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MEDIA RELEASE

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SUBJECT: DA Review 24PD08677	     @EauClairePD

Officer Involved Shooting - Update

On July 31, 2024, Eau Claire County District Attorney Peter Rindal released the opinion of his review of the Officer Involved Shooting, which occurred on May 24, 2024. District Attorney Rindal stated Officer Ariana Down Larson's use of deadly force was justified.

Officers were called to a disturbance in the 2200 block of 2nd Street. As officers were investigating the initial call, loud yelling was heard from a second location. This was also in the 2200 block of 2nd Street. At this location, Officer Ariana Down Larson found two frightened children outside a residence who were attempting to hide from a man. This man was later identified as Thomas Burback. Burback was screaming profanities from a second-story balcony. Officer Down Larson asked the children what was happening, and she was told Burback was fighting with the grandmother of one of the children in the upstairs apartment. Officer Down Larson brought the children to a neighbor's house for shelter then returned to the residence to investigate further.

Officer Down Larson confronted Burback, who was outside yelling profanities towards her and towards the person still in the house. Officer Down Larson identified herself as a police officer and observed Burback pointing a revolver in her direction, and she subsequently observed Burback turn to re-enter the apartment where the other person was. Burback was still holding the revolver when Officer Down Larson discharged her firearm.

Burback retreated into the residence and barricaded himself inside, during which time the second party was able to escape. Crisis Negotiators established phone contact with Burback. They maintained communications with him and attempted to convince him to surrender. Ultimately, non-lethal gas was deployed into the apartment. Burback agreed to surrender to negotiators at that time. After the incident was resolved, a search of the apartment was conducted and a revolver was located.

Based on the totality of this investigation Eau Claire District Attorney Peter Rindal wrote "the Eau Claire County District Attorney's Office concludes that Eau Claire Police Officer Ariana Down Larson's use of deadly force was justified as a reasonable act of self-defense and defense of others."

Police use of deadly force must be investigated thoroughly. In addition to the investigation recently reviewed by the Eau Claire County District Attorney regarding Officer Down Larson's use of force, the Eau Claire Police Department is conducting an Administrative Review of this incident. The purpose of this review is to determine policy compliance by responding officers. This evaluation, once complete, will be available for community review.

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