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July 5, 2010

Justifiable Homicide Likely in Fatal Prince George's County Maryland Home Invasion Shooting

Police report that the fatal shooting of an intruder at a Prince George's cCounty apartment complex appears to be justifiable homicide carried out in self-defense. According to police, 29-year-old Benjamin Jackson returned fire against an intruder who forced him into his apartment, wounding the suspect who later died at an area hospital. While an investigation is pending to determine whether or not Jackson will face charges, preliminary findings show that the shooting was justified. According to the Prince George's County State's Attorney, "Generally speaking, people do have a right to defend themselves and others in their homes, including deadly force in some circumstances." However, in comparison with criminal homicide, justifiable homicide cases are rare. According to 2008 FBI reports, there were only 204 firearm-related justifiable homicides compared with nearly 9,500 criminal murders involving firearms. While the use of deadly force in self-defense is rare, [Maryland criminal lawyers](#) understand how to utilize the theory of justification as a defense to murder charges.

In this case, although the shooting appears to be a classic case of self-defense, an investigation is still underway. Police have not yet determined whether the gun used by Jackson to shoot the intruder was possessed legally. Jackson has two prior misdemeanor convictions of carrying a concealed weapon in another state.

Additionally, the family of the man killed denies that he would be linked to such a violent crime. They report that he was a loving father of two and a youth mentor. However, the suspected intruder, tentatively identified as Keith L. Fletcher of Washington DC, is suspected in another robbery earlier that day and had an active warrant for his arrest stemming from his alleged involvement in a March carjacking and robbery. Fletcher was also arrested three times in 2008--twice for drug charges and once for robbery and assault. Fletcher's [DC criminal defense attorney](#) was successful in having all three cases dropped: one due to lack of evidence, one for an officer's failure to testify in court, and the third for the victim's inability to identify Fletcher as his attacker.

As the investigation into the incident continues, police are still looking for two

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other suspects who fled the scene of the home invasion.

This article is presented by The Law Offices of David Benowitz, a criminal defense firm serving Maryland, Washington DC, and Virginia. For more stories like this one, please visit our [Washington DC Criminal Defense Lawyer blog](#).