

A Report of Officer Involved Shootings in Colorado: 2010-2015

Pursuant to Senate Bill 15-217

Prepared for the Judiciary Committees of the House and Senate

March 1, 2016



Colorado Department of Public Safety
Division of Criminal Justice
Office of Research and Statistics

700 Kipling St., Denver, Colorado 80215
<https://www.colorado.gov/dcj-ors>

A Report of Officer Involved Shootings in Colorado: 2010-2015

Pursuant to Senate Bill 15-217

March 1, 2016

Prepared by

Ernesto Munoz
Peg Flick
Laurence Lucero
Kim English

Stan Hilkey, Executive Director, Department of Public Safety
Jeanne M. Smith, Director, Division of Criminal Justice
Kim English, Research Director, Office of Research and Statistics

Acknowledgements

The Division of Criminal Justice, Office of Research and Statistics, is extremely grateful to the group of law enforcement representatives who, at the onset of this project, met with researchers to discuss the data elements required in Senate Bill 15-217 and assist in the development of the data collection instrument. Many thanks to Dave Holdren from the Mesa County Sheriff's Office, Paul Quimby and Carl Winterbower from the Grand Junction Police Department, David Rogers from the Boulder County Sheriff's Office, Chris Wyckoff and Stephanie Lord from the Denver Police Department, Bernadette Rankin from the Golden Police Department, and Kim Kinion from the Golden Police Department.

We also thank the 48 law enforcement agencies that provided the data presented in this report.

Table of Contents

Acknowledgements..... 3

Table of Contents..... 4

Executive Summary..... 5

Introduction and Methods..... 7

Findings 8

 Description of officers and citizens..... 10

 Basis for contact and shooting..... 13

 Citizens: Searches, contraband and weapons 15

 Injury outcome of shooting..... 17

 Arrests and citations for those who survived 20

Conclusions 21

Appendix A..... 22

 Data Collection Instrument..... 22

Appendix B 28

 Reporting Agencies 28

Executive Summary

In 2015, the Colorado General Assembly passed Senate Bill 15-217, which mandated that state and local law enforcement agencies report specific information to the Division of Criminal Justice (DCJ) in the Department of Public Safety in the event that the agency “employs a peace officer who is involved in an officer-involved shooting that results in a person suspected of criminal activity being shot at by the officer.”¹ S.B.15-217 mandated DCJ to analyze and report the data on an annual basis. This first report, as specified in S.B. 15-217, documents findings based on data received by DCJ regarding officer involved shootings that occurred during a 5½ year period between January 1, 2010 and June 30, 2015.

During the time period under study, 47 law enforcement agencies reported 192 shooting incidents involving 313 officers and 219 citizens. Most of the citizens and officers were white (57% and 83%, respectively), reflecting the overall Colorado population, but the citizen group included 28% Hispanics and 14% Blacks. As a group, the citizens were younger, on average, than the officers. Among the citizens, Blacks were youngest (average age 28), compared to an average age of 31 for Hispanics and 38 for Whites.

Over half (56%) of the incidents were originated by a call for service. Agencies reported that in two-thirds (65%) of shooting incidents, officers perceived an imminent threat to officers or citizens, and in another 20% of incidents, a shot(s) was fired at the officer. The officer perceived some level of threat in 10% of incidents, and three incidents (2%) involved preventing an escape. In 74% of the cases, a verbal warning was issued before the incident. For about one-third of citizens (34%), there was some indication of intoxication with alcohol, drugs or a combination of those.

Agencies reported that a weapon was involved in at least 84% of incidents, and most often that weapon was a handgun (46%) followed by a motor vehicle that was perceived by the officer to be used as a weapon (12%), and a knife/cutting instrument (7%). Firearms (including handguns, rifles, and shotguns) were present in 57% of incidents. Black citizens were significantly more likely to have a firearm (83%) compared to Whites (52%) and Hispanics (53%).

Ninety-one (91%) of officers were neither injured or killed compared to 19% of citizens. Nearly half (43%) of citizens were killed and another 38% were wounded. Citizens who were killed or wounded were likely to be perceived by the officer as an imminent threat. Fifty-two percent of Hispanics were killed, as were 40% of Whites and 37% of Blacks. Almost half (47%) of Blacks were wounded as were 32% of Hispanics and 40% of Whites.

Among citizens who survived these encounters, 86% were arrested or cited for a crime (there was no difference across race/ethnicity). The most common charge was attempted first degree murder followed

¹ C.R.S. 24-33.5-517(1).

by first degree assault. Other common charges included felony menacing, criminal mischief, and assault on a peace officer.

Note that the data reported here represent information provided by 48 law enforcement agencies, 47 of which reported officer-involved shootings between January 1, 2010 and June 30, 2015. *It is not possible to know if every incident was reported to the Division of Criminal Justice.* Two agencies submitted data (on one incident each) well after the statutory deadline² and these two incidents were not included in the findings presented here.

² Senate Bill 15-217 mandated that law enforcement agencies submit the data to the Division of Criminal Justice by September 1, 2015.

Introduction and Methods

Background. In 2015, the Colorado General Assembly passed Senate Bill 15-217, which mandated that state and local law enforcement agencies report specific information to the Division of Criminal Justice (DCJ) in the Department of Public Safety in the event that the agency “employs a peace officer who is involved in an officer-involved shooting that results in a person suspected of criminal activity being shot at by the officer.”³ As specified in the bill, state and local law enforcement agencies include the Colorado State Patrol, the Colorado Bureau of Investigation, a county sheriff’s office, a municipal police department, the Division of Parks and Wildlife, or a town marshal’s office.

S.B. 15-217 asked for the following information to be collected from law enforcement agencies:

- a) The age, gender, sexual orientation, race, ethnicity, and medically-documented physical or mental disability of the suspect;
- b) The age, gender, race, and ethnicity of the peace officer;
- c) The officer’s basis for the contact or stop that led to the officer-involved shooting;
- d) The officer’s basis for the shooting, and whether the officer or any other officer responding to the scene issued a verbal warning before shooting;
- e) Whether the officer or any other officer responding to the scene conducted a search and, if so, whether the search was conducted pursuant to probable cause, with consent, or pursuant to any other lawful exception to the warrant requirement, and whether contraband was found and, if so, the nature of the contraband; and,
- f) Whether the officer or any other officer responding to the scene arrested or issued a citation to anyone and, if so, the crimes charged as a result of the arrest or citation.

S.B.15-217 mandated DCJ to analyze and report the data on an annual basis. This first report, as specified in S.B. 15-217, documents findings based on officer involved shootings that occurred during a 5½ year period between January 1, 2010 and June 30, 2015.

Organization of this report. This report is organized as follows: This section provides an overview of the study; the following section presents the findings and conclusions.

Study Methods

Stakeholder group convened. Following the passage of S.B. 15-217, the Division of Criminal Justice, Office of Research and Statistics (ORS), convened a small group of law enforcement officers and crime analysts from eight agencies to discuss the collection of the data mandated in the bill. This group assisted in the development of response categories that were incorporated into the electronic data

³ C.R.S. 24-33.5-517(1).

collection instrument that was posted on the Division’s web site for agencies to use (see Appendix A). This group also determined that the following additional data elements should be included in the data collection instrument.

- Location and date of the incident
- A narrative of the incident
- Whether the citizen had a weapon and if so what type of weapon
- Whether the citizen was wounded or killed and
- Whether the peace officer was wounded or killed

Data collection. The data collection instrument consisted of a series of questions about the incident, another group of questions about the suspects, and a third block of questions about the officers (see Appendix A). To capture all citizens involved in an incident, the instrument allowed for data to be collected on up to five different citizens.⁴ Similarly, the form allowed documentation of up to five different officers involved in an incident. If more suspects or officers were involved, the agencies were to append that information, however, no agencies did so.

S.B.15-217 required any state and local agency that employs a peace officer to report on officer-involved shootings that occurred between January 1, 2010 and June 30, 2015. The approximately 279 agencies mandated to report include county sheriff offices, municipal police departments, town marshal’s offices, the Colorado Bureau of Investigation, the Colorado State Patrol, and the state Division of Parks and Wildlife in the Department of Natural Resources.

Forty-eight agencies reported data to DCJ, and 47 agencies had at least one officer that was involved in an incident. For ten incidents, two agencies reported the same incident since multiple agencies were on the scene. Because of uncertainty regarding the identity of the citizens involved, all incidents, including these ten duplicates, were included in the analysis.

It is unknown if the incidents reported here represent all officer-involved shootings during the time period of study.

Findings

Forty-eight agencies⁵ reported a total of 192 incidents that occurred between January 2010 and June 2015.⁶ Figure 1 shows the number of incidents by year with 2015 data available only through the month of June. From 2011 through 2014 the number of incidents increased over the years reaching 40 in 2014.

⁴ DCJ also provided a spreadsheet format that allowed for reporting an unlimited number of officers and citizens.

⁵ Approximately 279 agencies meet the reporting requirements in S.B. 15-217.

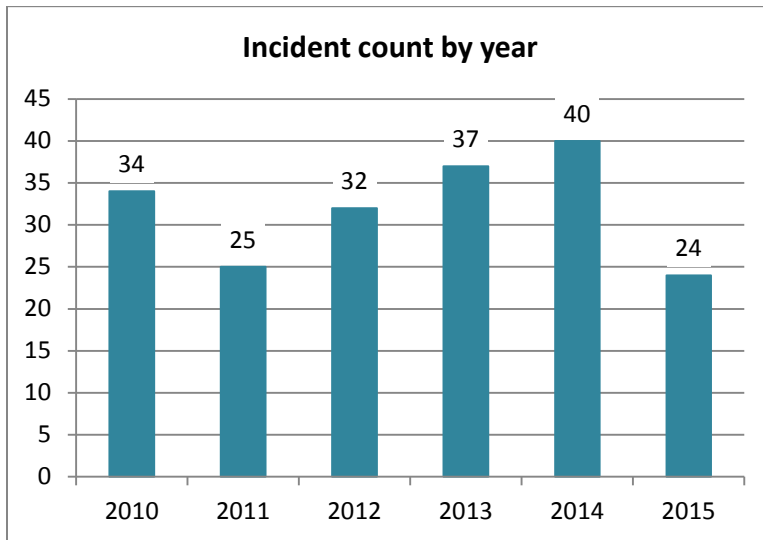


Figure 1. 192 incidents by year. Note 2015 represents the first 6 months of the year.

These 192 incidents involved 313 officers and 219 citizens.⁷ As shown in Table 1, in 89% of the incidents there was only one citizen. In 55% of incidents there was only one officer and one citizen, and in 63% of incidents, there was one officer and up to five citizens.

Table 1. Composition of citizens and officers in 192 incidents

| Number of officers (n=313) | Number of citizens (n=219) | | | | Total |
|----------------------------|----------------------------|-----------|-----------|-----------|---------------|
| | 1 | 2 | 3 | 5 | |
| 1 | 55% | 5% | 2% | 1% | 63% |
| 2 | 20% | 1% | >1% | 0% | 22% |
| 3 | 8% | 0% | >1% | 0% | 9% |
| 4 | 3% | 1% | 0% | 0% | 4% |
| 5 | >1% | >1% | 0% | >1% | 1% |
| 6 | 1% | 0% | 0% | 0% | 1% |
| Total | 89% | 7% | 3% | 1% | 100.0% |

Note: No incidents were reported with four citizens.

⁶ An additional two agencies reported 2 incidents, but this information was provided to DCJ well after the statutory deadline and is not included in the analyses presented here.

⁷ Please note that in the tables that follow, the number (n) of cases will vary depending on whether the analysis is focused on incidents (n=192), officers (n=313) or citizens (n=219).

Description of officers and citizens

Most of the officers and most of the citizens were male. Table 2 shows the distribution of males and females among officers and citizens. For officers, 96% were male and 4% were female. The proportion of females among citizens was larger than the proportion of females among officers. For citizens, approximately one out of every 10 citizens was a female.

Table 2. Gender of officers and citizens

| Gender | Officers | Citizens |
|--------------|-------------|-------------|
| N | 313 | 219 |
| Male | 96% | 91% |
| Female | 4% | 9% |
| Total | 100% | 100% |

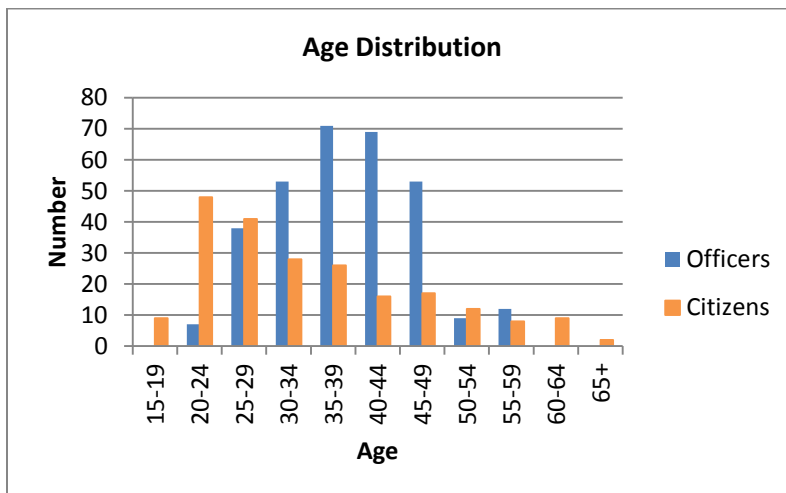


Figure 3. Number of officers (n=313) or citizens (n=219) for various age categories

Figure 3 shows the number of individuals falling into 5-year age categories. Citizens tended to be younger than the officers. Nearly half (41%) of citizens were between the ages of 20-29. Officers were older, with only 15% between the ages of 20-29, and 45% of officers between the ages of 35-44. The mean age of the citizens was 34 and the mean age of the officers was 38.

White citizens were older and Black citizens were younger (data not presented). The average age of White citizens involved in these shootings was 38, while the average age of Blacks was 28. The average age for Hispanics was 31.

Table 3. Race/ethnicity of officers and citizens

| Race/Ethnicity | Officers | Citizens |
|----------------|-------------|-------------|
| N | 313 | 219 |
| White | 83% | 57% |
| Hispanic | 9% | 28% |
| Black | 4% | 14% |
| Other/Unknown | 3% | 1% |
| <i>Missing</i> | >1% | 0% |
| Total | 100% | 100% |

Table 3 shows the distribution of race/ethnicity for officers and citizens.⁸ Four out of five officers were White (83%), 9% were Hispanic, 4% were Black and 3% were other/unknown. The group of citizens was 57% White, 28% Hispanic, 14% Black, and 1% other/unknown.

According to the State Demographer’s Office, between 2011 and 2014, the race/ethnicity of the state population was as follows:

- White non-Hispanic 70%
- Hispanic 21%
- Black 4%
- Asian 3%
- American Indian 1%

In this study, although both groups--officers and citizens--were mostly White, the group of officers is overrepresented in Whites and underrepresented in Hispanics compared to the general population in Colorado. The group of citizens is underrepresented in Whites and overrepresented in Hispanic and Blacks, compared to the general population in Colorado.

⁸ Because there were few cases of Asian, American Indian, and “unknown,” these categories were combined into “other/unknown.” There were no cases involving of Native Hawaiians or Pacific Islanders.

Table 4. Age and race/ethnicity of citizens

| Age | White | Hispanic | Black | Other or Unknown | Total |
|----------------|-------------|-------------|-------------|------------------|-------------|
| N | 125 | 62 | 30 | 2 | 219 |
| 15-19 | 6% | 1% | 3% | 0% | 4% |
| 20-24 | 15% | 29% | 37% | 0% | 22% |
| 25-29 | 14% | 21% | 30% | 50% | 19% |
| 30-34 | 13% | 16% | 7% | 0% | 13% |
| 35-39 | 8% | 21% | 10% | 0% | 12% |
| 40-44 | 10% | 2% | 7% | 0% | 7% |
| 45-49 | 11% | 3% | 3% | 0% | 8% |
| 50-54 | 9% | 2% | 0% | 0% | 5% |
| 55-59 | 6% | 2% | 0% | 0% | 4% |
| 60-64 | 6% | 2% | 0% | 0% | 4% |
| 65+ | 2% | 0% | 0% | 0% | 1% |
| <i>Missing</i> | 0% | 1% | 3% | 50% | 1% |
| Total | 100% | 100% | 100% | 100% | 100% |

Table 4 shows the age distribution by race/ethnicity of citizens. Two-thirds (67%) of Black citizens were in their 20s compared to 50% of Hispanics and 29% of Whites.

Table 5. Sexual orientation of citizens

| Sexual Orientation | N | % |
|--------------------|------------|-------------|
| Unknown | 198 | 90% |
| Straight | 21 | 10% |
| Lesbian | N/A | N/A |
| Gay | N/A | N/A |
| Total | 219 | 100% |

Among the requested information in S.B. 15-217 was the sexual orientation of the citizens. Based on the information provided by law enforcement agencies and depicted in Table 5, the sexual orientation of most citizens (90%) was unknown. Sexual orientation was identified as “straight” for 10% of citizens.

Table 6. Disability of citizens

| Disability | N | % |
|-------------------|------------|-------------|
| Not evident | 156 | 71% |
| Mental | 13 | 6% |
| Physical | 2 | 1% |
| Unknown | 48 | 22% |
| Total | 219 | 100% |

As shown in Table 6, a mental/physical disability was not evident for 71% of citizens and unknown for another 22%. Officers reported a mental disability in 6% of citizens and a physical disability in 1% of citizens. Note that the statute requires reporting on mental and physical disability but these are not defined.

Basis for contact and shooting

S.B. 15-217 asked for information on the officer’s basis for the contact or stop of the citizen and the officer’s basis for the shooting. As shown in Table 7, a call for service was the most frequent basis for the contact (in 56% of incidents) that led to the officer-involved shooting. A law enforcement investigation was the basis of contact in 13% of incidents, and a traffic stop was the basis in 12% of cases. These three types of initial contact (call for service, investigation, and traffic stop) accounted for 81% of the incidents.

Table 7. Basis for initial contact by incident

| Basis | N | % |
|--------------------|------------|-------------|
| Call for service | 107 | 56% |
| Investigation | 25 | 13% |
| Traffic stop | 24 | 12% |
| Warrant | 15 | 8% |
| Tactical team call | 11 | 6% |
| Citizen flag down | 1 | >1% |
| Other | 9 | 5% |
| Total | 192 | 100% |

Table 8 shows the basis for initial contact by the race/ethnicity of the citizens. In Table 8 the distribution for Whites was very similar to the total distribution reflected in in Table 7. Hispanics were more likely to be involved in traffic stops and investigations compared to Whites and Blacks. Blacks who were shot at were more frequently involved in a warrant or a tactical team call, as the basis for the initial contact.

Table 8. Basis for initial contact by race/ethnicity of citizens

| | White | Hispanic | Black | Other or Unknown | Total |
|--------------------|-------------|-------------|-------------|------------------|-------------|
| N | 125 | 62 | 30 | 2 | 219 |
| Call for service | 57% | 48% | 57% | 50% | 54% |
| Investigation | 11% | 16% | 7% | 50% | 12% |
| Traffic stop | 14% | 19% | 10% | 0% | 15% |
| Warrant | 8% | 5% | 10% | 0% | 7% |
| Tactical team call | 5% | 3% | 10% | 0% | 5% |
| Citizen flag down | 1% | 0% | 0% | 0% | 0% |
| Other | 4% | 8% | 6% | 0% | 5% |
| Total | 100% | 100% | 100% | 100% | 100% |

*Note that the percentages in the total column here differ from those shown in Table 6 because Table 6 analyzed incidents and Table 7 analyzed citizens.

As shown in Table 9, agencies reported that in two-thirds (65%) of shooting incidents, officers perceived an “imminent threat” to an officer or a citizen. In another 20% of incidents the officer was shot at by the citizen. In 10% of the incidents the officer perceived a less-than-imminent threat to the officer, another officer or a citizen. The remaining eight incidents involved preventing an escape, conducting an arrest, and three incidents that fell into the other category. An analysis of the basis for shooting across race/ethnicity found no differences (data not presented).

Table 9. Basis for officer shooting by incident

| Basis | N | % |
|-----------------------|------------|-------------|
| Imminent threat | 126 | 65% |
| Shot fired at officer | 38 | 20% |
| Perceived threat | 20 | 10% |
| Preventing an escape | 3 | 2% |
| Conducting an arrest | 1 | >1% |
| Other | 3 | 2% |
| <i>Missing</i> | 1 | >1% |
| Total | 192 | 100% |

In 74% of the incidents, a verbal warning was issued before the incident (see Table 10). In one out of every 4 incidents, no verbal warning was issued. This corresponds generally to the information presented in Table 9 which shows that, for 20% of incidents, the basis for the officer-involved shooting was that a shot was fired at the officer.

Table 10. Officer issued verbal warning during the incident

| Issued verbal warning | N | % |
|-----------------------|------------|-------------|
| Yes | 142 | 74% |
| No | 47 | 24% |
| <i>Missing</i> | 3 | 2% |
| Total | 192 | 100% |

At the request of the law enforcement representatives convened by DCJ after the passage of S.B. 15-217, the data collection instrument included questions regarding intoxication of the citizen. As reflected in Table 11, this information was unknown for 53% of citizens. For an additional 13% there was no evidence of intoxication. For about one-third of citizens (34%), there was some indication of intoxication with alcohol, drugs or a combination of those.

Table 11. Intoxication of citizens

| Under influence of | N | % |
|-----------------------------|------------|-------------|
| Alcohol | 32 | 15% |
| Drugs | 25 | 11% |
| Alcohol and drugs | 18 | 8% |
| No evidence of intoxication | 28 | 13% |
| Unknown | 115 | 53% |
| <i>Missing</i> | 1 | <1% |
| Total | 219 | 100% |

Citizens: Searches, contraband and weapons

Table 12 shows that over 90% of citizens represented in these officer-involved shootings were *not* searched for contraband prior to the incident, according to the data provided by law enforcement agencies. Five percent of citizens were searched with probable cause, 4 percent involved a warrant, and 1 percent occurred with consent.

Table 12. Type of search for citizen

| Type of Search | N | No | Yes | <i>missing</i> | Total |
|----------------|-----|-----|-----|----------------|-------------|
| Search | 219 | 91% | 8% | 0% | 100% |
| Probable cause | 219 | 93% | 5% | 1% | 100% |
| With consent | 219 | 97% | 1% | 2% | 100% |
| Warrant | 219 | 95% | 4% | 1% | 100% |

S.B. 15-217 requires law enforcement agencies to report whether contraband was found on the citizen. In response to this question, agencies reported that no contraband was found in over half (55%) of incidents (see Table 13). Also, in response to this question, agencies reported that 23% of citizens had a weapon, and drugs, drug paraphernalia, and weapons were noted in another 13% of cases.⁹

Table 13. Nature of contraband

| Contraband | N | % |
|---------------------------------|------------|-------------|
| No contraband | 120 | 55% |
| Weapons | 50 | 23% |
| Drugs/paraphernalia | 16 | 7% |
| Drugs/paraphernalia and weapons | 13 | 6% |
| Other | 7 | 3% |
| <i>Missing</i> | 13 | 6% |
| Total | 219 | 100% |

Information was collected on the type of weapon possessed by citizens by providing eight different choices of weapon type and the following three categories: no weapon, unknown, or other, as shown in Table 14. Overall, about 82% of citizens had a weapon.¹⁰ The percentage of citizens that had no weapon was 9%, and in 5% cases the presence of a weapon was unknown. In about half of the cases (47%) the weapon was a handgun. The second most common weapon was classified as a motor vehicle.

Table 14. Weapon in possession by citizen

| Weapon | N | % |
|--------------------------|------------|-------------|
| Handgun | 103 | 47% |
| Motor vehicle | 27 | 12% |
| No weapon | 20 | 9% |
| Knife/cutting instrument | 16 | 7% |
| Rifle | 10 | 5% |
| Shotgun | 8 | 4% |
| Blunt object | 5 | 2% |
| Other firearm | 3 | 1% |
| Fire/incendiary device | 1 | 0% |
| Other | 9 | 4% |
| Unknown | 12 | 5% |
| <i>Missing</i> | 5 | 2% |
| Total | 219 | 100% |

⁹ Please note that the information regarding weapons presented in Table 13 differs from that shown in Table 14 because the tables reflect answers to two different questions. Table 13 reflects the presence of a weapon(s) "as contraband" and this was reported for 23% of citizens whereas Table 14, reflecting agency responses to the question about weapons possessed by citizens (which includes motor vehicles as a weapon), shows only 9% of citizens did NOT have a weapon.

¹⁰ Please see Footnote 8.

To better understand these incidents, the weapon types were collapsed into the following broad categories: firearm, not a firearm, and other/unknown, as shown in Table 15. Handgun, rifle, shotgun, and any other firearm were included in the in the firearm category. “Not a firearm” includes motor vehicle, knife/cutting instrument, blunt object and fire/incendiary device.

Based on these broader categories, 57% of citizens had a firearm. Another 22% of citizens had one of the other listed weapons that was not a firearm.

Table 15. Weapon in possession by citizen

| Weapon | N | % |
|------------------|------------|-------------|
| Firearm | 124 | 57% |
| Not a firearm | 49 | 22% |
| No weapon | 20 | 9% |
| Other or unknown | 21 | 10% |
| <i>Missing</i> | 5 | 2% |
| Total | 219 | 100% |

Table 16 shows these broad categories of weapons by the race/ethnicity of the citizens. Four out of five Blacks (83 percent) had a firearm compared to approximately half of Whites and Hispanics. Slightly more than one-quarter of Whites (27 percent) and 19% of Hispanics had a non-firearm weapon.

Table 16. Weapon by race/ethnicity of citizen

| Weapon | White | Hispanic | Black | Other or unknown | Total |
|------------------|-------------|-------------|-------------|------------------|-------------|
| N | 125 | 62 | 30 | 2 | 219 |
| Firearm | 52% | 53% | 83% | 50% | 57% |
| Not a firearm | 27% | 19% | 7% | 50% | 22% |
| Other or unknown | 11% | 8% | 7% | 0% | 10% |
| No weapon | 8% | 16% | 0% | 0% | 9% |
| <i>Missing</i> | 2% | 3% | 3% | 0% | 2% |
| Total | 100% | 100% | 100% | 100% | 100% |

Injury outcome of shooting

Table 17 shows whether the incident resulted in death or injury for either the officer or the citizen. Most of the officers (91%) were neither killed nor wounded as part of the incident. Of those reports that included officer injury, in only one incident the officer was killed.

In comparison, the number of killed or wounded citizens was substantially higher for citizens than officers: 43% were killed and 38% were wounded during the shooting incidents reported here. Figure 4 presents this information for citizens over the time period of this study.

Table 17. Extent of shooting injury for officers and citizens (non-missing)

| Injury | Officers* | Citizens |
|--------------|-------------|-------------|
| N | 246 | 219 |
| Killed | >1% | 43% |
| Wounded | 8% | 38% |
| Neither | 91% | 19% |
| Total | 100% | 100% |

*Denver Police Department did not provide this information on 67 officers which was *not* required in S.B. 15-217.

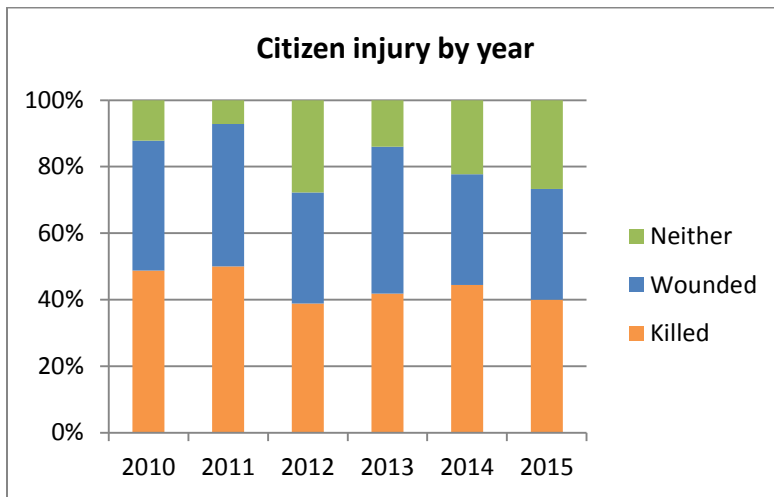


Figure 4. Citizen injury by year

Table 18 shows citizen injury by the agency’s description of the basis for the shooting. Three-fourths of those killed or wounded were perceived by the officer(s) to represent an imminent threat. Imminent threat refers to an immediate, forthcoming threat. Perceived threat refers to becoming aware of a threatening situation.

Table 19 shows that officers issued a verbal warning a majority (73%) of the time.

Table 18. Injury of citizen by basis for shooting

| Basis for Shooting | Killed | Wounded | Neither | Total |
|-----------------------|-------------|-------------|-------------|-------------|
| N | 94 | 84 | 41 | 219 |
| Imminent threat | 72% | 75% | 39% | 67% |
| Shot fired at officer | 13% | 18% | 29% | 18% |
| Perceived threat | 11% | 5% | 27% | 11% |
| Preventing an escape | 2% | 0% | 2% | 1% |
| Conducting an arrest | 1% | 0% | 0% | 0% |
| Other | 0% | 2% | 2% | 1% |
| <i>Missing</i> | 1% | 0% | 0% | 0% |
| Total | 100% | 100% | 100% | 100% |

Table 19. Injury of citizen by verbal warning from officer

| Officer verbal warning | Killed | Wounded | Neither | Total |
|------------------------|-------------|-------------|-------------|-------------|
| N | 94 | 84 | 41 | 219 |
| Yes | 73% | 74% | 71% | 73% |
| No | 24% | 26% | 27% | 26% |
| <i>Missing</i> | 2% | 0% | 2% | 1% |
| Total | 100% | 100% | 100% | 100% |

Table 20 presents the extent of injury by the race/ethnicity of the citizens. Fifty-two percent of Hispanics were killed during the encounters reported here, as were 40% of Whites and 37% of Blacks. Nearly half (47%) of Blacks were wounded as were 40% of Whites and 32% of Hispanics. Table 21 shows the extent of injury by the basis for initial contact. The most deadly outcomes resulted when tactical teams were involved in the incident. Traffic stops most often (36%) resulted in neither injury nor death.

Table 20. Injury by race/ethnicity of citizen

| Race/Ethnicity | N | Killed | Wounded | Neither | Total |
|------------------|------------|------------|------------|------------|-------------|
| White | 125 | 40% | 40% | 20% | 100% |
| Hispanic | 62 | 52% | 32% | 16% | 100% |
| Black | 30 | 37% | 47% | 16% | 100% |
| Other or unknown | 2 | 50% | 0% | 50% | 100% |
| Total | 219 | 43% | 38% | 19% | 100% |

Table 21. Extent of citizen injury by contact basis

| Basis | N | Killed | Wounded | Neither | Total |
|--------------------|------------|------------|------------|------------|-------------|
| Call for service | 119 | 41% | 43% | 16% | 100% |
| Traffic stop | 33 | 21% | 42% | 36% | 100% |
| Investigation | 27 | 56% | 26% | 18% | 100% |
| Warrant | 16 | 44% | 44% | 12% | 100% |
| Tactical team call | 11 | 82% | 18% | 0% | 100% |
| Citizen flag down | 1 | 0% | 100% | 0% | 100% |
| Other | 12 | 58% | 17% | 25% | 100% |
| Total | 219 | 43% | 38% | 19% | 100% |

Table 22 shows extent of citizen injury by weapon. Nearly half (48%) of citizens killed in the officer-involved shootings described here had a firearm; another 38% with a firearm were wounded. Only 14% of citizens who possessed a firearm were neither killed nor wounded. Over one-third (39%) of citizens with non-firearm weapons (including motor vehicle, knife/cutting instrument, blunt object, or fire/incendiary device) were killed and 43% were wounded.

Table 22. Extent of citizen injury by presence of weapon

| Weapon | N | Killed | Wounded | Neither | Total |
|------------------|------------|------------|------------|------------|-------------|
| Firearm | 124 | 48% | 38% | 14% | 100% |
| Not a firearm | 49 | 39% | 43% | 18% | 100% |
| No weapon | 20 | 20% | 45% | 35% | 100% |
| Other or unknown | 21 | 38% | 29% | 33% | 100% |
| <i>Missing</i> | 5 | 60% | 20% | 20% | 100% |
| Total | 219 | 43% | 38% | 19% | 100% |

Arrests and citations for those who survived

S.B. 15-217 requested information on arrests and citations that resulted from the officer-involved shooting. In this section, we report information on the 125 citizens who survived the officer-involved shooting incident.

Table 23 shows that 86% of those involved in these incidents were either arrested or issued a citation, and all of these were charged with a crime(s). There were minimal differences across race/ethnicity (Table 24). The most common charge was attempted first degree murder or first degree murder, followed by first degree assault. Other common charges included felony menacing, criminal mischief, and assault on a peace officer. A few cases were charged with aggravated robbery and attempted murder of a peace officer (data not presented).

Table 23. Citizens arrested or cited (those who survived)

| Arrested or Cited | N | % |
|--------------------------|------------|-------------|
| Yes | 107 | 86% |
| No | 18 | 14% |
| Total | 125 | 100% |

Table 24. Race/ethnicity by arrest/citation for citizens who survived

| Arrested or Cited | White | Hispanic | Black | Other or unknown | Total |
|--------------------------|--------------|-----------------|--------------|-------------------------|--------------|
| N | 75 | 30 | 19 | 1 | 125 |
| Yes | 87% | 87% | 84% | 0% | 86% |
| No | 13% | 13% | 16% | 100% | 14% |
| Total | 100% | 100% | 100% | 100% | 100% |

Conclusions

The data reported here represent information provided to the Division of Criminal Justice by 48 law enforcement agencies, 47 of which reported officer-involved shootings between January 1, 2010 and June 30, 2015. It is not possible to know if every officer-involved shooting incident was reported to the Division of Criminal Justice. Two agencies submitted data (one incident each) well after the statutory deadline, and these two incidents were not included in the analyses presented here.

During the study period, 47 agencies reported 192 shooting incidents involving 313 officers and 219 citizens. The majority (56%) of incidents originated with a call for service, and in 95% of shooting incidents, officers were either fired upon or perceived some level of threat to an officer or citizen. A weapon was involved in at least 84% of incidents; firearms (including handguns, rifles, and shotguns) were present in 57% of incidents. Blacks were significantly more likely to have a firearm (83%) compared with Whites (52%) and Hispanics (53%). Nearly half (43%) of citizens were killed and another 38% were wounded. Fifty-two percent of Hispanics were killed, as were 40% of Whites and 37% of Blacks. Nearly half (47%) of Blacks were wounded as were 32% of Hispanics and 40% of Whites. Among citizens who survived these encounters, 86% were arrested or cited for a crime. The most common charge was attempted first degree murder followed by assault.

Senate Bill 15-217 requires the Division of Criminal Justice to annually report the information presented here to the Senate and House Judiciary Committees. The next report will cover the period of July 1, 2015 through June 1, 2016.

Appendix A

Data Collection Instrument

Peace Officer-Involved Shooting Reporting Format

Reporting Requirements for C.R.S. 24-33.5-517 (Senate Bill 15-217)

This data collection requires any state or local law enforcement agency that employs a peace officer who is involved in an officer-involved shooting that results in a person suspected of criminal activity being shot at by the officer to report the information described below. The statute defines a law enforcement agency as the following: a municipal police department, county sheriff's office, town marshal's office, the Colorado State Patrol, the Colorado Bureau of Investigation, and the state Division of Parks and Wildlife. These agencies must report to the Division of Criminal Justice (DCJ) by September 1, 2015 on all officer-involved shootings that occurred between January 1, 2010 and June 30, 2015. These agencies must also report by September 1, 2016 any officer-involved shootings that occur between July 1, 2015 and June 30, 2016. Agencies must report subsequent fiscal year data to DCJ by September 1 following the end of the fiscal year.

One form should be completed for each officer-involved shooting event. "Shoot Teams" may complete the form on behalf of the agency or agencies involved, however the name(s) of the agency or agencies employing the peace officer(s) must be clear. ***Shoot Teams who report data for other agencies are urged to allow agencies named in the report to review the data prior to submission to DCJ.***

All persons involved in the shooting event who are either shot at or charged with criminal activity are referred to below as "Subjects" in this data collection, and information must be collected on each.

Method of Data Collection

DCJ, in consultation with law enforcement representatives, has developed two reporting methods, a PDF format and an Excel spreadsheet (available at <https://www.colorado.gov/dcj-ors/officer-involved-shooting>). The PDF form can be used to submit one incident at a time; the spreadsheet can be used to submit a single or multiple incidents. Agencies with few incidents may find the PDF format the easier to use, while agencies with multiple incidents may find the spreadsheet more useful.

Data may be submitted to DCJ/ORS via email. If you have any questions please contact either Peg Flick at peg.flick@state.co.us or Laurence Lucero at laurence.lucero@state.co.us. Please send PDF forms and spreadsheets to cdps_dcj_ors_sb217@state.co.us

Spreadsheet Format

A spreadsheet template is available at <https://www.colorado.gov/dcj-ors>. **Please use the template provided. If you create a spreadsheet from scratch please use the format specified below.**

A submitted spreadsheet should contain 3 sheets: **Incident Information**, **Subjects**, and **Peace Officers**, in that order. Each sheet should contain the columns specified below. Some columns require specific values to be used. Please see the **Notes** for the specific values to submit.

Sheet 1 - Incident Information

| Column | Column Name | Notes |
|--------|--|---|
| A | Agency Name | Name of Reporting Agency |
| B | Agency ORI | To track back to Judicial District and County |
| C | Agency Incident number | This number will be used to link Subjects and Peace Officers to this incident |
| D | Incident Date | Format: MM/DD/YYYY |
| E | Incident Time | Format: HH:MM AM/PM |
| F | Incident Location | Address or other location information |
| G | <u>Primary</u> basis for the initial contact | Select one: <ul style="list-style-type: none"> • Call for service • Traffic stop • Citizen flag down • Warrant • Tactical team call • Investigation • Off duty • Other |
| H | <u>Primary</u> basis for the shooting | Select one: <ul style="list-style-type: none"> • Officer shot at • Perceived threat to officer/civilian • Imminent threat to officer/civilian • Conducting an arrest • Preventing an escape • Other |
| I | Peace Officer(s) issued a verbal warning prior to shooting | Yes/No |
| J | Incident Narrative | Optional additional narrative. Maximum of 255 characters. |

Sheet 2 - Subject(s) Shot at/Involved

Any person either shot at or charged with criminal activity must be reported. Each row in this sheet contains information for one Subject. One or more Subjects may be entered on this sheet. The **Agency Incident Number** will link **Subjects** listed on this sheet with the **Incident Information** on Sheet 1.

| Column | Column Name | Notes |
|--------|------------------------|--|
| A | Agency Incident number | Incident Number from Sheet 1 |
| B | Age | Age of subject |
| C | Gender | Select one: <ul style="list-style-type: none"> • Male |

| Column | Column Name | Notes |
|----------|---------------------------------------|---|
| | | <ul style="list-style-type: none"> • Female • Transgender • Unknown |
| D | Sexual Orientation | Select one: <ul style="list-style-type: none"> • Lesbian or gay • Straight • Bisexual • Unknown |
| E | Race | Select one: <ul style="list-style-type: none"> • Asian • Black or African American • American Indian or Alaska Native • Native Hawaiian or Pacific Islander • White • Unknown |
| F | Ethnicity | Select one: <ul style="list-style-type: none"> • Hispanic • Non-Hispanic • Unknown |
| G | Physical or Mental Disability | Select one: <ul style="list-style-type: none"> • Physical • Mental • Both • Not Evident |
| H | Explain Physical or Mental Disability | Optional text to explain physical or mental disability |
| I | Subject was armed with | Select one: <ul style="list-style-type: none"> • Handgun • Rifle • Shotgun • Other firearm • Knife/cutting instrument • Blunt object • Motor vehicle • Explosives • Fire/Incendiary device • Unknown • Multiple weapons • Other • None |
| J | Subject wounded or killed | Select one: <ul style="list-style-type: none"> • Wounded • Killed |

| Column | Column Name | Notes |
|--------|---|---|
| | | <ul style="list-style-type: none"> • Neither |
| K | Subject was under the influence of | Select one: <ul style="list-style-type: none"> • Alcohol • Drugs • Alcohol and Drugs • Unknown • No evidence of intoxication |
| L | Subject was arrested or cited | Yes/No |
| M | Subject was charged with | C.R.S. of <u>most serious charge</u> |
| N | Prior to shooting officer(s) conducted a search | Yes/No |
| O | Prior to shooting officer(s) conducted search <u>pursuant to probable cause</u> | Yes/No |
| P | Prior to shooting officer(s) conducted search <u>with consent</u> | Yes/No |
| Q | Prior to shooting officer(s) conducted search <u>pursuant to a warrant</u> | Yes/No |
| R | Contraband found | Yes/No |
| S | Nature of contraband found | Select one: <ul style="list-style-type: none"> • Drugs/Paraphernalia • Weapons • Drugs/Paraphernalia and Weapons • Other |

Sheet 3 - Peace Officer (s)

Each row in this sheet contains information for one **Peace Officer**. One or more Peace Officers may be entered on this sheet. The **Agency Incident Number** will link **Peace Officers** listed on this sheet with the **Incident Information** on Sheet 1.

| Column | Column Name | Notes |
|--------|------------------------|--|
| A | Agency Incident number | Agency Incident number from Sheet 1. |
| B | Officer Agency | Name of employing agency |
| C | Officer Agency ORI | ORI of employing agency |
| D | Age | Age of officer |
| E | Gender | Select one: <ul style="list-style-type: none"> • Male • Female |
| F | Race | Select one: <ul style="list-style-type: none"> • Asian • Black or African American • American Indian or Alaska Native • Native Hawaiian or Pacific Islander • White |

| Column | Column Name | Notes |
|----------|---------------------------|---|
| | | <ul style="list-style-type: none"> • Unknown |
| G | Ethnicity | Select one: <ul style="list-style-type: none"> • Hispanic • Non-Hispanic • Unknown |
| H | Officer wounded or killed | Select one: <ul style="list-style-type: none"> • Wounded • Killed • Neither |

PDF Format

The PDF form contains the same information as the spreadsheet above, but is limited to 5 Peace Officers and 5 Subjects in a single incident.

Appendix B

Reporting Agencies

Table B-1. Police departments (PD) and officers involved

| Agency | Number of Officers Involved |
|----------------------------------|-----------------------------|
| Denver PD | 63 |
| Aurora PD | 37 |
| Colorado Springs PD | 16 |
| Greeley PD | 16 |
| Lakewood PD | 15 |
| Fort Collins Police Services | 12 |
| Grand Junction PD | 11 |
| Westminster PD | 10 |
| Northglenn PD | 9 |
| Commerce City PD | 8 |
| Thornton PD | 8 |
| Fruita PD | 6 |
| Arvada PD | 4 |
| Boulder PD | 4 |
| Federal Heights PD | 3 |
| Fountain PD | 3 |
| Palisade PD | 3 |
| Parker PD | 3 |
| Broomfield PD | 2 |
| Longmont PD | 2 |
| Wheat Ridge PD | 2 |
| Black Hawk PD | 1 |
| Buena Vista PD | 1 |
| City of Brighton PD | 1 |
| Colorado State University PD | 1 |
| Cortez PD | 1 |
| Firestone PD | 1 |
| Golden PD | 1 |
| Loveland PD | 1 |
| University of Colorado Denver PD | 1 |
| Woodland Park PD | 1 |

Table B-2. Sheriff's offices (SO) and officers involved

| Agency | Number of Officers Involved |
|-----------------------|-----------------------------|
| Adams County SO | 15 |
| Jefferson County SO | 7 |
| Arapahoe County SO | 6 |
| El Paso County SO | 5 |
| Denver County SO | 4 |
| Larimer County SO | 4 |
| Weld County SO | 3 |
| Boulder County SO | 2 |
| Douglas County SO | 2 |
| Mesa County SO | 2 |
| Clear Creek County SO | 1 |
| El Paso County SO | 1 |
| Moffat County SO | 1 |
| Montezuma County SO | 1 |

Table B-3. Other law enforcement agencies and officers involved

| Agency | Number of Officers Involved |
|-------------------------------------|-----------------------------|
| Colorado State Patrol | 11 |
| Colorado Div. of Parks and Wildlife | 1 |