



OFFICE OF THE DISTRICT ATTORNEY
TWENTIETH JUDICIAL DISTRICT

Michael T. Dougherty, District Attorney

For Immediate Release
August 22, 2023

Contact: Shannon Carbone
Phone: 303-441-3804
scarbone@bouldercounty.gov

**Press Release – Fermin Orozco-Diaz Pled Guilty to 4 DUI Cases,
Faces 15-20 Years in the Department of Corrections**

On Friday, August 18, 2023, Fermin Orozco-Diaz pled guilty in District Court to four cases of Felony DUI 4th or more with a sentencing range of fifteen (15) to twenty (20) years in prison. These four convictions are Mr. Orozco-Diaz' 9th, 10th, 11th, and 12th convictions for DUI or DWAI. He also entered a guilty plea to a count of Leaving the Scene of an Accident and was ordered to pay restitution. He is currently being held in the Boulder County Jail on bonds totaling \$2.75 million.

On 9/3/2022, the Defendant crashed his red 1992 Ford Ranger into a food truck at 250 3rd Avenue in the City of Longmont and left the scene on foot. When confronted by officers, the Defendant initially tried to flee. When apprehended, he had an odor of an alcoholic beverage, had appeared to have urinated in his pants, was unable to maintain balance while performing voluntary roadside maneuvers, and could not follow instructions. A blood draw resulted in a BAC of .237. The Defendant has 8 prior convictions for DUI in 2001, 2002, 2003, 2006, 2008, 2008, 2011 and 2016.

On 12/7/2022, Longmont Police Department responded to a welfare check at the parking lot of Twin Peaks Liquors, 999 Hover Street in the City of Longmont. Mr. Orozco-Diaz was passed out in his white Ford Fusion for over two (2) hours. He was observed by police officers passed out with an open container of beer in his hand and fifteen (15) empty beer cans and bottles in his car. The keys were in the ignition of the car and the engine was turned off. Orozco-Diaz, upon exiting his car, had an odor of an alcoholic beverage, had red, bloodshot watery eyes, slow and delayed movements, and failed to maintain his balance during voluntary roadside maneuvers. A blood draw resulted in a .196 BAC.

While Orozco-Diaz was on bond in those cases, he was arrested on 12/24/2022, again, for Felony DUI. Orozco-Diaz was observed by an off-duty police officer weaving around the 300 block of Atwood Street in the City of Longmont. When contacted, he had a strong odor of alcohol

on his breath, had slurred speech, had multiple empty beer cans in the car, and could not maintain his balance. He stated that he had consumed beer and that he could not perform the roadside maneuvers. The Defendant's BAC was .202.

Finally, on 12/29/22, Orozco-Diaz was found passed out in his car in the parking lot of 7 Liquors in Longmont. The engine of his car was running and his hand was on the gear shift. There were empty bottles of beer inside the car and he had urinated in his pants. Also in his possession was a duffel bag full of clothes, his passport, and \$5,386, in mostly \$100s, giving the appearance that he was ready to leave Boulder County. His BAC was .254.

The vigilance of Longmont Police officers prevented this case from ending more tragically by locating Orozco-Diaz when they did.

The District Attorney's Office had repeatedly asked for high bonds and submitted motions for bond revocations in response to his new DUI charges. In December of 2022, the District Attorney's Office and Longmont Police Department issued public statements regarding the court's failure to set appropriate bonds, explaining that the defendant represented an extreme danger to the community and a significant flight risk. At the time, DA Dougherty stated, "Our office will continue to fight for community safety, including in our requests for bond." Ultimately, the court set a bond amount sufficient to protect the community from the defendant's drinking and driving. He remained in custody.

On 8/18/23, Judge Nancy Salomone accepted Orozco-Diaz' guilty pleas, ordered a pre-sentence investigation and an alcohol evaluation. His sentencing is set for 10/27/23 at 3:00 p.m.

District Attorney Michael Dougherty stated, "This defendant represented a real danger to our community because of the choice he repeatedly made to drive while completely drunk. I appreciate the dedication of the Longmont Police Department and our prosecution team in recognizing that this defendant must be held accountable for his conduct, his criminal history, and the risks that he presented to everyone on our roads. The lengthy prison sentence he faces is certainly appropriate under these circumstances."

The DA's Office will have an additional statement after the sentence is imposed on October 27th.