

# Colorado District Attorneys' Council

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## PRESS RELEASE

## FOR IMMEDIATE RELEASE

Greeley, CO – Earlier today, Governor Polis issued a statement regarding the ongoing investigation into the officer-involved shooting of De'Von Bailey. In the statement, the Governor calls for a transparent, objective, and thorough investigation. The elected District Attorneys in this State agree that our goal in every officer-involved incident is to reach the right result and ensure public trust in the investigative process.

The Governor may be unaware that the Colorado District Attorneys' Council worked successfully with the Legislature to create a framework for how investigations such as these must be conducted. The result of that work was Senate Bill 15-219, now codified as 16-2.5-301(1). That bill, which the District Attorneys actively supported, requires the creation and utilization of multi-agency, independent investigative teams to investigate officer-involved shootings. It further requires the posting of these critical incident team protocols on agency websites for public access. Finally, it requires the District Attorney to post their findings and make them available to public. The intent of this law was to guarantee professionalism and transparency in response to these highly publicized incidents and to give the public a measure of trust in the outcome of the investigations.

The Colorado Springs investigation has been done by such a team, an officer-involved shooting response team known as DFIT, Deadly Force Investigations Team. This team was formed in response to SB15-219 and is fully compliant with those statutory requirements.

Once the investigation is complete, it is the responsibility of the elected District Attorney for that jurisdiction to review it, and to make an independent determination as to whether criminal charges, against any person, are legally and ethically sustainable under Colorado law. It is not the duty of an elected District Attorney to simply transfer investigations or cases to another DA simply because they are difficult, complex, or the subject of media coverage.

We have complete confidence in the integrity, competence, and professionalism of 4<sup>th</sup> Judicial District Attorney Dan May and his staff. There has been no reason given, in the Governor's statement or otherwise, to doubt the ability of Dan May to represent his community in this investigation and review.

Clearly the Governor felt the need to respond to the media attention that this investigation has received, but the elected district attorneys and our law enforcement partners handle these investigations routinely and do so with the utmost professionalism.

A handwritten signature in blue ink, reading "Michael J. Rourke". The signature is fluid and cursive, with the first name "Michael" being more prominent than the last name "Rourke".

Michael J. Rourke  
19<sup>th</sup> Judicial District Attorney  
President, Colorado District Attorneys' Council