



OFFICE OF THE DISTRICT ATTORNEY  
TWENTIETH JUDICIAL DISTRICT

Michael T. Dougherty, District Attorney

**For Immediate Release**

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## Press Release

The District Attorney's Office announced today that the investigation and analysis into the fatal shooting of Ms. Jeanette Alatorre (DOB: 01/09/1972), which occurred on December 17, 2023, has been completed. The shooting by Officers Nathan Schultz and Jarrett Mastriona took place at the intersection of Broadway and Hawthorn Avenue in Boulder, Colorado.

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") quickly notified the BCIT. The BCIT responded and conducted a thorough investigation. Consistent with protocol, the Boulder Police Department did not participate in the investigation. As required by statute, those findings are detailed in the decision letter and briefly summarized here:

On October 11, 2023, a resident in Brighton reported a burglary and theft of a "BB type pistol that looked somewhat real." Ms. Alatorre was captured on video entering the residence. After realizing Ms. Alatorre had been inside without permission, the resident reported it to the police.

On December 17, 2023, Ms. Alatorre entered the North Boulder Recreation Center. A patron at the Recreation Center observed Ms. Alatorre talking to herself and saying, "I have to defend myself." Ms. Alatorre then displayed what the patron believed to be a gun in her purse. He reported the incident to staff at the Recreation Center, but he did not mention the gun.

Then, Recreation Center staff repeatedly knocked on a bathroom door and asked Ms. Alatorre to step out. Staff eventually called the police to respond. At 3:13 p.m., Boulder Police Officers were dispatched to the North Boulder Recreation Center at 3170 Broadway.

Staff at the Recreation Center wanted the police to remove her but did not want Ms. Alatorre issued a trespass warning or charged with any crimes. After escorting her out, and as the officers were driving away from the Recreation Center, Ms. Alatorre blocked an officer's vehicle and challenged the officer to fight. Officers left the scene without additional incident after Ms. Alatorre walked away to the west.

Shortly thereafter, Ms. Alatorre menaced bystanders with a handgun while outside the Recreation Center. Two individuals called 911. Officers arrived, but Ms. Alatorre refused to comply with numerous commands throughout a lengthy encounter that ensued. At different points, two officers each fired less-lethal bean bag rounds while approximately 30 - 45 yards away. Ms. Alatorre was struck by multiple bean bag rounds, but the strikes did not appear to affect her. Ms. Alatorre held a handgun in her right hand and repeatedly pointed it at police officers.

When Officer Schultz observed Ms. Alatorre pointing the gun in his direction for a third time, he fired nine consecutive rifle rounds. Officer Mastriona then saw Ms. Alatorre on the ground, raising her torso and arm in a manner as if she would sit up and begin firing at officers. At this time, Officer Mastriona fired three consecutive rifle rounds. The first of Mastriona's shots coincides with the last of Officer Schultz' shots. Officers and paramedics rendered medical aid. Tragically, Ms. Alatorre was pronounced dead on scene.

While witnesses and responding officers described what Ms. Alatorre was carrying as a handgun, it was later determined to be a Beretta APX .177 caliber air pistol, which is an accurate replica of a real 9mm caliber Beretta APX handgun. Additionally, law enforcement located drugs in her belongings. The investigation also examined her toxicology results and criminal history in an effort to determine possible reasons for her conduct.

District Attorney Michael Dougherty stated, "The Critical Incident Team conducted a thorough and independent investigation. The people who encountered Ms. Alatorre that day believed she had a real gun, while using it to threaten civilians and police officers. It is certainly a tragic incident due to the loss of life. It was reasonable, though, for the officers to believe Ms. Alatorre posed a threat to the lives of others. Under the law, the police officers did not commit a crime that can be proven beyond a reasonable doubt."

The District Attorney's detailed report can be found at this link:

<https://www.bouldercounty.org/districtattorney/officer-involved-shooting-decision-letters/>.

DA Dougherty conducts a Community Town Hall after every BCIT investigation in order to be transparent and accessible. **The virtual Town Hall will be at 3:00 p.m. on March 14, 2024.** It will include some video clips from the incident. Questions can be submitted to [boulderda@bouldercounty.org](mailto:boulderda@bouldercounty.org). The link to join is <https://bit.ly/OISNorthBoulder>. Community members are, also, able to call into the Town Hall at 720-400-7859 Conference ID: 526 685 044#