

# State of South Carolina

Charleston County  
101 Meeting Street, Suite 400  
Charleston, SC 29401  
Phone (843) 958-1900  
Fax (843) 958-1905



Berkeley County  
300-B California Avenue  
Moncks Corner, SC 29461  
Phone (843) 723-3800 ext. 4529  
Fax (843) 719-4588

**SCARLETT A. WILSON**

*Solicitor, Ninth Judicial Circuit*

March 29, 2022

Chief Reggie Burgess  
North Charleston Police Department  
2500 City Hall Lane  
North Charleston, South Carolina 29406

RE: Officer Involved Critical Incident of January 16, 2022  
Officers Juan Pablo Recinos Estrada and Justin Lamar Whittaker

Dear Chief Burgess:

I am writing in regard to the January 16, 2022, officer involved critical incident (as defined by our Officer Involved Critical Incident Guidelines) near 2449 Melville Road in North Charleston. The South Carolina Law Enforcement Division (SLED) completed its final report and I received it on March 21. In addition, the investigating agents periodically briefed me on the matter and provided us with forensic reports and recordings from the incident. I understand from SLED that the officers involved would not submit to a SLED interview (upon advice of their legal counsel). The officers' attorneys submitted prewritten statements to SLED on their behalf.

The SLED agents and I agree that we are not aware of any outstanding information that would foreseeably impact my charging decision in this matter. It appears from their analysis that North Charleston Police Officers shot Junnie Williams after he pointed or presented a firearm toward officers following a foot chase.

On the rainy morning of January 16, at approximately 3:40 a.m., a citizen complained that someone had broken into a vehicle at their home. Officers Estrada and Whittaker responded to the area at approximately 4:11 a.m. The citizen described the suspect as a black male wearing a grey hooded sweatshirt. Officer Estrada approached Junnie Williams who matched the description at approximately 4:19 a.m. on Crossroads Drive near Greenridge Road. Williams fled on foot and Officers Estrada and Whittaker gave chase. During the chase, Officer Estrada warned Williams that he would tase him. Both Officers activated their body worn cameras (BWCs) but Officer Whittaker's BWC fell off at the beginning of the pursuit while Officer Estrada's fell off after he caught up to Williams who had fallen down. Estrada's BWC continued recording while on the ground and audio of the encounter was captured.

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While Williams was on the ground the officers ordered him to stop resisting and to get on the ground on his stomach. Estrada deployed his taser but did not gain compliance. SLED's analysis of the taser showed that the taser never delivered a current due to one of the probes separating from its copper wire which remained in the cartridge bay. Furthermore, only one of the two taser probes struck Williams. The other struck Officer Whitaker.

The recorded audio reveals both officers yelled "gun" multiple times and commanded Williams to put his hands behind his back before multiple shots were fired. After shooting, Officer Estrada immediately radioed for help advising, "Shots fired. We need EMS. Suspect down. We are not hit." Shortly thereafter, Estrada advised, "Suspect is holding the handgun, we need more officers." Williams subsequent autopsy revealed multiple gunshot wounds caused his death.

After additional officers arrived, Officer Estrada approached Williams as Williams lay on the ground. By this time, Officer Estrada had re-attached his BWC. Video from Estrada and another officer's BWC shows Williams' hand with a handgun in it. Video also shows an empty gun holster on Williams' waist. (A subsequent trace of the gun Williams pointed and/or presented revealed it had been stolen in October from a vehicle within less than one mile from Williams' residence.) Williams' handgun was fully loaded and was not discharged during the incident.

As a result of the information and evidence outlined above, the relevant evidence does not support proof beyond a reasonable doubt that the involved officers committed any crimes. The investigating agents agree with my decision. Based on the available evidence, it appears the Officers reasonably believed they were in imminent danger of great bodily injury or death from the suspect: Williams was a suspect in vehicle break-ins; he did not comply with the officers' commands; he resisted the officers; the officers attempted a less than lethal use of force; Williams presented the firearm in a dangerous and reckless manner threatening the lives of law enforcement and possibly the public at large.

You may recall that my view since early February has been that the BWC footage would no longer impact the investigation and should be released. My position regarding their release remains the same.

If you have any questions, please contact me.

Sincerely yours,



Scarlett A. Wilson  
Ninth Circuit Solicitor

SAW/nwn

cc: Special Agent Rebecca Gregg, SLED  
Captain Ryan Neill, SLED