



**INDEPENDENT INVESTIGATIONS
DIVISION**

Report Concerning the Police-Involved Death in
Prince George's County on September 30, 2025

March 3, 2026

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Declination Report Concerning the Police-Involved Death of Tesfa Leith on September 30, 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 September 30, 2025, at approximately 4:45 p.m., the Chief of the Cheverly Police Department (CPD) and a CPD officer responded to a residence on the 6600 block of Greenland Street in Riverdale, Maryland, to try to locate a car connected to two separate assaults that occurred earlier that day in Hyattsville, Maryland and Cheverly, Maryland. The CPD officers found the vehicle at the residence and requested backup from Prince George’s County Police Department (PGPD) officers. While awaiting backup, the CPD officers observed a man they believed to be armed chasing another person away from the residence. The CPD Chief exited his cruiser to intervene. A few moments later PGPD officers arrived and, together with the CPD Chief, approached the residence to confront the man. The man entered the residence briefly, then came back outside holding two knives. Officers issued multiple commands to drop the knives, but the man did not comply. The man then advanced toward the CPD Chief, who backed away and discharged his weapon, striking the man. Officers recovered the two knives and provided emergency medical aid until EMS units arrived. The man was pronounced dead on scene.

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

This report is composed of a factual narrative followed by a legal analysis. Every fact in the narrative is supported by evidence obtained during this investigation, including forensic and autopsy reports, police radio transmissions, dispatch records, police and EMS reports, body-worn camera footage, private surveillance camera footage, photographs, departmental policy, and

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

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

interviews with civilian and law enforcement witnesses. The subject officer in this case chose not to make statements to the IID, which had no impact on the prosecutorial decision.

The legal analysis explains why the IID will not bring charges under the relevant Maryland statutes.

This investigation involved one decedent and one subject officer:

- A. The decedent, Tesfa Leith, was 45 years old at the time of the incident. He was a Black male who lived in Riverdale, Maryland.
- B. Chief David Morris has been employed by the Cheverly Police Department since July 2023, and before that, had 38 years of law enforcement experience.³ He is a White male who was 64 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 that none were relevant to the legal analysis.

II. Factual Summary

On September 30, 2025, between 3:30 p.m. and 4:00 p.m., PGPD and CPD officers responded to two different locations for an assault and a separate stabbing. In both incidents, the driver of a white Ford sedan exited his vehicle and attacked the victims unprovoked. Witnesses at both scenes provided photographs, videos, verbal statements, and the Ford's license plate number to the police. Through the license plate number, the police learned that the Ford was registered to the decedent, Tesfa Leith, whose address was on the 6600 block of Greenland Street in Riverdale, Maryland.

At approximately 5:26 p.m., a CPD officer arrived in the 6600 block of Greenland Street and saw that the Ford sedan was parked at Mr. Leith's home. The CPD officer radioed his observation to dispatch and was joined by Chief Morris a few minutes later. Both officers watched the address for nearly twenty minutes while PGPD officers responded to the area. During that time, the CPD officers radioed that a black pickup truck had parked in the driveway and the driver, later identified as one of Mr. Leith's male relatives, exited the truck and went into the home.

At approximately 5:45 p.m., Chief Morris and the CPD officer radioed dispatch that the male relative, an adult female, and another man (later identified as Mr. Leith) had all exited the home. The CPD officers could not positively identify Mr. Leith as the suspect in the prior assault and stabbing because he was not wearing the same clothing that he had worn during those incidents. A few seconds later, Chief Morris and the CPD officer radioed that Mr. Leith was reaching towards his waistband and chasing the male relative down the street. Mr. Leith stopped chasing his relative a little less than a minute later and began walking back toward the house. Chief

³ While Chief Morris is not expressly included as part of the IID's authority under Md. Code, Public Safety § 3-201, the Prince George's County State's Attorney's Office referred this matter to the IID for investigation on September 30, 2025.

Morris then exited his cruiser and walked toward Mr. Leith’s home to investigate the foot chase between the two men.

At approximately 5:47 p.m., PGPD officers arrived and, together with Chief Morris, approached Mr. Leith’s home. The PGPD officers were positioned at various points around the front of the home, while Chief Morris stood in the driveway next to the black pickup truck. Chief Morris gave Mr. Leith a verbal command to come to the driveway, but Mr. Leith did not comply and, instead, went into the home. A few seconds later, Mr. Leith came back out of the home holding a knife in each hand. Seconds later, Mr. Leith began walking toward the driveway while stating, “Ya’ll not taking me to jail.” Chief Morris and multiple PGPD officers gave Mr. Leith verbal commands to drop the knives, but Mr. Leith did not comply and began approaching Chief Morris with the knives outstretched. One PGPD officer attempted to deploy a taser against Mr. Leith, but it was ineffective. Mr. Leith started to quicken his pace and Chief Morris backed away from him while still giving verbal commands. As Mr. Leith closed the distance between them, Chief Morris fired his department-issued handgun multiple times, striking Mr. Leith and causing him to fall to the ground. At the time of the shooting, Mr. Leith and Chief Morris were never further apart than the length of the pickup truck, a Chevy Silverado ZR2, which is approximately 19 feet long.



Image 1: A still photograph from a PGPD officer’s body-worn camera showing Mr. Leith (circled in red) holding a knife in each hand and advancing toward Chief Morris (circled in yellow).

By 5:48 p.m., the on-scene officers secured the knives and began providing Mr. Leith with medical aid. Prince George’s County Fire Department medics arrived at approximately 5:55 p.m. and took over the medical treatment, but after several minutes, Mr. Leith was pronounced dead on scene.



Images 2 & 3: Crime scene photographs of the two knives officers recovered from Mr. Leith.

III. Supplemental Information

A. Autopsy

On October 1, 2025, the Office of the Chief Medical Examiner (the “OCME”) performed an autopsy of Mr. Leith and found that he had seven gunshot wounds in his torso and lower body. The Medical Examiner concluded that multiple gunshot wounds caused Mr. Leith’s death and determined that the manner of his death was “homicide.”⁴

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 9mm handgun as well as seven cartridge casings from the shooting for analysis. Subsequent testing determined that Chief Morris’s department-issued handgun was operable and that at least seven rounds had been fired from it during the incident.

C. Department Policy

The CPD Field Manual contains written policies and guidelines, including those that address the use of force and the discharge of firearms by its sworn officers.

Under Policy 300.3, officers shall only use the amount of force “that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.” When circumstances permit, officers are directed to use de-escalation techniques to reduce the need for force and increase voluntary compliance with their orders.

Under Policy 300.4, officers must, prior to the use of deadly force, make efforts to identify themselves as law enforcement and warn that deadly force may be used, unless “the officer has objectively reasonable grounds to believe the person is aware of those facts.” Officers are permitted to use deadly force to protect themselves or others from what they reasonably believe is an imminent threat of death or serious bodily injury.

IV. Legal Analysis

After a criminal investigation, prosecutors must determine whether to bring criminal charges against a person to hold them accountable pursuant to Maryland law. When making that determination, prosecutors have a legal and ethical duty to charge a person with a crime only when they can meet the State’s burden of proof; that is, when the available evidence can prove each

⁴ Manner of death is a classification used to define whether a death is from intentional causes, unintentional causes, natural causes, or undetermined causes. The OCME 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. This term is not considered a legal determination; rather, they are largely used to assist in the collection of public health statistics. *A Guide for Manner of Death Classification*, First Edition, National Association of Medical Examiners, February 2002.

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 need to determine whether the evidence could 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 the violation of Maryland’s Use of Force Statute, which makes it a crime for officers to intentionally use excessive force.⁵ The second and third offenses are homicide related charges based on the intentional killing of a person.

There is insufficient evidence to prove that the subject officer, Chief Morris, violated the aforementioned statutes. Accordingly, the IID will not pursue criminal charges against him. This report explains in further detail why, based on the evidence, a prosecutor could not prove beyond a reasonable doubt that Chief Morris 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.⁶

In this case, it is undisputed that Chief Morris caused Mr. Leith’s 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 available to the officer under the circumstances, the kind and degree of force was appropriate in light of the officer’s legitimate law enforcement objective, and it was not likely to result in harm that was out of proportion or too severe in relation to the officer’s law enforcement objective, given the context in which it was used.⁷ 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 officers knew at the time force was used, and the times and distances involved.⁸

⁵ See Md. Code, Public Safety § 3-524(d)(1).

⁶ MPJI-Cr 4:36 (3d ed. 2024).

⁷ 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.

⁸ *Id.*; see also *Barnes v. Felix*, 605 U.S. 73, 80 (2025) (“[T]he ‘totality of the circumstances’ inquiry into a use of force has no time limit... earlier facts and circumstances may bear on how a reasonable officer would have understood and responded to later ones.”).

There is no evidence that Chief Morris intended to use force that exceeded that which was necessary and proportional to prevent Mr. Leith from being a danger to him. First, with respect to whether the use of force was necessary, Mr. Leith's behavior posed a threat to Chief Morris's safety at the time Chief Morris discharged his weapon. When Chief Morris initially approached Mr. Leith in the driveway, Mr. Leith retreated into his house and returned holding two knives. Mr. Leith then stated his intention not to be taken into custody by police, ignored verbal commands to drop the knives, and began advancing towards Chief Morris as Chief Morris backed away. Given Mr. Leith's stated intentions and the short time and close distance involved, we cannot prove that Chief Morris had a reasonable alternative other than deadly force to protect himself.

Second, with respect to whether the kind and degree of force used by Chief Morris was proportional to the imminent threat of harm, the video evidence precludes us from establishing beyond a reasonable doubt that Chief Morris failed to use proportional force. As mentioned above, Mr. Leith stated his intent not to go to jail, refused to drop his knives, and continuously advanced toward Chief Morris with the knives while Chief Morris tried to back away.

Based on the evidence, a prosecutor could not prove beyond a reasonable doubt that Chief Morris's use of force was not necessary and proportional to prevent an imminent threat of physical injury or death to himself. Accordingly, the Office of the Attorney General will not charge him with a violation of the Use of Force Statute.

B. Homicide Offenses

When a person is killed, there are four homicide charges that a prosecutor may consider in the State of Maryland:

- 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. Leith 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

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).

should consider the totality of the circumstances, including whether an individual is defending themselves against deadly force.¹⁴ As the shooting of Mr. Leith 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 officer.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 or another person were in immediate or imminent danger of serious harm or death; (3) that belief was objectively reasonable; (4) used force that was not more than what was reasonably necessary in light of the threat or actual force; and (5) used force for the purpose of aiding the person that they were defending.¹⁷ Complete self-defense and defense of others are affirmative defenses, which means that a prosecutor must prove beyond a reasonable doubt that one of the elements of either defense is not applicable.

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. Leith was the aggressor because he stated that he would not be taken into custody, and he then advanced toward Chief Morris with weapons in hand while ignoring multiple commands to drop them. Those facts provide a basis for Chief Morris to believe that his life was in danger. Since Chief Morris faced a threat of death or injury from Mr. Leith, he cannot defeat a claim that his use of deadly force against Mr. Leith was reasonably necessary.

Based on the investigation, Chief Morris's actions do not constitute the crime of Second-Degree Murder because the evidence would not allow a prosecutor 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 Chief Morris with a homicide offense.

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*.

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)); *Barnes*, 605 U.S. at 80.

²⁰ *Id.*

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

VI. Conclusion

This report has presented factual findings, legal analysis, and conclusions relevant to the September 30, 2025, police-involved death of Tesfa Leith in Riverdale, Maryland. The Office of the Attorney General has declined to pursue charges in this case because, based on the evidence obtained in its investigation, the subject officer did not commit a crime.