



INDEPENDENT INVESTIGATIONS DIVISION

Report Concerning the Police-Involved Death in
Howard County on June 9, 2025

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Declination Report Concerning the Police-Involved Death of Micah Isaiah Booker on June 9, 2025

The Independent Investigations Division of the Maryland Office of the Attorney General (the “IID”) is charged with investigating “police-involved incidents that result in the death of individuals or injuries likely to result in death.”¹ If the Attorney General determines that the investigation provides sufficient grounds for prosecution, then the IID “shall have exclusive authority to prosecute the offense.”²

I. Introduction

On June 9, 2025, at approximately 7:26 p.m., Howard County Police Department (“HCPD”) officers received a 911 call from a man who identified himself as Micah Booker. Mr. Booker described his appearance and clothing, provided his location, and indicated that he was armed with a spear and just stabbed his brother. Officers responded to the location at Oakland Mills Road and Carters Lane in Columbia, Maryland. When an officer arrived, he encountered Mr. Booker, who was holding a spear. The officer ordered Mr. Booker to drop the spear, but Mr. Booker did not comply and ran in the direction of the officer. The officer discharged his service weapon, striking Mr. Booker. Emergency medical services (“EMS”), who were already on scene, rendered aid to Mr. Booker. Mr. Booker was pronounced dead on scene.

After completing its investigation and evaluating all available evidence, the Office of the Attorney General has determined that the subject officer did not commit a crime under Maryland law. Accordingly, the Office of the Attorney General has declined to prosecute the subject officer in this case.

The IID’s investigation focused exclusively on potential criminal culpability relating to the subject officer’s conduct. By statute, the IID only has jurisdiction to investigate the actions of police officers, not those of any other individuals involved in the incident. Moreover, the IID’s analysis does not consider issues of civil liability or the department’s administrative review of the subject officer’s conduct. Compelled statements by subject officers may be considered in civil or administrative proceedings but may not be considered in criminal investigations or prosecutions due to the subject officers’ Fifth Amendment rights. If any compelled statements exist in this case, they have not been considered in the IID’s investigation.

This report is composed of a factual narrative followed by a legal analysis. Every fact in the narrative is supported by evidence obtained in this investigation, including forensic and autopsy reports, police radio transmissions, dispatch records, police and EMS reports, police body-worn camera footage, civilian camera footage, photographs, department policy, and interviews with civilian and law enforcement witnesses. The subject officer in this case chose not to make a statement to the IID, which had no impact on the prosecutorial decision.

¹ Md. Code, State Gov’t § 6-602 (c)(1).

² Md. Code, State Gov’t § 6-604 (a)(1).

The legal analysis explains why the Office of the Attorney General will not bring charges under the relevant Maryland statutes.

This investigation involved one decedent and one subject officer:

- A. The decedent, Micah Isaiah Booker, was 23 years old at the time of the incident. He was a Black male who lived in Columbia, Maryland.
- B. Officer Michael McKee has been employed by HCPD since July 2022. He is a White male who was 39 years old at the time of the incident.

The IID reviewed all available departmental disciplinary records and criminal histories of these involved parties and where they existed, determined none were relevant to this investigation.

II. Factual Summary

On June 9, 2025, at approximately 7:22 p.m., Howard County dispatch received a 911 call from a victim reporting that he had been stabbed by Micah Booker. The victim stated that he was in a residence located in the 9200 block of Wilbur Court in Columbia, Maryland. Police and emergency medical services (EMS) were dispatched to that location.

At approximately 7:26 p.m., while officers and EMS were en route to the stabbing location, Mr. Booker called 911 and stated multiple times that he had just killed his brother, and that officers should come and kill him. Mr. Booker said that he was standing at a bus stop and described himself as wearing gray clothing and armed with a spear, a knife, and pepper spray. Mr. Booker stated multiple times, “Just shoot me, please.” When the dispatcher asked Mr. Booker to put the spear down, Mr. Booker responded “No.”

At approximately 7:29 p.m., HCPD Officer Michael McKee, responding in his patrol cruiser to the two 911 calls, saw Mr. Booker holding a spear and standing at a bus stop near Oakland Mills Road and Carters Lane in Columbia. Officer McKee stopped his cruiser, exited,

then walked backwards toward the rear of his cruiser while giving Mr. Booker multiple verbal commands to drop the spear.



Image 1: Still image from Officer's McKee's body-worn camera footage showing Mr. Booker armed with a spear charging at Officer McKee.

Mr. Booker failed to comply with Officer McKee's commands and, holding the spear in his right hand, Mr. Booker ran towards Officer McKee. Officer McKee discharged his service weapon twice in rapid succession when Mr. Booker was approximately eight to ten feet away from him, striking Mr. Booker and causing him to fall to the ground. EMS, who had been waiting nearby in a parking lot, responded and provided Mr. Booker with medical aid. Shortly thereafter, EMS pronounced Mr. Booker dead.



Image 2: Photograph taken by a Maryland State Police (MSP) technician on scene depicting the three-foot-long spear, which includes the black blade, approximately one foot long sharp on both edges with a pointed tip, attached to a wooden stick by duct tape wrapped approximately seven inches from the blade with what appears to be blood on the duct tape.

III. Supplemental Information

A. Autopsy

On June 10, 2025, the Office of the Chief Medical Examiner (“OCME”) performed an autopsy of Mr. Booker. The medical examiner determined that Mr. Booker’s cause of death were two gunshot wounds to the head. The medical examiner concluded that Mr. Booker’s manner of death was “Homicide.”³

There was no evidence of close-range discharge of a firearm on the skin surrounding either gunshot wound.

B. Firearms Recovery and Ballistics Information

Maryland State Police (“MSP”) Crime Scene technicians processed the scene. Technicians isolated and preserved the subject officer’s department-issued Glock 9 mm handgun as well as cartridge casings from the shooting, for analysis. Subsequent testing determined that Officer McKee’s department-issued handgun was operable and that two rounds had been fired from it during the incident.

C. Department Policy

HCPD has written policies that provide regulations and guidance for their officers, including those which address the use of force and the use of deadly force. Under HCPD General Order Ops-11, officers may only use “the degree of force that, under the totality of the circumstances, is necessary and proportional to prevent the imminent threat of physical injury to a person or to effectuate a legitimate law enforcement objective.” The use of force policy further requires officers to “tak[e] into account the totality of the circumstances, and continuously evaluat[e] whether de-escalation would allow the officer to safely and effectively carry out a legitimate law enforcement objective.” Officers may only use deadly force “in self-defense or in the defense of others when an officer is confronted by what they have reason to believe is the imminent threat of death or serious physical injury.”

The HCPD use of force policy includes a section on the use of specific weapons. When an officer is using a department-issued handgun, the officers need to take into consideration:

- a. Possibility of the handgun inciting or aggravating a situation as opposed to being a protective measure;
- b. Reduced use of hands when using a handgun; and

³ Manner of death is a classification used to define whether a death is from intentional causes, unintentional causes, natural causes, or undetermined causes. The Maryland Office of the Chief Medical Examiner uses five categories of manner of death: natural, accident, suicide, homicide, and undetermined. “Homicide” applies when death results from a volitional act committed by another person to cause fear, harm, or death. These terms are not considered a legal determination; rather, they are largely used to assist in collecting public health statistics. *A Guide for Manner of Death Classification*, First Edition, National Association of Medical Examiners, February 2002.

- c. Potential background targets and the likelihood that rounds may pass through walls, etc.

IV. Legal Analysis

After a criminal investigation, prosecutors must determine whether to bring criminal charges against a person. When making that determination, prosecutors have a legal and ethical duty to only charge a person with a crime when they can meet the State's burden of proof; that is, when the available evidence can prove each element of that crime beyond a reasonable doubt. Prosecutors must also determine whether the accused person could raise an affirmative defense. In those cases, prosecutors not only need to prove the crime, but they also must disprove the defense beyond a reasonable doubt. Ultimately, the decision to bring any charges rests on whether the available evidence is sufficient for prosecutors to meet those standards.

Based on the evidence, three relevant offenses were considered in this case. First is a violation of Maryland's Use of Force Statute, which makes it a crime for officers to intentionally use excessive force.⁴ The second and third offenses are homicide-related charges due to the intentional killing of a person.

There is insufficient evidence to prove that the subject officer committed the aforementioned crimes. Accordingly, the Office of the Attorney General will not pursue criminal charges against the subject officer. This report explains in further detail why, based on the evidence, a prosecutor could not prove beyond a reasonable doubt that any officer committed a crime.

A. Maryland Use of Force Statute

Proving a violation of the Use of Force Statute requires a prosecutor to establish beyond a reasonable doubt that a subject officer:

- (1) used force that was not necessary and proportional to prevent an imminent threat of physical injury to themselves or another person, or to accomplish a legitimate law enforcement objective;
- (2) intended to use force that was excessive, *i.e.* not necessary and proportional under the circumstances; and
- (3) the use of excessive force resulted in serious bodily injury or death;⁵

In this case, it is undisputed that Officer McKee caused Mr. Bookers death, so only the first two elements are at issue. Determining whether an officer's use of force is "necessary and proportional" to prevent an imminent threat of physical injury to someone or accomplish a legitimate law enforcement objective is a fact-specific inquiry. Generally speaking, a use of force is considered "necessary and proportional" when an officer had no reasonable alternative under

⁴ See Md. Code, Public Safety §3-524(d)(1).

⁵ MPJI-Cr 4:36 (3d ed. 2024).

the circumstances, the degree of force was appropriate in light of the officer's legitimate law enforcement objective, and given the context, the force was not likely to result in harm that was out of proportion or too severe in relation to the officer's law enforcement objective.⁶ When a factfinder—either a judge or a jury—conducts this analysis, they must consider the totality of the circumstances, including, but not limited to, the nature of the call for service, what occurred in the moments before force was used, what the subject officer knew at the time force was used, and the time and distances involved.⁷

Based on the totality of the circumstances, there is no evidence that Officer McKee used force beyond what was necessary and proportional to prevent Mr. Booker from posing a danger to himself. First, with respect to whether the use of force was necessary, Mr. Booker called 911 indicating he had stabbed and killed someone. Mr. Booker also told dispatchers that he was armed with multiple weapons and would not put them down. Further, Mr. Booker provided dispatchers with his location and requested that the police come kill him. Officer McKee had a legitimate law enforcement objective to respond to the bus stop and to try to apprehend Mr. Booker in light of the 911 calls from Mr. Booker and the stabbing victim. Mr. Booker refused to comply with Officer's McKee's commands to drop his spear and instead charged at Officer McKee with the spear in hand. Officer McKee had little time to de-escalate the situation as Mr. Booker charged at him with the spear as soon as he exited his cruiser. Further, Officer McKee attempted to back away from Mr. Booker and gave multiple commands to drop the spear before firing. Given the proximity of Officer McKee and Mr. Booker (eight to ten feet), and Mr. Booker's refusal to drop the spear, Officer McKee's use of deadly force was reasonable.

Second, with respect to whether the kind and degree of force used by Officer McKee was proportional to the imminent threat of harm presented by Mr. Booker, the evidence shows that the force used was appropriate. An officer is authorized to use deadly force when threatened by a person with a bladed weapon in close quarters.⁸ Based on the evidence Mr. Booker's spear presented a threat of serious bodily injury or death, as he ran toward Officer McKee with the spear in hand.

Based on the evidence, a prosecutor could not prove beyond a reasonable doubt that Officer McKee's use of force was not necessary and proportional to prevent an imminent threat of physical injury. Accordingly, the Office of the Attorney General will not charge the subject officers with a violation of the Use of Force Statute in this case.

B. Homicide Offenses

There are four homicide charges that a prosecutor may consider in the State of Maryland:

⁶ For a more detailed discussion of the “necessary and proportional” standard, see [this opinion](#) written by the Office of the Attorney General. 107 Op. Atty. Gen. Md. 33.

⁷ *Id.*

⁸ See, eg, *City and County of San Francisco v. Sheehan*, 575 U.S. 600 (2015).

- First Degree Murder: the willful, deliberate, and premeditated killing of another.⁹
- Second Degree Murder: when the defendant intended to kill or inflict such serious injury that death would be the likely result and there was no justification or mitigating circumstances.¹⁰
- Voluntary Manslaughter: an intentional killing that is not murder because the defendant acted in partial self-defense.¹¹
- Involuntary Manslaughter: when the defendant acted with gross negligence and that conduct caused the death of another.¹²

First Degree Murder was not considered in this case because there is no evidence to support that the shooting of Mr. Booker was premeditated. Premeditation requires a prosecutor to prove that “the design to kill must have preceded the killing by an appreciable length of time, that is, time enough to be deliberate.”¹³ While this inquiry requires a fact-specific evaluation, a factfinder should consider the totality of the circumstances, including whether an individual is defending themselves against deadly force.¹⁴ As the shooting of Mr. Booker was intentional, but not premeditated, Second-Degree Murder and Voluntary Manslaughter are the homicide offenses that remain for consideration.

If the evidence indicates that there is legal justification or certain mitigating circumstances involved, such as self-defense, then a prosecutor could not prove the remaining homicide offenses against the subject officers. If a defendant possesses the requisite *mens rea* for a claim of complete self-defense – specifically, a subjective belief that their life was in imminent danger that belief was objectively reasonable under the circumstances, then the claims are valid regardless of any unintended consequences.¹⁵ A police officer’s use of deadly force is legally justified if it is in complete self-defense, defense of others, or in furtherance of law enforcement-related duties.¹⁶

Complete self-defense, also known as perfect self-defense, exists when the accused: (1) was not the initial aggressor (or did not raise the level of force to deadly force); (2) had the subjective belief that they were in immediate or imminent danger of serious harm or death; (3) that belief was objectively reasonable; and (4) used force that was not more than what was reasonably necessary in light of the threat or actual force.¹⁷ Complete self-defense is an affirmative defense, which means that a prosecutor must prove beyond a reasonable doubt that one of the elements of self-defense is not applicable.

⁹ MPJI-Cr. 4:17 (3d ed. 2024).

¹⁰ *Id.*

¹¹ MPJI-Cr 4:17.2 (3d ed. 2024).

¹² MPJI-Cr. 4:17.9 (3d ed. 2024).

¹³ *Tichnell v. State*, 287 Md. 695, 717 (1980).

¹⁴ See *Purnell v. State*, 250 Md. App. 703, 714-715 (2021).

¹⁵ See *Malaska v. State*, 216 Md. App. 492, 517-522 (2014).

¹⁶ *Id.*; MPJI-Cr 4:17.3 (3d ed. 2024).

¹⁷ *Porter v. State*, 455 Md. 220, 234-36 (2017); MPJI-Cr 4:17.2, *supra*.

When an officer has sufficient probable cause to believe that a person poses a “threat of serious physical harm,” then the officer may use deadly force,¹⁸ and the reasonableness of that decision must be viewed from “the perspective of a reasonable police officer similarly situated.”¹⁹ In practice, this means that a factfinder must consider that police officers often work under rapidly changing circumstances and that what constitutes a reasonable use of force may change from moment to moment.²⁰

The evidence shows that Mr. Booker was the aggressor because he refused to comply with Officer McKee’s repeated commands to drop the spear and charged at Officer McKee. Officer McKee had the subjective belief that he was in immediate or imminent danger of serious harm or death and that belief was objectively reasonable. Officer McKee did not use force that was more than what was reasonably necessary in light of Mr. Booker’s actions. Since Officer McKee faced the threat of deadly force from Mr. Booker, the use of deadly force against Mr. Booker was reasonably necessary.

Based on the investigation, the actions of Officer McKee do not constitute the crime of Second-Degree Murder. Prosecutors are unable to overcome any of the elements of complete self-defense. Moreover, because complete self-defense also applies to Voluntary Manslaughter,²¹ a prosecutor would be unable to prove any homicide offense in this matter.

Accordingly, the Office of the Attorney General will not charge the subject officers with a homicide offense.

VI. Conclusion

This report has presented factual findings, legal analysis, and conclusions relevant to the June 9, 2025, police-involved death of Micah Isaiah Booker in Howard County, Maryland. The Office of the Attorney General has declined to pursue charges in this case because, based on the evidence obtained in the IID’s investigation, the subject officer did not commit a crime.

¹⁸ *Estate of Blair v. Austin*, 469 Md. 1, 24 (2020) (quoting *Tennessee v. Garner*, 471 U.S. 1, 11 (1985)).

¹⁹ *State v. Albrecht*, 336 Md. 475, 501 (1994); *State v. Pagotto*, 361 Md. 528, 555-556 (2000) (quoting *Graham v. Connor*, 490 U.S. 386, 397 (1989)).

²⁰ *Id.*

²¹ *State v. Faulkner*, 301 Md. 482, 485 (1984).