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## UPD reaches settlement with innocent man shot by officer

SALT LAKE CITY – Nearly 20 months after an innocent man was shot by an officer by mistake, the Unified Police Department has reached a settlement with the victim.

Dustin Evans pulled up to a car wash in Midvale on October 30, 2015 just as a shootout between police and a suspect was beginning.

Dash cameras were rolling as an officer pulled up. They show 34-year-old Jeremy Bowden fleeing from and shooting at police.

The bullets shattered an officer's windshield, and one lodged itself in his head rest while another bullet struck the officer in his protective vest.

But just as police prepared to return fire, Dustin Evans pulled up, totally unaware of what was happening.

"I'm thinking, oh, crap, I'm going to die here," he recalled.

Evans said he ran from his car for cover, but what he was wearing was almost identical to what the suspect was wearing. An officer fired at him.

"The door shattered, and I just fell to the ground," he said of the shooting.

Attorney Rocky Anderson, the former Salt Lake City Mayor, represented Evans and said he suffered permanent injuries.

"He'll always have drop foot, he's always gonna have to wear a brace on his foot, he's always gonna have limited range of motion, and that's why he won't be able to go back to the job he really loved doing," Anderson said.

After one day of arbitration, UPD and Evans agreed to a \$1.2 million settlement.

"From the very beginning Unified Police has taken care of the medical expenses, lost wages," Anderson said.

In a statement, Salt Lake County Sheriff Jim Winder writes, "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. We wish Dustin and Miranda Evans the best going forward."

Anderson said this is not a case where all is well that ends well. He said the consequences of the mistake are permanent for his client.

"Certainly anytime an officer doesn't know who he or she is shooting at, there's a huge problem," Anderson said.