



LOUISVILLE POLICE DEPARTMENT
PRESS RELEASE-UPDATE

TYPE OF INCIDENT: Officer Involved Shooting		CASE NUMBER: 18-1463	
LOCATION: 500 Block of East South Boulder Road	DATE: 07/27/2018	TIME: 2:20 p.m.	

DETAILS:

The facts of the investigation at this time indicate the following:

On Thursday, June 7th at approximately 5:26 p.m. two Louisville Police Officers, Corporal Joe Lamb and Officer Ben Himes, responded to investigate a report of suspicious persons and possible drug activity in the area of 500 Block of East South Boulder Road. When the officers arrived, they contacted John Moses, age 57 and Nicholas Moses, age 25, in a motor vehicle. John and Nicholas are father and son.

John was in the passenger seat of their vehicle, a pick-up truck, and Nicholas was in the driver's seat. Nicholas was ordered out repeatedly. Once out, Nicholas walked backward with his hands up, then ran to the truck, jumped in, and then rammed the police car which caused the truck to shift out of gear. Nicholas then revved the engine of the truck and again attempted to accelerate a second time, despite orders from the officers to stop. Officer Himes deployed a Taser, striking Nicholas. The Taser did not stop Nicholas, who continued to rev the engine and attempt to shift the truck into gear.

When Nicholas shifted the truck into gear and accelerated forward a second time, the Corporal Lamb fired at Nicholas to stop him. Nicholas sustained a non-life threatening gunshot wound. John Moses was not struck by the gunfire or injured in connection with this incident. A dog which was inside the cab of the truck at the time was struck by the gunfire and died.

Both John Moses and Nicholas Moses were arrested and taken to the Boulder County Jail on unrelated charges.

The Boulder County Critical Incident Team has completed its investigation of the incident and presented its findings to District Attorney Michael Dougherty and Louisville Police Chief David Hayes. The District Attorney's office is responsible for the legal analysis of the officer-involved shooting. Attached is the letter from District Attorney Michael Dougherty outlining his decision related to this incident. In this letter, DA Dougherty concluded,

"We find in our review of this shooting that no conduct by Corporal Lamb rises to the level of a criminal offense. It is the conclusion of my office that, based on the applicable law and the facts and circumstances of this case, that law enforcement's actions during this incident meet the legal requirements of the affirmative defense of self-defense as contained in C.R.S. 18-1-704(1). The officers' actions also meet the legal requirements of C.R.S. 18-1-707(1)(a) and (b) involving the use of physical force in making an arrest or preventing an escape. Therefore, based upon the entire investigation of this incident, it is the final conclusion of my office that the legal requirements of the affirmative defense(s) were satisfied by law enforcement actions, that law enforcement was legally justified in the use of physical force

**IF YOU HAVE INFORMATION ABOUT THIS OR ANY OTHER CRIME PLEASE CONTACT
NORTHERN COLORADO CRIME STOPPERS AT www.nococrimestoppers.com or 1-800-222-TIPS (8477)**



in this case and, therefore, that their conduct does not violate any criminal statutes. Accordingly, pursuant to C.R.S. 18-1-704(1), 18-1-707(1)(a) and (b), and applicable case law, I find that Corporal Lamb was legally justified in using physical force against Nicholas Moses under the circumstances. As a result, my office will not be filing criminal charges against Corporal Lamb.”

The Louisville Police Department is in the process of conducting a separate review of the incident related to compliance with the Department’s Use of Force policy by the involved officers.

IF YOU HAVE INFORMATION ABOUT THIS OR ANY OTHER CRIME PLEASE CONTACT
NORTHERN COLORADO CRIME STOPPERS AT www.nococrimestoppers.com or 1-800-222-TIPS (8477)