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September 18, 2024



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**Iowa Attorney General's Review  
of Officer Involved Death (Updated)**

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Incident of April 6, 2024  
Cedar Rapids, Linn County, Iowa  
Cedar Rapids Police Department, Iowa Division of Criminal  
Investigation  
Subject Involved: David Vanderhamm

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## **EXECUTIVE SUMMARY**

Following its review of the investigation conducted by Iowa Division of Criminal Investigation, the Iowa Attorney General's Office concludes that the fatal shooting of David Vanderhamm by law enforcement officers on April 6, 2024, was justified. Vanderhamm's actions set in motion and continued the circumstances that gave rise to reasonable fears that the lives of responding officers, and others in his vicinity, were in grave danger. The use of deadly force was therefore justified. The Attorney General's Office therefore concludes that criminal charges are not warranted and considers the investigation to be closed.

## **AUTHORITY AND PROCESS**

Law enforcement officers fatally shot David Vanderhamm during an incident that occurred on April 6, 2024, outside Vanderhamm's home at 222 31st Street NE, Cedar Rapids. The incident involved the Cedar Rapids Police Department.

The Iowa Division of Criminal Investigation (DCI) investigated the incident, and its investigation is complete. DCI collected numerous statements and other evidence. The Attorney General's Office has authority under Iowa Code § 13.12 to assess any officer-involved death to determine whether criminal charges are warranted. The Office has had a full opportunity to review the findings of the investigation and discuss the investigation with the assigned agent. All law enforcement reports,

including any audio or video recordings, will be returned to the DCI when this report is issued.

### **PERTINENT FACTS**

On April 6, 2024, at approximately 2:20 p.m., Charlotte Coppess called 911 and requested officer assistance in taking her son David Vanderhamm to the hospital for a mental health evaluation. Ms. Coppess reported that her son had access to a firearm and described him as paranoid and violent. Two Cedar Rapids officers responded to the home, and Vanderhamm agreed to go to the hospital with his mother. Once at the hospital, however, Vanderhamm refused treatment and left.

At and after approximately 6:37 p.m. the same day, Vanderhamm made several 911 calls requesting that officers come to his home. During these calls, Vanderhamm made statements about wanting to fight with officers, that he was going to “kill you all,” and that he was a junkie and did not deserve to live. Dispatch was advised by John Coppess, Vanderhamm’s step-father, that Vanderhamm had a gun and can be heard saying, “David don’t. David don’t.” Vanderhamm can be overheard saying “headshot, I’m not aiming for knees.”

Sergeant Anthony Clinton responded to the residence and notified other responding officers that he had seen Vanderhamm and Mr. Coppess, exit the home and enter onto the street near a car. Vanderhamm was armed with a gun and he was seen smashing a cell phone on the

ground. As officers approached Vanderhamm, he started walking east on 31st Street NE, on which there are residences, apartment complexes, and businesses, toward 1st Avenue, a busy thoroughfare. As officers neared Vanderhamm, they saw he was holding a pistol in his right hand. Officers made multiple commands for Vanderhamm to drop the weapon. He refused to comply, responding, “F\*\*\* you”! Vanderhamm can be seen on officer body cameras raising and pointing his weapon directly at Officer Skylar Mullins, one of the responding officers. At that point, three officers fired multiple times on Vanderhamm; Sgt. Alex Haas, Officer Mullins, and Officer Emily Habeck. Vanderhamm was struck by multiple rounds. Mr. Coppess, who had been standing nearby trying to de-escalate the situation, was also struck twice. Only after the shooting when a crime-scene team recovered the weapon and accompanying magazine Vanderhamm had been wielding was it discovered that the weapon was a black Sig MPX CO2 air rifle with the stock removed.

Vanderhamm was pronounced dead at the scene. Mr. Coppess was treated for his gunshot wounds, one to the abdomen and one to the right side of his head, at St. Luke’s Hospital and later at the University of Iowa Hospitals and Clinics. Mr. Coppess later stated that he had picked up Vanderhamm earlier in the day after Vanderhamm had walked away from the hospital and took him home. He stated that Vanderhamm had talked about suicide by cop. He and others stated that Vanderhamm had suffered from psychosis and severe anxiety.

## APPLICABLE LAW

To be justified, the force used by the officers who fired the shots that killed Vanderhamm must have been reasonable. Reasonable force is that force which a reasonable person, in like circumstances, would judge necessary to prevent an injury or loss. It can include deadly force if it is reasonable for a person to believe that such force is necessary to avoid injury or risk to the person's or another's life or safety, and it is reasonable to believe that such force is necessary to resist a like force or threat. Iowa Code §§ 704.1, 704.2 and 704.3.

In *Graham v. Connor*, 490 U.S. 386 (1989), the United States Supreme Court held that the use of deadly force by a police officer must be evaluated from the perspective of a reasonable police officer on the scene and in the same circumstances. Under *Graham*, reasonableness of police use of force cannot be evaluated from the perspective of a civilian or the perspective afforded by 20/20 hindsight. The Court further stated that the fact law enforcement officers are often required to react quickly in tense, uncertain, and rapidly evolving situations is a factor that must be considered in determining reasonableness. Since *Graham*, the Supreme Court has narrowed the analysis to focus on the exact moment that the force was applied.

## ANALYSIS

The actions of all law enforcement officers who fired their weapons upon Vanderhamm were legally justified. The decision to fire at

Vanderhamm was reasonable under the circumstances. Vanderhamm set in motion and continued the circumstances that brought about his death. His actions gave rise to reasonable fears that the lives of everyone in his vicinity were in grave danger. Vanderhamm repeatedly refused officers' commands to drop his weapon. He then pointed his weapon at an officer. Officers were justified in using deadly force against Vanderhamm to end the continuing threat he posed to the lives and safety of the officers and nearby civilians.

### **CONCLUSION**

Having determined that all law enforcement officers involved acted with legal justification, the Iowa Attorney General's Office considers the criminal investigation into this incident to be closed.