



OFFICE OF THE DISTRICT ATTORNEY
TWENTIETH JUDICIAL DISTRICT

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For Immediate Release

April 2, 2024

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Press Release

The District Attorney's Office announced today that the investigation and legal analysis of the use of force against Efrain Inda on December 24, 2023, involving Colorado State Patrol Trooper Bockhold as well as Deputy Davis, Deputy Barcenas, and Deputy Finkbiner of the Boulder County Sheriff's Office, on Highway 36 near Mile Marker 42, has been completed.

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 Colorado State Patrol ("CSP") and Boulder County Sheriff's Office ("BCSO") quickly notified the BCIT. Consistent with protocol, the CSP and BCSO did not participate in the investigation. As required by statute, those findings are detailed in the decision letter and briefly summarized here:

At 11:38 a.m., CSP Corporal Ziadeh was on routine patrol traveling westbound on Highway 36. He observed a Dodge Charger on the right shoulder. Corporal Ziadeh pulled up behind the car to see if the driver needed help. Corporal Ziadeh then noticed the front passenger side door was open and there appeared to be a bullet hole in the window. He radioed for assistance.

Over the next several minutes, Mr. Inda repeatedly failed to comply with commands. Then, at 11:49 a.m., Mr. Inda stepped out of the car carrying a handgun in his right hand and his cellphone in the other. Mr. Inda walked to the back of the car and eventually placed the handgun on the car's trunk and stood next to it. He refused to step away from the gun.

Mr. Inda repeatedly yelled "Shoot me" to officers and placed his hand near the gun on the car trunk. Law enforcement officers repeatedly requested that Mr. Inda come towards them and leave the gun on the trunk. They told Mr. Inda they did not want to shoot him, that he was not in trouble, and that they would get him help.

For over fifteen minutes, officers spoke to Mr. Inda and attempted to de-escalate the situation. Then, Mr. Inda declared that he was going to pick up the gun. At that point, a deputy fired less lethal rounds. Less lethal rounds struck Mr. Inda, but he did not fall to the ground. Instead, he picked up his gun and pointed it at the officers.

Mr. Inda and law enforcement officers opened fire. Mr. Inda fell to the ground. Deputy Barcenas had a hole in his left cargo pants pocket and something inside his pocket was emitting smoke. Deputy Barcenas asked, “was I shot?” Thankfully, Deputy Barcenas was not injured by gunfire. Instead, a portable battery charger in Deputy Barcenas’ pocket had been struck by either a projectile or shrapnel.

Under Mr. Inda’s body, BCIT located a spent 9mm casing stamped with NFCR 9mm LUGER. Inside Mr. Inda’s Dodge Charger, BCIT located a second spent 9mm casing stamped with NFCR 9mm LUGER. These shell casings were sent to the Colorado Bureau of Investigation for comparison analysis. Testing revealed that Mr. Inda’s Ruger 9mm handgun was operational and that both the shell casing located inside of the Dodge Charger and the shell casing located underneath Mr. Inda’s body were both shot from Mr. Inda’s gun. The BCIT investigation into this incident was delayed due to the completion of the essential firearm and casing analysis.

The Critical Incident Team conducted a thorough and independent investigation. Under the law, the law enforcement officers did not commit a crime that can be proven beyond a reasonable doubt. The evidence establishes that, at the time Trooper Bockhold, Deputy Davis, Deputy Barcenas, and Deputy Finkbiner discharged their service weapons, it was reasonable for the officers to believe that Mr. Inda was armed with a firearm and that officers or bystanders were in imminent danger of serious bodily injury or death.

District Attorney Michael Dougherty stated, “On Christmas Eve, these law enforcement officers sought to help a motorist in need. The officers told Mr. Inda that they had families, that he was not in trouble, and that they wanted to help him. Despite all their courageous efforts to deescalate the situation, Mr. Inda grabbed his gun and fired at law enforcement. I appreciate the thorough investigation into this tragic incident, as well as the cooperation of the eyewitnesses.”

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. **The virtual Town Hall will be at 3:30 p.m. on April 4, 2024.** It will include some video clips from the incident. Questions can be submitted to boulderda@bouldercounty.org. The link to join the Town Hall is <https://bit.ly/CSPBoulderOISTownHall>.

Photos below.



Still from Deputy Williams' BWC After Less Lethal Rounds were Fired



Still Taken from Civilian Video After Less Lethal Rounds were Fired, as Mr. Inda Pointed His Gun at Law Enforcement Officers



Image from Body Worn Camera of Deputy Barcenas' Pocket Smoking and a Photograph of Deputy Barcenas' Pants taken by CBI



Images of Deputy Barcenas' BWC Battery Pack