



**OFFICE OF THE FIRST JUDICIAL  
DISTRICT ATTORNEY OF COLORADO**  
District Attorney Alexis King

August 15, 2024

Sheriff Marinelli  
200 Jefferson County Parkway  
Golden, CO 80401

Re: *Deputy Involved Shooting, February 29, 2024, Northbound Kipling at I-70, Wheat Ridge*

Dear Sheriff Marinelli,

The First Judicial District Critical Incident Response Team has completed its investigation into the fatal shooting of Kristin Deandre Dock by Jefferson County Sheriff's Deputies including Deputy Quoc Tran and Deputy Tyler Dalton (the "Deputies") on February 29, 2024, shortly before midnight in the northbound lanes of Kipling at the Interstate 70 overpass in the City of Wheat Ridge. CIRT Commander Melanie Thornton of the Arvada Police Department presented the investigation to my office on June 11, 2024. All of the reports were received and the file was complete on August 8, 2024.

After a thorough review and analysis of the evidence, I find that the Deputies' use of deadly physical force was legally justified to defend themselves and others from the threat posed by Mr. Dock. Given my conclusion, no criminal charges will be filed against the Deputies. I am issuing this letter to you pursuant to §20-1-114(1), C.R.S.

The First Judicial District Critical Incident Response Team (CIRT) investigates any incident in which a law enforcement officer within the First Judicial District uses deadly force, or attempts to use deadly force, against a person while acting under the color of official law enforcement duties. The CIRT team is comprised of highly trained and skilled investigators working under my authority and appointed from multiple law enforcement agencies, including my office. This multi-jurisdictional team of objective, dispassionate professionals protect the integrity of the investigation by exercising independent judgment in conducting a thorough investigation. To maintain transparency and reduce conflicts of interest, officers from the involved agency do not perform critical duties related to the investigation.

Here, the Jefferson County Sheriff's Office ("JCSO") immediately activated the CIRT team to investigate the use of deadly force by the Deputies. Consistent with CIRT policy, JCSO did not participate in the substantive portions of the CIRT investigation. The CIRT team promptly responded to investigate, led by Commander Thornton. Under her direction, the CIRT team processed the scene, completed interviews with those who saw or heard the events, and preserved necessary evidence. The involved Deputies provided voluntary statements and submitted to questioning. These interviews were recorded, reviewed as part of the investigation, and included within the file. Commander Thornton and her lead detective briefed me, my leadership team, and CIRT team members on this investigation and provided the file for my review.



My team reviewed over 1252 photos and 348 pages of reports pages of reports by the Arvada Police Department, Lakewood Police Department, Wheat Ridge Police Department, and Jefferson County Sheriff's Office. I reviewed the recorded interviews of the deputies and witnesses who heard or saw the events and the evidence collected from the scene and evaluated by independent examiners.

As District Attorney, my role is to determine whether the Deputies committed a criminal offense. No charges may be legally or ethically brought unless a crime can be proven beyond a reasonable doubt, a standard that applies to officers and civilians alike. Because this shooting was justified under Colorado law, no criminal charges can or should be filed against the Deputies.

A person may be held criminally liable under Colorado law only when the evidence proves beyond a reasonable doubt that they committed every element of an offense defined by Colorado statute. When a person intentionally shoots another person, resulting in that person's death, they commit the crime of murder, unless a legally recognized justification exists. If a justification exists, the shooter is not criminally liable. Generally, acting in self-defense or defense of others is one such justification. These defenses are available to all Coloradans, including an officer or agent. An officer or agent is also specifically authorized to use deadly physical force under certain circumstances.

As relevant here, a peace officer is justified in using deadly force if: 1) the officer has objectively reasonable grounds to believe that the officer or another person is in imminent danger of being killed or suffering serious bodily injury; 2) the officer does in fact believe that the officer or another person is in imminent danger of being killed or suffering serious bodily injury; and 3) the officer has an objectively reasonable belief that a lesser degree of force is inadequate. § 18-1-707(4.5), C.R.S. Acting in self-defense or defense of others is subject to the same analysis. § 18-1-704(1)-(2), C.R.S. By law, in deciding whether the Deputies were justified in acting in self-defense or defense of others, it does not matter whether Mr. Dock was actually trying to injure the Deputies or another person, so long as a reasonable person, under like conditions and circumstances, would believe that it appeared that deadly physical force was necessary to prevent imminent harm. The facts must be viewed as they appeared to the Deputies at the time; future developments are irrelevant to the legal analysis.

Therefore, I must determine whether, at the time the Deputies shot Mr. Dock, they had objectively reasonable grounds to believe, and did in fact believe, that they or another person was in imminent danger of being killed or suffering great bodily injury, and whether they reasonably believed a lesser degree of force was inadequate. In other words, would a reasonable person, confronted with the same facts and circumstances, believe that it was necessary to use deadly physical force to defend himself or others from Mr. Dock? If so, the shooting is justified under Colorado law, and no criminal charges can or should be filed.

## **FACTS ESTABLISHED BY THE INVESTIGATION**

On February 29, 2024, at approximately 11:14 pm, an initial deputy with JCSO observed a black Audi stopped at the light of northbound Kipling and the eastbound I-70 on-ramp. The Audi had expired plates and hazard lights illuminated. The initial deputy activated his overhead lights and pulled behind the Audi, radioing a motorist assist to Dispatch. The male driver, later identified as Mr. Dock, told the initial deputy that the Audi overheated. The initial deputy learned there was a woman in the passenger seat and told Mr. Dock that he would follow Mr. Dock as he moved out of traffic.

It appeared that Mr. Dock could not get the Audi to start. Mr. Dock then tried to push the Audi out of traffic. The initial deputy told Mr. Dock there was nowhere to safely move the Audi and asked for identification and vehicle documents. Mr. Dock gave the deputy an out-of-state identification and vehicle title. The initial deputy returned to his vehicle, changed his status to a traffic stop, and asked for a second unit.



*This overhead image looks east, with onramp to eastbound I-70 curving at the upper lefthand corner of the picture. Mr. Dock's Audi is on the left, at the crosswalk. JCSO's Ford Explorer is in the center, and a JCSO Ford Expedition is on the right of the picture. Shell casings and other evidence is marked with yellow triangles around the Explorer. The initial deputy drove the marked Explorer and then called for help. Deputy Tran and Dalton arrived in the unmarked Expedition.*

JCSO Deputies Quoc Tran and Tyler Dalton were assigned to the same car that night and arrived at 11:20 p.m. The three deputies on scene were dressed in official JCSO uniforms making them easily identifiable as law enforcement. All had functioning body worn cameras. The initial deputy was driving a marked JCSO patrol Explorer equipped with emergency lighting. Deputy Tran was driving an unmarked JCSO black Ford Expedition which he positioned behind the initial deputy's vehicle with the rear emergency lights activated to alert traffic approaching the intersection.

### **Deputy Dalton**

Deputy Dalton was hired by JCSO in 2018 in the Detention Center and joined Patrol in 2022. He is a Firearm Instructor and member of the Jefferson County Regional S.W.A.T. Team.

On this date, Deputy Dalton heard the initial deputy air a traffic stop and ask for cover. Deputy Dalton identified the area of this call as one with recent violent crimes. He and Deputy Tran were close and put themselves on the call via radio. Once he arrived at the intersection, Deputy Dalton walked to the front passenger area of the initial deputy's Explorer as Deputy Tran went to the driver's side of the Explorer. The initial deputy was seated in his driver's seat.

Upon approach, Deputy Dalton noticed Mr. Dock and a female walking eastbound from the Audi. Deputy Dalton asked the initial deputy if the couple was free to leave. The initial deputy answered "no." Deputy Dalton gave commands to Mr. Dock and the woman to get back into their Audi. The female got back into the car. Mr. Dock walked back to the Audi slowly. Deputy Dalton had an "uncomfortable feeling" that "something wasn't right."

Deputy Tran ordered Mr. Dock to come to the front bumper of the Explorer. Deputy Dalton identified this as a common request because it moves someone away from their vehicle and more control of the situation. Deputy Tran also told Mr. Dock to take his hand out of his pocket. Deputy Dalton then noticed that he could not see Mr. Dock's right hand and believed it was in one of his pockets.

Mr. Dock was not responding to Deputy Tran's commands and remained with his left hand on the driver's side front door handle and his right in his pocket. Deputy Dalton noticed that Mr. Dock was looking towards Deputy Tran with a "1000-yard stare." Deputy Dalton saw Mr. Dock's arm raise, heard a gunshot, and saw "gun smoke" coming from where Mr. Dock's hand was. Fearing that Deputy Tran was at in grave danger, Deputy Dalton drew his handgun, a Glock 17, from his holster and returned fire. Deputy Dalton believed that he, the initial officer, and Deputy Tran were at risk of being killed or seriously injured by Mr. Dock. The movement of Mr. Dock's arm and the gunshot was "immediate," and there was no time to give verbal commands in response Mr. Dock's actions.



Deputy Dalton saw Mr. Dock fall near the double yellow lines separating north and southbound lanes of Kipling. Mr. Dock was lying on his back, his head up, and looking toward the Deputies. Deputy Dalton saw a gun on the ground on Mr. Dock's left side. Deputy Tran was yelling at Mr. Dock to show his hands and not to move. Mr. Dock was moved his arms and Deputy Dalton thought he was reaching for the handgun. Deputy Dalton thought about shooting Dock again as he heard a shot come from Deputy Tran's direction. Deputy Dalton saw Mr. Dock's head fall back and Deputy Dalton did not believe that Mr. Dock was still a threat to the deputies.

### **Deputy Tran**

Deputy Tran was hired by JCSO in 2016 in the Detention Center and joined Patrol in 2018. He is also a member of S.W.A.T. and was a Marine prior to coming to JCSO.

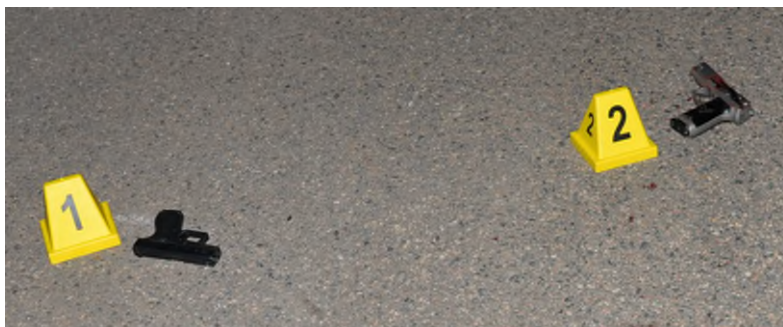
Deputy Tran heard the initial call of a motorist assist that changed to a traffic stop with request for cover. Upon arrival, Deputy Tran saw Mr. Dock and the female walking away which seemed "weird." He heard Deputy Dalton order them back to the car. Concerned about what might be in the Audi, he commanded Dock to come to the bumper of the deputy's Explorer.

Instead, Mr. Dock returned to the Audi's driver-side door. Mr. Dock had his right hand in the right pocket of his jacket and his left hand on the door handle. Deputy Tran repeatedly told Mr. Dock to remove his hand from his pocket. The male did not comply with Deputy Tran's commands and "stared" at Deputy Tran. He then saw Mr. Dock "pull something out," of the pocket, saw a muzzle flash, and heard a bang or pop sound.

Deputy Tran unholstered his duty weapon, a Sig Sauer P320, and "returned fire." Mr. Dock ran to the west and fell in the street at which time Deputy Tran stopped shooting. While Mr. Dock was lying in the street, he was reaching around with his hands. Deputy Tran gave commands for Mr. Dock to "stop reaching" and "stop moving." Deputy Tran thought the male was reaching for a gun. Deputy Tran shot at Mr. Dock until Mr. Dock stopped reaching.

During the gunfire, the initial deputy got out of the car. Deputy Tran yelled for the other deputies to check if they had been shot. During the shooting, Deputy Tran retreated from the front driver's side of the Explorer to the rear. He believed deputies and the public were in imminent danger of serious bodily injury or death due to Mr. Dock firing his gun.

When the initial deputy saw Mr. Dock walk back to the driver's side and draw a firearm, he saw a "muzzle flash" and then heard gunshots coming from either side of his Explorer. He saw Mr. Dock run from the Audi and fall in the street. The initial deputy dropped the radio mic, drew his weapon, and got out of the Explorer. He yelled for Mr. Dock to show his hands while the other deputies were giving similar commands. He pointed his handgun at Mr. Dock but did not fire.



*These are the two firearms located next to Mr. Dock after the Deputies approached him lying on the street.*

After the shooting, other deputies arrived on scene. The female passenger was taken into temporary custody, the vehicle was cleared for other occupants, and medical aid was rendered to Mr. Dock. He was transported to a hospital where he was pronounced deceased. While approaching Mr. Dock, deputies discovered two handguns on either side of him: a Ruger P89DC 9mm on his right side and a Glock 42 .380 on his left.

## THE SCENE

CIRT investigators and crime scene analysts processed the scene, coordinated the preservation and analysis of physical evidence, and obtained statements from witnesses who saw or heard parts of the event. JCSO offered criminalist and investigative support with oversight from CIRT. The CIRT team utilized digital documentation to memorialize the scene in the area of the Kipling St. and I-70 intersection.

Seventeen 9 mm shell casings matching the issued duty ammunition provided to Deputies Dalton and Tran by JCSO were recovered. Ruger P89DC 9mm and a Glock 42 .380 were located in the street where Mr. Dock fell. The Glock had one fired cartridge in the chamber and the magazine contained four live rounds. The Ruger had a live round in the chamber and a magazine containing fourteen live rounds. The round fired at Deputy Tran and captured on BWC was not located.

Deputies Dalton and Tran were relieved of their firearms, photographed, and processed. During the ammunition inventory, it was determined that Deputy Dalton fired four rounds and Deputy Tran fired thirteen rounds. Deputies Dalton, Tran, and the initial deputy's body worn cameras were collected and analyzed.

### Coroner's Report

Forensic Pathologist Dr. Holmes completed Kristin Dock's autopsy on March 1, 2024, at 9:00 AM. Dr. Holmes determined the cause of death was multiple gunshot wounds and the manner of death was homicide. Dr. Holmes noted the following findings:

~ Eight (8) indeterminate range gunshot wounds to the jaw, abdomen, back, forearm, hands, 5<sup>th</sup> digit, arm; one (1) graze gunshot to the left thigh

~ Bullet fragments of varying sizes in the jaw, vertebra, chest, forearm, right hand, upper arm, and an intact bullet in left hand

~ Three major gunshot wounds of note: right jaw involved the C3 vertebra; right abdomen involved the liver, heart, and lung; left back involved the lungs and T10 vertebra

~ Toxicology results included levels of Methamphetamine, Fentanyl, THC

A short-barreled rifle and high-capacity magazines were located within the car along with miscellaneous ammunition and suspected drugs. All three firearms associated with Mr. Dock were later examined by a firearms expert and found to be operable. Upon examination, a perforation was located in the lower corner of the pocket of the blue jacket that Dock had worn and where his right hand had been inserted just prior to the shooting.



#### ANALYSIS

When Deputies arrived to assist the initial deputy, they encountered a man and a woman with a broken-down Audi who were walking away from the car, leaving the Audi at the stop light. When asked to come back to the Audi, Mr. Dock's behavior was markedly different than the woman's behavior. She followed the requests of the Deputies and returned to the car. Mr. Dock did not. Most troubling, was his decision to keep his hand in his pocket, despite direct requests to remove it, which presented unknown risk to the Deputies.

The Deputies concerns were well founded as Mr. Dock shot at Deputy Tran, with only a car length between their vehicles. Once Mr. Dock shot at Deputy Tran, with Deputy Dalton standing on the other side of the Explorer, the Deputies had reasonable grounds to believe, and did in fact believe, that they or another person was in imminent danger of being killed or suffering great bodily injury and a lesser degree of force was inadequate. Therefore, a reasonable person, confronted with the same facts and circumstances, would believe that it was necessary for the Deputies to use deadly physical force to defend themselves and others and no charges shall be brought.

Please contact me with any questions or concerns.

Regards,

A handwritten signature in cursive script that reads "Alexis King".

Alexis King  
District Attorney  
First Judicial District  
Colorado