



OFFICE OF THE DISTRICT ATTORNEY
TWENTIETH JUDICIAL DISTRICT

Michael T. Dougherty, District Attorney

For Immediate Release

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Contact: Shannon Carbone

Phone: 303-441-3804

scarbone@bouldercounty.org

Press Release

The District Attorney has completed the review of the investigation into Boulder Police Department Officer Collin Keith and Officer Nathaniel Taylor's fatal shooting of Christopher Swanger on May 25, 2023. Based upon the review of this investigation and a thorough legal analysis, the District Attorney has determined that the shooting was legally justified.

The Critical Incident Team for the 20th Judicial District, also known as the Boulder County Investigation Team ("BCIT"), investigated this case. This multi-agency team is designated to investigate use-of-force incidents in which any law enforcement officer used deadly, or potentially deadly, physical force against a person while acting under the color of official law enforcement duties. Following this incident, the Boulder Police Department ("BPD") notified the BCIT. Consistent with protocol, the BPD did not actively participate in the use of force investigation. The following is a summary of the investigative findings contained in the District Attorney's detailed, public report:

On the date of this incident, Christopher Swanger had two active felony domestic violence warrants pending for his arrest. The first originated in Adams County and involved charges of Assault in the Second Degree and Child Abuse, from an incident on January 26, 2022.

The second warrant was for charges of Assault in the Second Degree and Intimidating a Victim. Around 12:55 a.m. on May 13, 2023, police had responded to the victim's residence located at 1717 Baseline Road in Boulder. Mr. Swanger had struck the victim in the face with a closed fist and, also, damaged her tablet electronic device before leaving the residence. It was learned that the victim had suffered an orbital fracture. The victim explained that Mr. Swanger had threatened to kill her on multiple occasions and that he kept a handgun in his car.

While officers were speaking with the victim, Mr. Swanger called her three times to berate and threaten her. Ultimately, officers advised him that a warrant would be issued for his arrest.

The victim later received a text message from Mr. Swanger, which stated, in part, "You'd be smart to call that fucking cop and change your story, if you don't I'll be seeing you again real fucking soon..."

On May 25, 2023, at 9:40 p.m., the victim called 911 to report that Mr. Swanger had called her and stated that he was coming to her apartment that night between 10:15 p.m. and 10:30 p.m. Officers responded to protect the victim and arrest Mr. Swanger; in the event he actually went to her residence.

At 11:17 p.m., Mr. Swanger arrived as a passenger in a vehicle. Officer Taylor attempted to initiate contact with him, but Mr. Swanger proceeded to throw a Monster energy drink at him. Mr. Swanger then began to walk quickly away. In response, Officer Taylor commanded Mr. Swanger to stop and to show his hands. Mr. Swanger refused to comply and continued to walk away while reaching into a satchel. Officer Taylor repeated the commands and, also, told Mr. Swanger to get on the ground or he would be tased. Mr. Swanger did not follow these orders and was tased, which caused him to fall to the ground.

Officers then approached Mr. Swanger while he was on the ground. When they were within two to three feet, Mr. Swanger pulled out a black handgun. Officer Taylor yelled, “gun” as Mr. Swanger pointed his firearm toward Officer Taylor. The evidence demonstrates that both officers then made a split-second decision to protect themselves, their fellow officers, and Ms. Verner. They began firing at Mr. Swanger as they tried to back away. Mr. Swanger fired one round at Officer Taylor that missed. Officer Taylor fired a total of 12 rounds and Officer Keith fired a total of 11 rounds. As described in the report, it appears likely that Mr. Swanger’s gun malfunctioned after firing the single shot at the officers.

All the above took place in twenty-five (25) seconds, from the initial contact at the truck to the end of shots being fired.

Under the circumstances, it was reasonable for Officer Keith and Officer Taylor to believe that Mr. Swanger was armed with a firearm with the intent to shoot and that he presented an imminent threat of deadly harm to them, their fellow officers, and the victim. As defined by Colorado law, the physical force used by these officers was reasonable. Consequently, there are no criminal charges that can be proven beyond a reasonable doubt.

District Attorney Michael Dougherty stated, “This tragic and scary domestic violence situation escalated quickly; it is fortunate that more lives were not lost. Far too often, domestic violence situations explode into violence against a victim and responding police officers. Police officers took steps to protect this victim and put themselves in harm’s way. I appreciate the thorough investigation by the Team because it allows us to reach the right decision. The thorough review of every officer-involved shooting is a top priority for my office.”

The District Attorney’s detailed report can be found at <https://bouldercounty.gov/district-attorney/officer-involved-shooting-decision-letters/>. For individuals interested in the process and findings, as well as the body-worn camera videos, District Attorney Michael Dougherty will conduct a virtual Town Hall via Microsoft Teams on July 17th at 1:30 p.m. Questions can be submitted in advance at boulderda@bouldercounty.org. Community members are able to join the Town Hall at: bit.ly/BPDBaselineOISTownHall or can call into the Town Hall by calling 720-400-7859, Conference ID# 267 131 965.