

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



DANA NESSEL
ATTORNEY GENERAL

MEMORANDUM

Warrant Denial Memorandum

October 17, 2025

TO: Danielle Hagaman-Clark
Bureau Chief
Criminal Justice Bureau

Robyn Liddell
Division Chief
Criminal Trials Division

CC: Oronde Patterson
First Assistant

Danielle Russo Bennetts
First Assistant

APPROVED: Danielle Hagaman-Clark 10-22-2025
Bureau Chief Date

☐ Check here when Division Chief has final approval
authority for the request.

Robyn Liddell
APPROVED: 10-20-25
Division Chief Date

FROM: Erika Tusar
Assistant Attorney General
Criminal Trials Division

RE: Request for Authority to Deny Criminal Charges
Due Date for Response:
People v Richard Kearns
AG No. 2025-0434268-A
Request: October 17, 2025
Report Received:

I. Introduction:

On or about June 27, 2025, police were notified of a bank robbery in progress with a hostage situation at the Mercantile Bank in Saginaw Michigan.

A standoff was already in progress when the Michigan State Police were called in by the local jurisdiction. Officer Richard Kearns, a member of the Michigan

[REDACTED]

State Police Saginaw Emergency Response Team and trained sniper, fired one shot during the approximately 2 hour and 40-minute standoff. The single fatal shot struck suspect, Quentin Marquese Allen, in the head while he was forcibly holding and using the hostage as a human shield while attempting to retrieve a drone package drop consisting of soda and chips, which he requested during negotiations.

II. Recommendation:

Based upon the review and all the evidence presented, the People cannot sustain their burden to prove the actions taken by Officer Kearns were not done in defense of others under Michigan law. Therefore, I recommend denial of the warrant.

III. Venue Saginaw County

IV. Facts

██████████, the ██████████ of Mercantile Bank employee ██████████ called 911 at approximately 5:22pm on June 27, 2025. ██████████ had been speaking with ██████████ while she was closing the office for the day. During their normal nightly conversation, ██████████ heard the suspect demand money from ██████████ which caused him to hang up and immediately call 911 to report a robbery in progress.

Saginaw Township Police Officers responded to the robbery in progress and encountered the suspect who was holding employee ██████████ in the bank. This information was relayed to dispatch. Michigan State Police were contacted for assistance with the hostage situation.

Michigan State Police arrived on scene shortly after receiving the request for assistance. A hostage negotiator made contact with the suspect and attempted to negotiate the release of the hostage for 2 hours and 40 minutes. During the attempted negotiations, the suspect made several demands and threatened to harm the hostage if these demands were not complied with. The demands included \$10,000.00 in small bills, potato chips and Faygo soda.

In an attempt to show good faith with the suspect in the hopes he would release the hostage, a drone was deployed to deliver the Faygo soda and chips. As the drone was delivering the package, the suspect opened the door to the bank using the hostage as a human shield. He held the hostage by the hair and forced her to move further outside to retrieve the package delivered by the drone.

As the drone was delivering the package of potato chips and Faygo soda, Officer Kearns, of the Michigan State Police Officer assigned to the Saginaw Special Response positioned himself across the street approximately 115 yards way on top of the Auto Zone roof.

Officer Kearns could see from his vantage point that the hostage was clearly seen in distress. At one point during the package retrieval, the hostage lowered her head, giving Kearns a clear view of the suspect. Based upon concerns for the hostage and his training, Officer Kearns fired a single shot, striking the suspect in the head fatally wounding him.

The fatal shooting of the suspect occurred while Officer Kearns was performing his duties as a sharpshooter, in the line of duty. Officer Kearns was called in because of his special skills and training as a member of the Michigan State Police Emergency Response Team. At the time of the shooting, the hostage was clearly in distress. Further, the suspect repeatedly told the negotiator that he would harm the hostage if his demands were not met. Officer Kearns' actions were justified under the defense of others.

Officer Kearns honestly and reasonable believed that the use of deadly force was necessary to prevent any further harm or possible **death** of the hostage. "In Michigan, the killing of another person in self-defense is justifiable homicide if the defendant honestly and reasonably believes that his life is in imminent danger or that there is a threat of serious bodily harm." *People v. Heflin*, 434 Mich. 482, 502, 456 N.W.2d 10 (1990); see also MCL 780.972(1)(a) (providing that a person may use deadly force against another if the person "honestly and reasonably believes that the use of deadly force is necessary to prevent the imminent death of or imminent great bodily harm to himself or herself or to another individual"). "Once evidence of self-defense is introduced, the prosecutor bears the burden of disproving it beyond a reasonable doubt." *People v. Fortson*, 202 Mich. App. 13, 20, 507 N.W.2d 763 (1993).

In this case there is no doubt that Officer Kearns' actions were based upon his specialized training and were in the best interest of the hostage. The People simply cannot disprove a defense of others' claim that Officer Kearns would undoubtably have beyond a reasonable doubt.

V. Conclusion

The People cannot sustain their burden to prove the actions taken by Officer Kearns were not done in defense of others under Michigan law based upon the evidence presented. Therefore, I recommend denial of the warrant.