deployed with minimal effect due to the thickness of the leather coat, and a third Taser was then

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deployed, again with no effect. Undeterred, Kirk continued to move specifically towards one of the officers with his knife up in a stabbing position and he quickly closed the distance separating them. At that point, due to the imminent harm, another officer discharged two rounds from his department-issued firearm at almost “point-blank” range. The first was a “through and through” and the second shot lodged in Kirk’s right side.

After Kirk had been shot, officers attempted to disarm him while he still firmly gripped the knife. First aid was immediately administered and hospital staff treated Kirk, but he died due to the injuries from the gunshots.

Every citizen is permitted to use force to prevent injury to themselves and others, and every citizen is even permitted to use deadly force to prevent the death or serious bodily injury of themselves or others. Police officers are certainly likewise permitted to use deadly force under the same circumstances as every other citizen. Here the use of deadly force was not only permitted, it was necessary in order to protect another from being stabbed. Certainly, no one delights in taking the life of another, but the actions of all of these law enforcement officers were utterly reasonable, appropriate and correct. Given the real threat that the deceased voiced and later attempted to act upon, I am very happy that no officers were injured or worse. Our community has been once again reminded of the perils and risks our law enforcement officers undertake every single day when they go to work. Their selfless service and dedication to protecting all of us deserves our respect and admiration.

Special thanks are given to the investigating officers from the PSP-Chambersburg Station and the members of the Franklin County Coroner’s Office, for their timely and thorough investigation. Thanks are also given to the Chambersburg Police Department and Chambersburg Hospital for their 100% cooperation throughout the investigation.