



OFFICE OF THE DISTRICT ATTORNEY
TWENTIETH JUDICIAL DISTRICT

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Press Release

On Friday, August 27, 2021, two former Boulder County Sheriff's Office deputies were found guilty of Manslaughter in the death of 23-year-old Demetrius Shankling. Following a two-week trial, the jury returned guilty verdicts as to defendants James O'Brien and Adam Lunn.

A key determination at trial was the required mental state of the defendants. In order to prove Manslaughter, the law required the prosecution to prove the element of recklessness, which is defined as the conscious disregard of a substantial and unjustifiable risk of death. Additionally, the prosecution had to prove the deputies' actions were the cause of death, which was also disputed by expert witnesses for the defendants.

Many of the events from that night were captured on video and/or audio from body-worn cameras as well as a camera inside the transport van. After Sheriff Joe Pelle watched the video(s), he immediately notified the Critical Incident Team for the 20th Judicial District, also known as the Boulder County Investigation Team ("BCIT") and requested an independent investigation. The BCIT is a multi-agency team initiated by the respective Chief Executive Officer of the law enforcement agency to serve as an independent investigatory resource for all Boulder County law enforcement agencies in cases involving either (1) the use of deadly or potentially deadly force, (2) in the event of an in-custody death, and/or (3) incidents in which a person sustains serious bodily injury or is killed in connection with police action.

District Attorney Michael Dougherty stated, "But for the acts of defendant James O'Brien and defendant Adam Lunn, Demetrius Shankling would be alive today. Instead, because of them, the 23rd birthday he celebrated that night was his last. Members of law enforcement who watched the video recognized that the defendants' conduct was inexcusable, as did the jury. I want to acknowledge Sheriff Pelle for his decision to immediately request an investigation by the Critical Incident Team. The Team's work helped us to secure the right and just outcome for Demetrius, his family, and our community."

Since the conclusion of the trial, the District Attorney's Office has received three (3) media requests for all videos shown to the jury at trial. Over the past two years, Colorado passed laws regarding the release of video and audio recordings, upon request, for incidents involving peace officer misconduct. With the trial now concluded, there is very minimal prejudice to the defendants since they have been afforded their right to a fair trial. As required by statute, the DA's Office has notified the attorney for the defendants prior to the release of the five (5) videos viewed by the jury at trial.

Additionally, the DA's Office continues to maintain close communication with the victim's family. Our office has notified the victim's family of this release. Out of respect for the victim and his family, the video recording of his body during the life-saving efforts by the defendants is blurred or blocked from view. The entire audio, however, remains intact.

The videos can be found here:

BWC Boulder PD Officer 1 - <https://youtu.be/FAZEs6i0uCI>

BWC Boulder PD Officer 2 - <https://youtu.be/J58cWOq44ms>

BWC Boulder PD Officer 3 - <https://youtu.be/AcYjuNWVWhg>

Van Video Compartment with Shankling - https://youtu.be/7sNzd1nv_SE

Van Video Small Compartment - <https://youtu.be/98cbRj5mAm4>

District Attorney Michael Dougherty and Sheriff Joe Pelle are available for any questions.