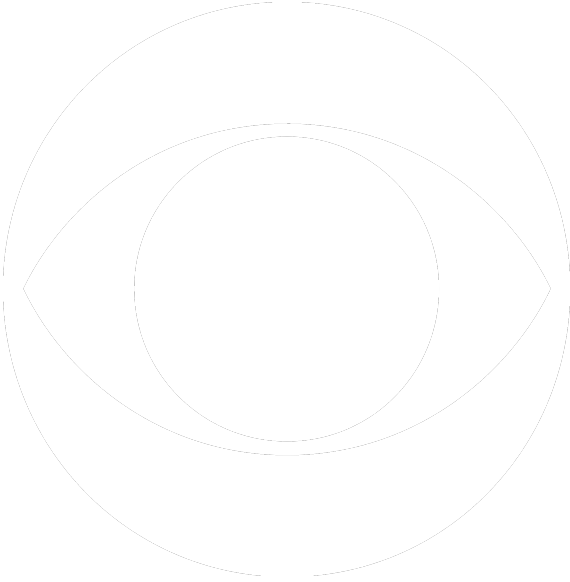


# What should accountability for officer-involved shootings look like?

 [kutv.com/news/2news-investigates/officer-involved-accountability](https://kutv.com/news/2news-investigates/officer-involved-accountability)

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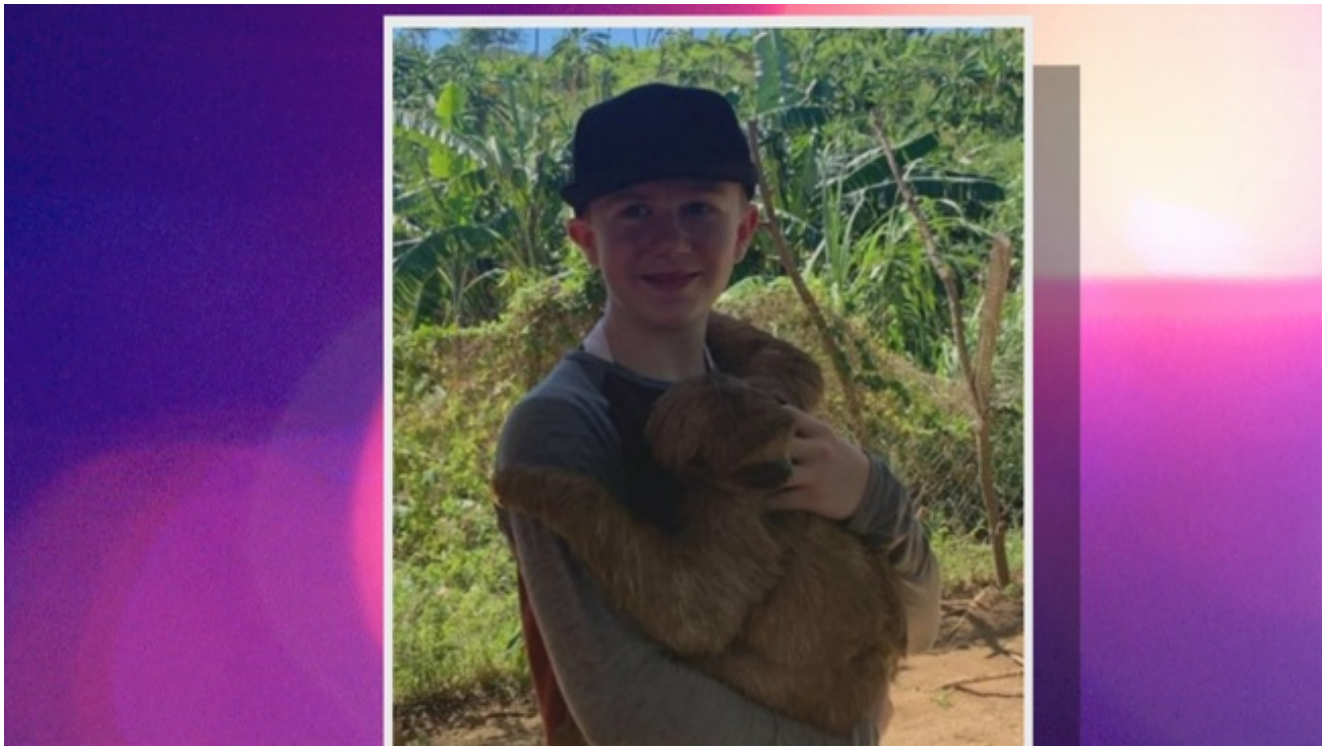


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by Heidi Hatch and MacKenzie Ryan

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Police shootings are front and center in the minds of Utahns following months of protests, police shootings and calls for action.

So far this year, Salt Lake County has seen 14 officer-involved shootings. The Sept. 4 shooting of a 13-year-old autistic boy by Salt Lake City officers has arguably been the highest profile of those incidents so far. Video of that shooting was just released by the city, but a ruling could still be months away.

With every new officer-involved shooting, there is a renewed call for justice, for charges to be filed and officers fired from their jobs. Those calls come before we can hear all sides, see more than a 20-second clip of video, and understand the totality of the incident.



To understand the process involved in ruling a shooting justified or unjustified and when charges should be filed, we went to Salt Lake County Sheriff Rosie Rivera, District Attorney Sim Gill, and Dustin Evans, the victim of a shooting ruled “unjustified” — but with no criminal charges filed.

Evans will never forget the October 2015 night when he pulled into a Midvale car wash where he was almost instantly met with gunfire.

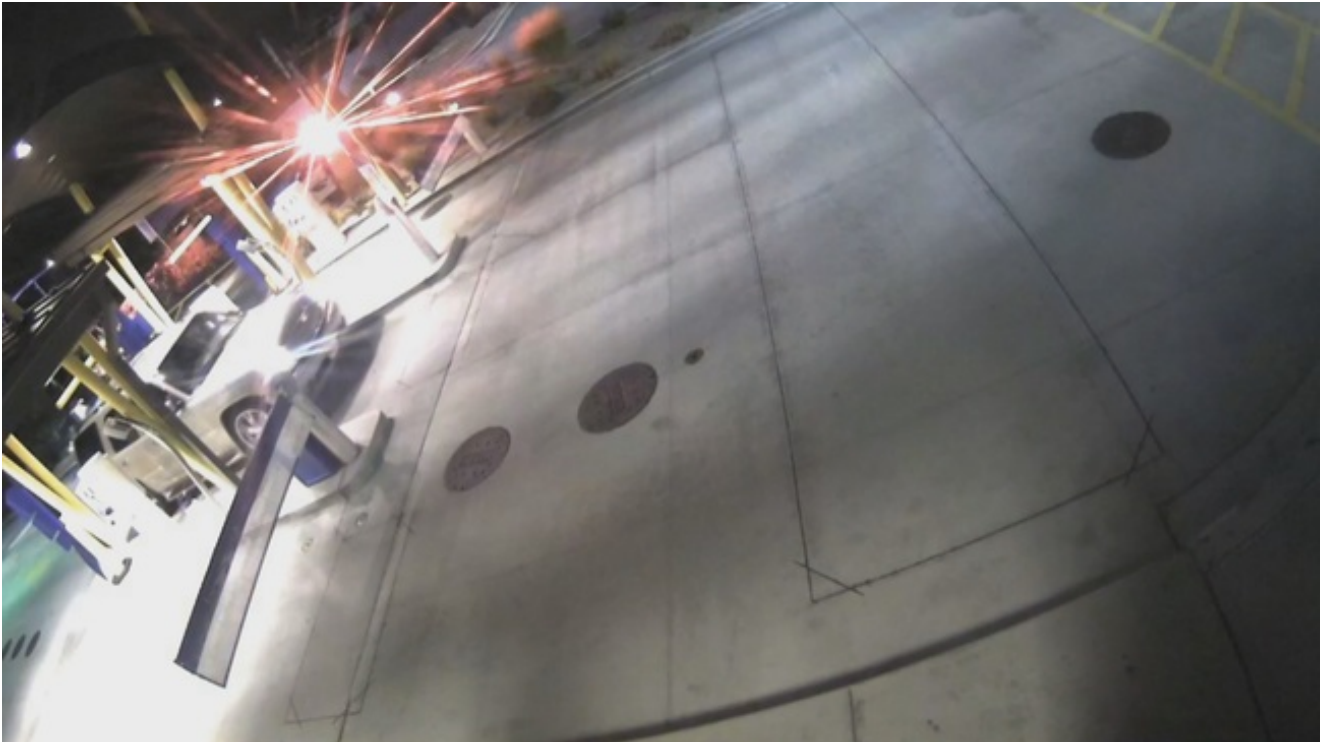
“It’s five years and it’s still hard to process exactly what happened that night,” Evans said.



Dustin Evans is the victim of a police shooting ruled “unjustified” — but with no criminal charges filed. (KUTV)

He saw a man he didn’t know shooting at police. Evans “made a split-second decision,” jumped out and made a run for safety. Before he could make it inside, he heard his window shatter and fell to the ground, bleeding profusely from his hand and leg. Shot three times, Evans, a father of three, did not know if he would survive.

Officer Cory Tsouras was pursuing a gunman, lost sight of him and mistakenly set his sights on Evans, who was in the wrong place at the wrong time.



Nine months after the Oct. 30, 2015 shooting, Salt Lake County District Attorney Sim Gill ruled Evans' shooting unjustified, but stopped short of filing charges against the officer, calling the matter an “honest mistake.”

“The officer was reacting to something, but he was mistaken, so it doesn’t make sense for us to prosecute that person,” Gill said.

Tsouras, the officer who shot Evans, was placed on administrative leave, then returned to work three months later. While Evans doesn’t think Tsouras deserved to be charged, he does want him held “accountable” and to this day would love a simple, “I’m sorry.”

Since Gill took office in January of 2011, he has reviewed 104 officer-involved shootings. Only eight have been ruled unjustified — a reflection, Gill says, of current law.

“The threshold that law enforcement must meet,” Gill said, “is very low in terms of how they use lethal force and when they get to use lethal force.”

Charges have been filed in just three of the eight unjustified shootings. All three of those cases were ultimately dismissed for various reasons, including witnesses who changed their stories.



### Salt Lake County District Attorney Sim Gill (KUTV)

Gill stands behind his criminal filings but says, “the threshold that we use to hold them criminally accountable is very high,” making it difficult to get charges to stick in court and ultimately end with a guilty verdict.

Protests in Utah and nationally call for more officers to be charged, but Gill says that can't happen unless the law changes.

What the citizens are getting and what they expect from law enforcement are two different things," he said.

Salt Lake County Sheriff Rosie Rivera does not think the state's use of force law should change. She believes the standards they live by are high enough.

I don't know one officer that wakes up in the morning and wants to take a life. They want to save a life," Rivera said.

Rivera says when an officer harms or kills a citizen, it is life changing for the officer as well. In an instant, the lives of at least two families are altered forever.

Rivera, who's spent her career in law enforcement, sees shootings taking a toll, saying, “many don't make it through their career.” Many of her officers “don't make their 20 after they've been involved in a tragedy like that.” Even for those who stay, the stress can be too much, she says.

| We've seen some take their own lives because it is a stressful job," she said.

Officer-involved shootings can take several months to more than a year to investigate. Currently, Rivera has officers sitting at home waiting. Those officers are not able to discuss the case and are left at home to deal with the weight on their own.



Salt Lake County Sheriff Rosie Rivera does not think the state's use of force law should change. She believes the standards they live by are high enough. (KUTV)

Rivera checks in and says, "when you talk to them, it just seems like it takes forever for an outcome."

DA Sim Gill is the one who rules on shootings, so we took the issue of timing to him. What can be done to reduce the time officers and victims' families wait for answers?

Gill is blunt, saying, "The easiest way we can do that is we can reduce the number of shootings."

His office is not given any additional resources to investigate officer-involved shootings, so they are added to current caseloads. Adding to the work of investigating a shooting is the political pressure. Just today, Salt Lake City Mayor Erin Mendenhall called for a quick and thorough investigation into the recent shooting of that 13-year-old boy, Linden Cameron. Two weeks ago, she made a similar call.





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Gill, like the community, hears these calls for quick action, but says the mayor will have to wait in line. Before the shooting of the teen boy with autism, Gill already had nine other officer-involved shootings to review.

“When a citizen is shot or killed in our community, do we not want to be deliberative about that? Do we not want to be thorough about that?” the DA asked.

### **The question now: What should accountability look like after a police shooting going forward?**

**Dustin Evans:** “If the cops are not held accountable for their actions and they know, 'oh I can shoot this guy and be back on the force in a couple of weeks paid,' what does that do? It does nothing.” He wants officers involved in shootings to go back to the academy for more training, or better yet, get a degree before they can be hired as an officer.

**Sheriff Rosie Rivera:** “Not all cops are bad, and we don't agree with the bad, either. We do everything we can to make sure we are giving support that the officers need, but at the same time holding them accountable. That is what our communities want, they want us to hold our own accountable.” She’s willing to keep holding officers accountable even after a shooting is ruled unjustified in her own office. She believes training is the best thing she can give her officers, but training, she says, is expensive and not in the budget. Instead of defending police, she believes police need more funding so they can get ongoing training in

de-escalation and mental health.

**DA Sim Gill:** “In the United States of America, there are three ways to kill a human being. One is by thirty years of appeals in a death penalty case. The second is by declaration of war by Congress. Or, third, when a police officer shoots a citizen in our community.” Gill says, “if you think about the first two versus the last one, the last one we want to circle the wagons.”

Circling the wagons will take a united effort. The community can get involved beyond protests by talking to their elected officials and give ideas on what change is needed. Legislators, cities and counties need to talk funding.



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Getting creative is possible. Gill told us he supports funding continued education for officers. His office spent half a million dollars on use of force training when he came into office and funded a 3D simulator for police training for real-world shooting situations.

The community plays a role as well. Rivera says her daily call logs are filled with people who won't comply, won't pull over, and resist arrest. Those actions can alter a situation and often lead to a use of force.