

Richmond Times-Dispatch
October 13, 2001
Edition: One Star
Section: Area/State
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Index Terms:
CRIME
SHOOTING
DEATH
POLICE
STANDOFF WITH POLICE FATAL TO 19-YEAR-OLD

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Dateline: HEATHSVILLE

Article Text:

Northumberland County's sheriff shot and killed a 19-year-old man in a standoff with police after the suspect allegedly leveled a shotgun on county law enforcement officers, the commonwealth's attorney said yesterday.

Sheriff Wayne Middleton shot John E. Lackert Jr. on Thursday after Lackert threatened officers with a firearm and refused to surrender, said Commonwealth's Attorney Mike McKenney. County deputies had been searching for Lackert most of the day Thursday for violating the terms of his probation from a Sept. 7 conviction on contributing to the delinquency of a minor. A juvenile court judge had given Lackert a 12-month suspended sentence and forbidden him to have contact with his juvenile girlfriend.

The girl, whom McKenney said was 15 or 16 years old, was at the scene of the shooting, McKenney said. Sheriff's office records show deputies were sent to the neighborhood of Miskimon after a caller told a dispatcher at 8:53 a.m. that she had seen a girl and someone resembling Lackert walking down a road.

Lackert was shot shortly before 6:30 p.m. when deputies finally caught up with him in a field on state Route 201. Lackert was aiming a gun at a deputy when Middleton and other deputies reached the scene, McKenney said.

"Lackert was shot by Sheriff Middleton after Lackert raised his weapon toward the sheriff and his deputy," McKenney wrote in a statement.

State police sent a tactical team, tracking dogs and a helicopter to look for Lackert after he ran into nearby woods following the shooting. Lackert was found unconscious and later pronounced dead at the scene, said Corinne Geller, state police spokeswoman.

The incident presented a second shock for law enforcement officials when they learned yesterday that a state trooper who had provided traffic control following the shooting was seriously injured in a single-car crash as he drove back home to Essex County.

Trooper Robert S. Boice was found in his overturned patrol car at approximately 12:50

yesterday morning about three miles north of Saluda on U.S. 17.

A state police helicopter flew Boice to Virginia Commonwealth University's Medical College of Virginia Hospitals where he was listed in critical but stable condition.

The cause of the crash is under investigation, Geller said. Boice, 39, was traveling north on U.S. 17 when his cruiser ran off the left side of the road, struck the median embankment and overturned.

Middleton, who has served as sheriff the past 14 years, referred a reporter's questions to McKenney but said he had asked the state police to investigate the incident.

McKenney said he has asked the local Circuit Court to appoint a special prosecutor to receive the state police report. He said yesterday he is satisfied that Middleton acted properly to protect himself and his deputies.

Lackert was apparently the subject of phone calls to the dispatcher's office from three homes Thursday that reported break-ins or someone knocking at the door. Among the callers were Lackert's father, John Lackert Jr. who told a dispatcher he thought his son had broken into the house and stolen two firearms.

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Richmond Times-Dispatch

December 13, 2001

Edition: City

Section: Area/State

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Topics:

Index Terms:

NORTHUMBERLAND COUNTY

POLICE

SHOOTING

DEATH REVIEW

RULING

SHOOTING JUSTIFIED, PROSECUTOR SAYS

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Dateline: HEATHSVILLE

Article Text:

Northumberland County Sheriff Wayne Middleton "was justified in the use of deadly force" when he shot and killed an armed man during a standoff, a special prosecutor said yesterday.

Middleton fatally shot 19-year-old John E. Lackert Jr. after Lackert used a shotgun to threaten officers who were seeking him on a breaking and entering charge and probation violation on Oct. 11.

"The sheriff had probable cause to believe that the suspect posed a significant threat of death or serious bodily harm to himself or others," Prince William County Commonwealth's Attorney Paul

B. Ebert concluded in a written statement.

Ebert was appointed by the Northumberland County Circuit Court to review the incident.

Lackert became the subject of a search the day of the shooting when authorities received a call that he had been spotted with a girl the court had forbidden him to see when he was convicted in September of contributing to the delinquency of a minor.

Before authorities found him, he had allegedly broken into his father's home and stolen a rifle and a shotgun and told his juvenile girlfriend "they won't take me alive," Ebert's report said.

The standoff occurred beside woods at the edge of a field after an alleged attempted break-in at another house.

Before the sheriff arrived, Lackert displayed a shotgun "in a threatening manner" and threatened to shoot a deputy, the report said.

"At the scene, the sheriff, the girlfriend .*. and Mr. Lackert's father all asked Mr. Lackert to drop his weapon, but he refused saying he was not going back to jail" and would kill them all, Ebert's report continued.

"At this point, the sheriff and the others who were located in an open field had reasonable fear that they would be vulnerable to death or serious bodily harm should Mr. Lackert gain the security and cover of the woods," Ebert wrote.

Lackert ignored the sheriff's demand to drop his gun and continued to walk into the woods while keeping his gun pointed at the deputy "at which time the sheriff fired a number of rounds" at Lackert, the report said.

Lackert's body was found several hours later in the woods. He had been hit with one round from the sheriff's rifle, the report said.

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