

SL Co. DA finds no cause for criminal charges in February officer-involved shooting

KUTV

by Hunter Geisel

Thursday, August 30th 2018

Link: <https://kutv.com/news/local/sl-co-da-finds-no-cause-for-criminal-charges-in-february-officer-involved-shooting>



(KUTV) -- The Salt Lake County District Attorney announced Thursday that criminal charges aren't warranted in the February vehicle shooting of a vehicle by an officer.

Salt Lake County District Attorney Sim Gill announced in a press release that criminal charges weren't warranted in the vehicle shooting by Adult Probation and Parole agent Daniel Hampton earlier this year.

According to a letter sent by the District Attorney's office, Jessie Santiago, Aubrey Everill and two other people allegedly burglarized a store at 715 South 900 West in Salt Lake City on Feb. 12, 2018. Following a 911 call, agents Hampton and Corey Grint arrived on scene and saw two cars that appeared to be involved in the burglary, including the car driven by Santiago.

On arrival, Hampton positioned his police vehicle in front of Santiago's car. When Santiago attempted to drive away from the store, his car collided with Hampton's vehicle. Hampton then fired one round from his duty weapon, which struck the rear driver's side wheel rim on Santiago's car. No one was injured during the incident.

While reviewing the shooting, the District Attorney's office discovered what appeared to be an unintentional gap in Utah law, mandating independent investigations of officer-involved critical incidents. The law limits the mandated independent review of an officer-involved critical incident to only those situations where a private citizen is actually injured by an officer's actions. So, "near misses" or shootings that result in only property damage are shielded from compulsory outside review.

The law also requires that an officer use a "dangerous weapon" when causing injury.

Although that would not have precluded an external investigation in this case, it would seemingly prohibit independent outside review of injuries caused by choke-holds or other person-on-person physical altercations between an officer and private citizen.

"The public demands transparency when considering the actions of police officers who discharge weapons at or toward private citizens, regardless of whether injury results," Gill said. "Independent investigation and analysis of an officer's use of force should not depend on whether the officer was a good shot. It also should not depend on whether a serious injury to an individual in our community was caused by a gun or taser versus fists, hands, or feet. Salt Lake County residents rightfully demand more from us."

Both the District Attorney's office and the ACLU of Utah will commit to working with State Representative Marc Roberts of Santaquin to revise the law to better embody transparency and accountability that Roberts intended when the original bill ran in 2015.

Marina Lowe, legislative and policy counsel of the ACLU of Utah, said limiting independent review by an outside agency to only cases involving dangerous weapons made "no sense."

"Many documented incidents of law enforcement officers using physical force against individuals do not involve what this law would consider a 'dangerous weapon'—including the chokehold death of Eric Garner in New York or the death of Freddie Gray by 'rough ride' in the back of a Baltimore police van," Lowe said. "Limiting independent review by an outside agency to cases including only 'dangerous weapons' makes no sense."