



OFFICE OF THE DISTRICT ATTORNEY
TWENTIETH JUDICIAL DISTRICT

Michael T. Dougherty, District Attorney

Documentation under C.R.S. 24-31-902(2)(b)(III)

The District Attorney has been notified by the Boulder Police Department an allegation of misconduct was made on February 1, 2024 regarding the officer involved shooting on December 17, 2023. A request for all body worn camera (BWC) video associated with the incident was made to the Boulder Police Department on February 1, 2024 in conjunction with the complaint.

The District Attorney is withholding the release of the body worn camera footage in this case pursuant to C.R.S. 24-31-902(2)(b)(III). The Boulder County Investigation Team, also known as the Boulder Critical Incident Team ("BCIT"), is investigating this case. The multi-agency team is designated to investigate use-of-force incidents in which any law enforcement officer within the 20th Judicial District uses deadly, or potentially deadly, physical force against a person, while acting under the color of official law enforcement duties. This definition and team protocol are broader than that required by state law.

At the conclusion of the investigation, the BCIT will present the findings from the investigation to the District Attorney's Office. The District Attorney will complete a review to determine if criminal charges are appropriate against the involved officers. At the conclusion of the review, the District Attorney will issue a detailed report describing the findings.

The District Attorney's detailed reports from prior cases can be found on the District Attorney's [Officer Involved Shooting Decision Letters page](https://www.bouldercounty.gov/district-attorney/officer-involved-shooting-decision-letters/). (<https://www.bouldercounty.gov/district-attorney/officer-involved-shooting-decision-letters/>)

DA Dougherty conducts a Community Town Hall after every BCIT investigation in our continuing effort to be transparent and accessible.

The disclosure of the BWC video at this time would jeopardize the integrity of the investigation if viewed by witnesses associated with the case. The District Attorney is hereby exercising our statutory authority to withhold release of the BWC for 45 days under 24-31-902(2)(b)(III). After the investigation and review by the District Attorney are completed the BWC will be released if no other rights are asserted under C.R.S. 24-31-902.

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