

**PRESS RELEASE**

**June 12, 2019**

On June 6, 2019, police officers from several agencies in Davis County were pursuing a car occupied by two suspects reported to have been involved in a shooting and likely armed. A Woods Cross officer was monitoring the pursuit on the radio, including a report from an officer that one of the suspects was Hispanic and the other was black. Sometime during the pursuit, the Woods Cross officer heard one of the pursuing officers report that the suspects had abandoned the car and fled on foot, one running west through a church parking lot at 311 North 800 West in West Bountiful.

On his way to assist a K9 officer in a foot pursuit of the suspect seen at the church, the Woods Cross officer saw a young black male running toward the street in a driveway connected to an adjacent field. The driveway was only 380 yards, or a couple of blocks west, from where the suspect was last seen running in that direction. A look of panic came over the young man's face and his eyes enlarged when he looked at the officer, who was in full uniform and driving a police car with its lights and siren activated. The male turned and ran toward the house in response. When the officer stopped his car, the male stopped running, turned toward the officer and looked at him. He then looked around, as if seeking a route to flee. The officer quickly exited his car to begin what he thought was going to be a foot pursuit and, in so doing, neglected to activate his body camera. At this point, the male began running toward the officer, leading the officer to draw his gun and point it in the direction of the male in the low-ready position, down toward his lower body. When the officer yelled for the male to stop and get on the ground, the male complied. As the officer approached the male, his gun still in the low-ready position, the officer noticed the male appeared to have a cognitive disability and determined he was not the fleeing suspect. He holstered his gun, and as he began to do so, a woman, stating the male was her son, exited the house with several children. The officer apologized, explained he was looking for two armed and dangerous suspects in the area and told the woman and children to go in the house and lock their doors for their safety. He told the woman he would return to talk to her later, as he still needed to find the suspects. Officers found one of the suspects hiding in a barn about a block and a half east of the house.

As promised, the officer returned a short time later after one of the suspects was caught. He asked the male if he was okay, and the male responded by asking if he was in trouble. The officer told him he was not in trouble and that he did not do anything wrong. The male spontaneously gave the officer a hug. Throughout this time, the mother was on the phone and did not end her telephone conversation, so the officer told the male and the other children their mother was understandably upset. The officer walked back to his car and retrieved a business card with his name and contact information. As the officer handed the mother his business card,

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the mother continued talking on the phone and did not say anything to the officer. Not wanting to interrupt her, and assuming she did not want to talk with him at that point, he left.

Woods Cross City, Chief Soffe and the officer are troubled by accusations that the officer acted inappropriately due to racial animus. All of these actions were taken in the context of a highly dangerous, rapidly developing pursuit of violent criminals. His actions were based not only on the physical description of one of the suspects as black, but his observation that the male appeared to be in his teenage years, was in the immediate vicinity of where the suspect was last seen running in that direction, and the male's unusual behavior. In retrospect, it may be evident that the young man was frightened and did not understand what was happening. However, officers do not have the luxury of hindsight in these rapidly-evolving and extremely dangerous situations. They have only moments to perceive and assess limited facts and make split-second decisions about how to respond. Based on a combination of the young man's matching physical description, his close proximity to the last location of the suspect, and his actions, the officer reasonably concluded he had at least reasonable suspicion, if not sufficient probable cause, to detain the young man to investigate whether the man was the suspect officers were pursuing. Police officers are human and sometimes they make mistakes. However, where those mistakes are reasonable, the law forgives them. Such a mistake occurred here.

There have been assertions that the City has provided inconsistent versions of what occurred, which is not accurate. Multiple law enforcement jurisdictions were involved in the pursuit and apprehension of the one shooting suspect who was captured. They continue to be involved in the investigation and search for the remaining suspects. Amid the chaos of trying to locate and apprehend the suspects, the young man's family, public interest groups, and the media were all requesting information at a time when not all of the information was known by the City. Information still continues to develop. The City has and will continue to provide accurate information about the situation as the investigation continues to proceed without jeopardizing the integrity of the investigation and potential criminal charges against the suspects.

Recognizing the importance of this issue to the public, the family, the City, the officer, and the law enforcement community as a whole, Chief Soffe has requested that the Davis County Attorney's Office conduct an investigation into whether the officer committed any criminal wrongdoing, and whether the officer inappropriately acted based on racial profiling. The Chief, the City and the officer will fully cooperate in any investigation. The Chief would also like to meet with the young man and his mother to listen to and address their concerns and answer any questions they have about the matter.