

Boone News-Republican (IA)

August 7, 2010

Section: News

Officers cleared in Ogden shooting

Author: Jon Lloyd

Article Text:

Four law enforcement officers with the Boone County Sheriff's Office have been cleared in the shooting death of Randall Kimsey of Ogden by the Boone County Attorney's Office.

County Attorney Jim Robbins determined this week that the officers involved were justified under state law when they fired their guns and fatally shot Kimsey, who had fired at them after a four-hour standoff at his home at 443 E. Sycamore St. in Ogden on May 26.

Sgt. Dallas Wingate, 37, Detective Andrew D. Godzicki, 38 and deputies Zachary R.

Zeutenhorst, 32, and Mathew T. Gray, 24, were "justified under the law in firing their weapons at Randall Kimsey because they reasonably believed such force was necessary to defend themselves from an imminent use of unlawful force," Robbins said in a released statement Aug. 4.

At about 8:30 p.m., sheriff's deputies answered a complaint that a man at that address was making harassing phone calls to an Ogden resident. When they arrived, Kimsey, 50, answered the door waving a handgun, according to a sheriff's report.

The deputies retreated and called for backup. They tried calling Kimsey by phone, but he ripped out the phone line, according to Sheriff Ron Fehr. Kimsey's wife fled the home safely and told deputies that her husband was having problems and that he had a past history of being suicidal. He also may have tried to take prescription drugs.

After several hours of no communication, Fehr made the decision to send in the Special Response Team at 1:30 a.m. because of concerns for Kimsey's safety. The officers entered the home and found no one on the first floor, but they were "pretty much ambushed" on the second floor, according to the sheriff.

Kimsey fired shots and the officers returned fire and shot him. He was taken from the home and rescue crews began CPR. An air ambulance was called, but did not transport Kimsey because he was pronounced dead at the scene.

Robbins was at the scene after the shooting.

Ogden police had reportedly contacted Kimsey in the past on a similar complaint of harassing phone calls.

Iowa's Division of Criminal Investigation investigated the shooting and gave the county attorney's office its report, which included interviews of the officers involved and witnesses and also crime scene analysis. The officers were placed on administrative leave after the incident.

"I was there that evening and I don't think that the officers had any choice in what took place and I'm pleased with the ruling that the DCI and the county attorney came up with," Fehr said Friday.

Copyright © 2010 Iowa Newspapers, Inc. All rights reserved.