

Unified police agree to pay \$1.2 million to innocent bystander who was shot and wounded by officer

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Courts • The officer thought the man he shot was the one who had just fired at him.



Dustin Evans

· July 14, 2017 9:57 pm

By Jessica Miller | The Salt Lake Tribune

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The Unified Police Department said Friday it has agreed to pay \$1.2 million to [a bystander who was shot](#) and wounded by an officer in 2015.

The officer shot [Dustin Evans](#) in a case of mistaken identity — Officer Cory Tsouras thought Evans was the man who had just fired shots at him moments before, according to police.

Tsouras fired six to eight times at Evans, who had pulled his vehicle into a car wash as the real suspect, 34-year-old Jeremy Michael Bowden, had fired at the officer. Evans was struck by two bullets in the hand and leg.

The announcement of the settlement comes on the last week of work at Salt Lake County for Sheriff Jim Winder, who is leaving to take a new position as Moab's police chief.

"I am pleased that one of my last acts as sheriff has been to resolve this case arising out of the tragic mistaken identity shooting of [Dustin Evans](#)," the sheriff said in a statement. "We wish Dustin and [his wife] Miranda Evans the best going forward."

The money paid to the couple will come from UPD's insurance company.

Rocky Anderson, who represents the Evanses, said in a statement the couple's lives were "turned upside down" the day [Dustin Evans](#) was shot.

"They face tremendous challenges in the future," Anderson said, "and are unable to enjoy many of the everyday things they did together with their children and friends before Dustin's serious injuries."

Anderson also praised Unified police officials, saying Winder made certain that Evans' expenses were covered from the beginning.

"This case," Anderson said, "has been a positive example of how these kinds of tragic matters can and should be handled, with integrity, by responsible governmental entities and officials."

A 3rd District Court jury in February found Bowden guilty of attempted aggravated murder, receiving a stolen vehicle, obstructing justice and firearm charges. A judge sentenced him to spend up to life in prison for the crimes.

Witnesses said that at about 8:15 p.m., on Oct. 30, 2015, a Unified Police officer located a stolen truck in the parking lot of a Midvale business at 38 W. 7200. When a man approached the truck and the officer confronted him, the man fled on foot, according to trial testimony. Moments later, Tsouras pulled his police vehicle parallel to where Bowden was running, and Bowden fired five window-shattering shots at the car. One of the bullets lodged in Tsouras' bullet-proof vest and another hit the driver's seat headrest.

Tsouras sped up to put distance between him and the shooter, parking near a car wash at 150 W. 7200 South. After he exited his car, Tsouras spotted Evans, who was dressed like the shooter, crouched beneath an awning. The man had a dark object in his hands — later identified as a lanyard and set of car keys — and refused to comply with orders to show his hands, Tsouras said. Tsouras then fired his weapon and struck Evans.

When officers realized Evans was not the suspect, they set up a containment area and used a stun gun to arrest Bowden.

In June, the Salt Lake County District Attorney's Office cleared Tsouras of any criminal wrongdoing, but found the shooting was not a justified use of force.

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