



# DenverDA

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January 22, 2009

Gerald Whitman  
Chief of Police  
Denver Police Department  
1331 Cherokee Street  
Denver, CO 80204

RE: Investigation of the wounding of Samson Ferde, dob 11/16/74, by Officer Gregory Ceccacci, #06082, on December 29, 2008, at 5184 Fontana Court, Denver, Colorado.

Dear Chief Whitman:

The investigation and legal analysis of the wounding of Samson Ferde ("Ferde") have been completed, and I conclude that under applicable Colorado law no criminal charges are fileable against Officer Gregory Ceccacci ("Officer Ceccacci"). My decision, based on criminal-law standards, does not limit administrative action by the Denver Police Department where non-criminal issues can be reviewed or civil actions where less-stringent laws, rules and legal levels of proof apply. A description of the procedure used in the investigation of this officer-involved shooting and the applicable Colorado law is attached to this letter.

## STATEMENT OF FACTS

Samson Ferde lives with his brother, Daniel Biru ("Mr. Biru"), at 993 South Helena Way, Unit C, in Aurora, Colorado. The two moved to Colorado seven years ago from Seattle, Washington, where they had lived since coming to the United States from Ethiopia in 1991. They moved to Colorado to be near their sister, Elizabeth Gebeyehu ("Mrs. Gebeyehu"), brother-in-law, Solomon Asfaw ("Mr. Asfaw"), and two nieces who reside at 5184 Fontana Court, Denver, Colorado.

Ferde lost his cab-driver job five months ago. Mr. Biru told investigators that Ferde, with rare exception, had not gone out of the apartment since then and has been very depressed. About a month ago he did leave the apartment to attend a religious event at the Pepsi Center. Mr. Biru said Ferde was picked out of the whole audience by the preacher. The preacher told Ferde that "God had a plan for him;" Mr. Biru said since then Ferde has been getting worse. Ferde told Mr. Biru that God had given him wisdom and he could see things other people could not. Mr. Biru said Ferde would never explain what that meant. He said Ferde has not been eating lately and had been awake for three

days leading up to this incident. He has been praying a lot and talking about God. In recent weeks he made a prayer altar in the living room with candles, family photos, pictures of Jerusalem, and religious items. He frequently refers to various things that he does as God telling him to do so. Ferde stopped watching television recently and has been separating the DVD's into "good and bad."

On December 29, 2008, sometime after 3:00 a.m., Ferde called Mrs. Gebeyehu and told her God told him to protect them (her family), so he was going to pick them up and take them somewhere safe. When she told her husband, Mr. Asfaw, he told her to call him back and tell him not to come. Mr. Asfaw told investigators he thought it was about 3:40 a.m. when this discussion occurred. He told them Ferde is an unpredictable person, who is nice sometimes and sometimes is mean and angry. Mrs. Gebeyehu had told him she was afraid of Ferde and was worried about him. The evening before this incident she had visited Ferde and convinced him to see a psychiatrist.

Sometime after Ferde called his sister, Mrs. Gebeyehu, he entered Mr. Biru's bedroom, at their Helena Way apartment, woke him up, and told him they had to go somewhere safe. Ferde's left hand was bleeding. He said he cut his finger with a knife. Mr. Biru saw blood "all over the apartment" and a kitchen knife on a hallway table and two knives by a Bible. Ferde had a cloth wrapped around his bleeding hand and was holding a "Cross." Ferde had a lot of blood on his clothing and Mr. Biru had blood all over his face from Ferde touching him. Ferde told Mr. Biru he was "fighting the Devil." He said they first had to go to their sister's house. He would not explain why. Ferde gathered up Bibles, a number of religious books, and family photos. Ferde insisted Mr. Biru go with him, but after getting into Mr. Biru's 1999 white Ford Explorer, with Ferde at the wheel, Mr. Biru got out, with Ferde grasping for him and pleading for him to go with him. Ferde then drove away. Mr. Biru told investigators that Ferde was acting very strange and he had never seen him act like this before.

Mr. Biru immediately returned to his apartment and called 9-1-1 to report what had happened. It was 3:48 a.m. In his statement to Denver investigators, he said he called 9-1-1 because of concern for his brother who had cut himself and because he did not know what Ferde might do when he arrived at his sister's house. He indicated he was concerned for the kids. The Aurora 9-1-1 operator contacted Aurora police personnel with the information. At 3:55 a.m., Aurora Police personnel notified Denver police dispatch of the 9-1-1 call from Mr. Biru. They did so when they determined the location Ferde was reported to be driving to was in Denver. At 3:57 a.m., while that call was being processed, another 9-1-1 call was received by a Denver operator from Mrs. Gebeyehu. In a highly emotional exchange, she told the operator in pertinent part that her brother, Ferde, "is trying to break the door ... he's trying to kill me ... he has blood all over him." A paramedic was patched into the call because injuries were involved and Mrs. Gebeyehu indicated to the paramedic in pertinent part that he, Ferde "is about to break the door and kill us ... hurry up ... I think he is disturbed ... I'm worried about my safety ... he has blood all over him ... he's about to break the door ... hurry up ... help me." She was very emotional and fearful throughout the exchange. Mr. Asfaw told investigators that his wife, Mrs. Gebeyehu, told him that Ferde was at the door and had a

knife. He took their two kids into another room on the second floor to protect them while she protected the front door. He said everyone was very scared and thought Ferde was going to do something to them. While Mrs. Gebeyehu was on the phone, Denver police officers had been dispatched to her home at 5184 Fontana Court. At approximately 4:04 a.m., Mrs. Gebeyehu informed the operator a Denver Police car drove past the house and was now on scene.

Denver police officers were dispatched to 5184 Fontana Court in Denver at approximately 4:00 a.m. In addition to a description of Ferde and the Ford Explorer, officers were informed that he was at the location trying to gain entry, bleeding from a self-inflicted knife wound to his hand, and possibly armed with a knife—"use caution." Because of the serious nature of the information received from Mr. Biru and Mrs. Gebeyehu in the 9-1-1 calls, officers were dispatched CODE 10.<sup>1</sup>

It was Officer Gregory Ceccacci who Mrs. Gebeyehu saw arrive first at the scene. Ferde saw him arrive in his marked Denver police car and he immediately moved from pounding on the front door, down the porch steps and sidewalk and around the front end of the Ford Explorer to the driver's side door. He did not enter the vehicle. The Ford Explorer was parallel parked at the curb directly in front of the house and driveway. Officer Ceccacci's car lights and spotlight illuminated Ferde's location. Officer Ceccacci, in full Denver police uniform, quickly got out of his Denver police car and began to move toward Ferde with his firearm drawn. He knew this was the subject of the call because he matched the description and was bleeding. He had something wrapped around his left hand and had something black in his right hand. Ferde moved to the front of the Ford Explorer as Officer Ceccacci approached him. Officer Ceccacci identified himself as a Denver police officer and shouted commands: "Let me see your hands ... Put up your hands ... get down ... get to your knees." Ferde did not immediately comply with these repeated commands.<sup>2</sup> Eventually Ferde went to his knees and put his hands behind the back of his head and appeared to be praying or chanting something. Officer Ceccacci could not determine what he was saying. His overall demeanor and actions caused Officer Ceccacci to believe he was psyching himself up to do something. As Officer Ceccacci began to move to within approximately 15 feet, with the intent to get Ferde down to the ground and handcuff him, he continued loud commands to "Get down ... lay down ... get flat." He said he was using a variety of terms in the event Ferde did not understand English. Ferde's hands then went down to the vicinity of his thighs, but he did not go down to the ground as directed. Ferde then stated: "I'm not going to do that."

Ferde then abruptly stood up from his kneeling position and took a couple of steps toward Officer Ceccacci. Then the 6' 3"- 220 pound Ferde charged full speed at him. Officer Ceccacci told investigators "he had a look in his eyes that scared the hell out of me." Officer Ceccacci, 5' 7" – 185 pounds, moved backward in an attempt to create distance between the much larger Ferde and himself. He could not retreat fast enough in the face of Ferde's rapid attack. Officer Ceccacci fired the first of three shots as Ferde

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<sup>1</sup> This is an emergency response using over-head lights and siren.

<sup>2</sup> Ferde's brother, Mr. Biru, told investigators that Ferde "speaks English very well."

was about 11 feet away and the final shot when he was within arm's reach. He was unable to determine what was in Ferde's right hand during the attack. He said it was a small black object that fit in the palm of his right hand. He said he didn't see him do anything with the object. When Ferde fell to the street Officer Ceccacci stopped firing.

Officer Ceccacci told investigators that under the circumstances confronting him there was no opportunity to employ a less-lethal force option. He did not possess a TASER and said it would not have been an option if he had one. He believed he was the only officer at the scene when he confronted Ferde. That option and others were eliminated by the circumstances of the call for help and the quickness of the attack. He said Ferde's 6'3" height and his weight combined with the speed and momentum of the attack forced him to fire to protect himself. He feared that Ferde was intending to kill him when he charged. Officer Ceccacci said a "rapid, rapid, rapid decision had to be made."

Officers Jason Rivera and Joseph Davis were the second and third officers to arrive at the scene. They arrived when Ferde was already in front of the Ford Explorer and Officer Ceccacci was shouting commands with his firearm trained on him.

Officer Rivera told investigators he thought the suspect had something in his right hand or pocket. The suspect was not responding to commands. He appeared to be talking to himself. He then started moving forward with a couple of slow steps, then ran straight at Officer Ceccacci. Officer Ceccacci was moving back as the suspect charged him. Officer Rivera said he thought the suspect was going to kill Officer Ceccacci. It was very quick. Officer Ceccacci was in a cross-fire position relative to Officer Rivera who was in the middle of the street. It appeared the suspect was almost in contact with Officer Ceccacci as the shots were fired. Officer Rivera stated, "There was no doubt in my mind that the suspect intended to do something bad to Officer Ceccacci." Based on the information from the dispatcher, he thought the suspect was going to stab Officer Ceccacci. Once he started charging Officer Ceccacci, Ferde was standing until he went down after being shot. Dispatch tapes indicate it was 4:05:08 a.m. (4:05 and 8 seconds), when Officer Rivera radioed: "Need medical, shots fired." Fifteen seconds later, at 4:05:23 a.m. (4:05 and 23 seconds), Officer Ceccacci radioed: "Officers okay, subject down." Medical response was very fast because they were staged in the area due to the nature of the original call.

Officer Davis told investigators that upon arrival, as soon as he opened his car door and drew his firearm, the suspect started a sprint at Officer Ceccacci who was backing up. He said Officer Ceccacci fired three shots in rapid succession. He did not know if the first two shots had any affect, but the suspect went down with the third shot. He said the suspect got within two feet of Officer Ceccacci. This all occurred in the time it took him to quickly get out of his car, draw his weapon, and get around his car door. Officer Davis said he immediately ran to the suspect and handcuffed him with the assistance of Officer Rivera. He said it appeared the suspect was charging Officer Ceccacci to hurt him. He did not see the suspect in any position other than standing and running. After being shot the suspect fell to his knees and then to his chest with his arm

outstretched. Officer Davis said it happened so fast there was nothing else Officer Ceccacci could have done. If Officer Ceccacci had not been in his line of fire he said he probably would have fired.

The three officers' statements are consistent with and corroborated by the statements of other witnesses and all of the physical evidence developed in the investigation. The only exception is Mrs. Gebeyehu who told investigators that Ferde was kneeling in front of the Ford Explorer with his hands up when he was shot. She said he then fell face down at that location. She made no mention of him charging the officer before being shot. This statement is clearly refuted by the location of physical evidence at the scene, including substantial blood from the gunshot wounds, blood trails, his cell phone, his crucifix, his long necklace, his two sets of keys, his clothing and his body.<sup>3</sup> Mrs. Gebeyehu's statement is also refuted by the absence of this physical evidence at the location she claims he was shot, most significantly his body not being at that location. The reason for her making this inaccurate statement is left to speculation, but it is clearly not correct. Her statement also contains other apparent minimization of Ferde's conduct vis-à-vis her recorded statements to the 9-1-1 operator. The totality of the evidence clearly supports the conclusion that Ferde was shot while charging at Officer Ceccacci.

Ferde sustained gunshot wounds to the right side of the neck, chest, and right thigh. This is also consistent with the officers' statements concerning the positions of Officer Ceccacci and Ferde at the time the shots were fired. Ferde's medical records are confidential and cannot be obtained by investigators to further assess his wounds. He remains hospitalized at this time. Information provided by family members indicates he has suffered some degree of paralysis from spinal damage.

Officer Ceccacci fired three (3) shots from his .45 caliber, Glock, model 37, GAP semi-automatic pistol. His weapon has a magazine capacity of 10 rounds. At the time of the shooting he was carrying his weapon with the magazine fully loaded with 10 rounds and an additional round in the chamber. When the weapon was unloaded by Denver Police Department Crime Laboratory personnel after the shooting there were 7 live rounds in the magazine that had been in the weapon at the time of the shooting and one (1) live round in the chamber. He carried two back-up magazines which he loaded with 9 live rounds each. After the shooting he removed the magazine in his weapon and replaced it with one of the back-up magazines.

Three (3) Speer .45 caliber GAP cartridge cases were recovered at the scene consistent with Officer Ceccacci's position at the time of the shooting. Crime Laboratory investigators also recovered a gray Qualcom cellular phone, two key ring sets, a long necklace, a crucifix, and a cut white shirt. These items were all located near where Ferde fell to the pavement after being shot.<sup>4</sup> Three blood drops, generally going from southeast to northwest, are located that are consistent with Officer Ceccacci's description of Ferde's line of movement toward him during the attack.

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<sup>3</sup> She attached crime scene photographs.

<sup>4</sup> See attached crime scene diagram.

Search warrants were executed at both residences and on the 1999 white Ford Explorer. At 993 South Helena Way, Unit C, Crime Laboratory investigators observed blood on a table in the entry way, living-room walls, kitchen table, living-room table, and in both bedrooms. There were two knives on the living-room floor by a “shrine.” Several Holy Bibles and candles were also at the “shrine.” Recovered from the Ford Explorer were a Bible and several religion books. A large wooden handled kitchen knife with an overall length of 12 inches and a blade length of 8 inches was found in a backpack.<sup>5</sup> The knife had apparent blood stains on the blade. Because Ferde never gained entry to the residence at 5184 Fontana Court, only photographs were taken at that location.

### LEGAL ANALYSIS”

Criminal liability is established in Colorado only if it is proved beyond a reasonable doubt that someone has committed all of the elements of an offense defined by Colorado statute, and it is proved beyond a reasonable doubt that the offense was committed without any statutorily-recognized justification or excuse. While knowingly or intentionally shooting another human being and causing injury or death is generally prohibited as assault or homicide in Colorado, the Criminal Code specifies certain circumstances in which the use of physical force or deadly physical force by a peace officer is justified. As the evidence establishes that Ferde was shot by Officer Ceccacci, the determination of whether his conduct was criminal is primarily a question of legal justification.

C.R.S. 18-1-707 defines the circumstances under which a peace officer can use physical force and deadly physical force in Colorado. In pertinent part, the statute reads as follows:

(1) Except as provided in subsection (2) of this section, a peace officer is justified in using reasonable and appropriate **physical force** upon another person when and to the extent that **he reasonably believes it necessary**:

- (a) To effect an arrest or to prevent the escape from custody of an arrested person unless he knows that the arrest is unauthorized; or
- (b) To defend himself or a third person from what he reasonably believes to be the use or imminent use of physical force while effecting or attempting to affect such an arrest or while preventing or attempting to prevent such an escape.

(2) A peace officer is justified in using **deadly physical force** upon another person ... only when **he reasonably believes that it is necessary**:

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<sup>5</sup> It is probable that this is the knife that Mr. Biru saw on the hallway table at his apartment after Ferde had cut himself. The search at 993 South Helena Way, Unit C, found no knife at that location, but did find the other two knives Mr. Biru referred to in his statement to investigators. Therefore, it is probable that Ferde put the knife in the backpack, after Mr. Biru had observed it, as Ferde was preparing to leave for Mrs. Gebeyehu’s house. Why he did so is not known.

- (a) To defend himself or a third person from what he reasonably believes to be the use or imminent use of deadly physical force; or
- (b) To effect the arrest or to prevent the escape from custody of a person whom he reasonably believes:
  - 1. Has committed or attempted to commit a felony involving the use or threatened use of a deadly weapon; or
  - 2. Is attempting to escape by the use of a deadly weapon; or
  - 3. Otherwise indicates, except through a motor vehicle violation, that he is likely to endanger human life or to inflict serious bodily injury to another unless apprehended without delay.

Section 18-1-901(2)(e) of the Colorado Revised Statutes defines the terms “Deadly weapon” and “Deadly physical force” as follows:

**“Deadly Weapon”** means any of the following which in the manner it is used or intended to be used is capable of producing death or serious bodily injury: (I) A firearm, whether loaded or unloaded; (II) A knife; (III) A bludgeon; or (IV) Any other weapon, device, instrument, material, or substance, whether animate or inanimate.

**“Deadly physical force”** as force the intended, natural, and probable consequences of which is to produce death, and **which does, in fact, produce death**. Therefore, under Colorado law, Officer Ceccacci, by definition, only used **“physical force,”** because the shots he fired wounded but did not kill Ferde.

Officers are entitled to rely on the doctrine of “apparent necessity” so long as the conditions and circumstances are such that a person would reasonably believe, erroneously or not, that action was necessary. See, *People v. La Voie*, 155 Colo. 551, 395 P.2d 1001 (1964), *People v. Silva*, 987 p.2d 909 (Colo. App. 1999). It is immaterial whether the suspect was actually trying to injure the officers or another, so long as a reasonable person, under like conditions and circumstances, would believe the appearances were sufficient to require the action taken.

It is fundamental that the law of self-defense, which is emphatically a law of necessity, involves the question of one’s right to act upon appearances, even though such appearances may prove to have been deceptive; also the question of whether the danger is actual or only apparent, and as well the fact that danger is not necessary, in order to justify one in acting in self-defense. Apparent necessity, if well grounded and of such a character as to appeal to a reasonable person, under like conditions and circumstances, as being sufficient to require action, justifies the application of the doctrine of self-defense to the same extent as actual or real necessity. *Young v. People*, 107 P.274, (Colo. 1910).

The test for justifiable self defense or defense of others requires that, given the totality of the circumstances, a person reasonably believed that he or another person was being subjected to the use or imminent use of unlawful physical force or deadly physical force and that he used a degree of force that he reasonably believed to be necessary to protect himself or another person.

Therefore, the question presented in this case is whether, at the instant Officer Ceccacci fired the shots that wounded Ferde, he reasonably believed that Ferde was directing or was about to direct physical force or deadly physical force against him or another person. In order to establish criminal responsibility for an officer knowingly or intentionally causing injury or death to another, the state must prove beyond a reasonable doubt that the officer doing the shooting either did not really believe in the existence of these requisite circumstances, or, if he did hold such belief, that belief was, in light of all available facts, unreasonable.

### CONCLUSION

The information known to Officer Ceccacci at the time he responded, combined with Ferde's non-compliant, aggressive actions, made it reasonable for Officer Ceccacci to believe Ferde was directing physical or deadly physical force against him. Rather than complying with the officers' repeated lawful commands, Ferde chose to charge the armed officer with an unidentified object in his right hand. In spite of Officer Ceccacci's attempt to backpedal to maintain a separation between himself and Ferde, the attack was too quick and aggressive. The attack occurred in an instant, forcing Officer Ceccacci to make a split-second decision to defend himself.

The dispatched information concerning the suspect and his aggressive conduct, the possible presence of a knife or edged weapon, the CODE 10 response, and the "use caution" warning by the dispatcher made it appropriate for Officer Ceccacci to confront Ferde with his service pistol drawn. He was the first officer to arrive at the scene and other cover officers had not arrived. The nature of the call and circumstances he encountered required immediate action by him. The combination of his drawn firearm and strong verbal commands was a show of force to gain compliance from Ferde in an effort to avoid having to use force. His objective was to bring Ferde under control, take him into custody, handcuff him, and allow medical personnel to treat his self-inflicted injuries. This objective was for the protection of all involved individuals. He had lawful authority to do so. Had Ferde complied, the confrontation would have ended peacefully at that time.

Ferde refused or failed to comply with Officer Ceccacci's lawful commands. Officers must assess the behavior of suspects to determine what level of force may be required to control them. Ferde was initially non-compliant. He then became partially compliant by going down to his knees, but then became non-compliant again by failing to comply with commands to go down to the ground. As Officer Ceccacci began to approach Ferde with the intent to take him into custody, Ferde delivered a verbal refusal to cooperate, "I'm not going to do that." Ferde's behavior and body posture heightened



Officer Ceccacci's threat concern. In an instant, Ferde went from being a possible threat to Officer Ceccacci to a full-speed attack on him. In this circumstance, the threat turned to an attack by the closing of distance between Ferde and Officer Ceccacci. Officer Ceccacci's reaction time to repel the attack is severely compressed at this point, controlled by the distance of separation from Ferde and the quickness, intensity, and speed of the attack. In this brief time frame, Officer Ceccacci must recognize the attack, determine the proper response, and take the action before there is zero reaction time—the point where the officer cannot physically repel the attack. Although not required to do so, Officer Ceccacci attempted to retreat to increase his reaction time and avoid having to shoot Ferde. Officers do this at potential additional risk to themselves with the possibility of falling or allowing the assailant to enter the zone of zero reaction time.

No less-lethal force options were available and feasible for Officer Ceccacci to use to repel Ferde's rapid attack.<sup>6</sup> The 6' 3", 220 pound Ferde created a significant negative disparity of force for the 5' 7", 185 pound officer. A disparity of force is an unequal advantage of one person over another person due, in this instance, to size. This represents an eight inch height advantage and 35 pound weight advantage for Ferde. This disparity combined with non-compliant behavior heightens an officer's safety concern. Officers have a right and duty to defend themselves from attack. There is no justification to attack a police officer who is performing his lawful duty. Officers are trained to always maintain a positional and tactical advantage over suspects in these confrontations. When confronted with a negative disparity of force, as existed here, the suspect poses a higher level of threat to the officer. The officer must select a level of response necessary to successfully control the suspect while protecting himself and others. Had Ferde not been repelled, he clearly could have caused serious injury or death to Officer Ceccacci. It was Ferde's conduct that forced this result. Officer Ceccacci fired three shots from his service pistol and stopped firing when Ferde fell to the ground, ending the attack and threat.

Based on a review of the totality of facts developed in this investigation, we could not prove beyond a reasonable doubt that it was unreasonable for Officer Ceccacci to fire the shots that caused Ferde's injuries. The fact that Ferde turned out not to be armed with a knife is not determinative under the specific facts of this case. Officer Ceccacci was justified under either circumstance. It was reasonable, appropriate, and necessary for Officer Ceccacci to use the degree of force used to defend himself from the attack and to effect the arrest of Ferde. Therefore, no criminal charges are fileable against Officer Ceccacci for his conduct in this incident.

The attached document entitled Officer-Involved Shooting Protocol 2008 is incorporated by this reference. The following pertinent statement is in that document: "In most officer-involved shootings the filing decision and release of the brief decision letter will occur within two to three weeks of the incident, unless circumstances of a case

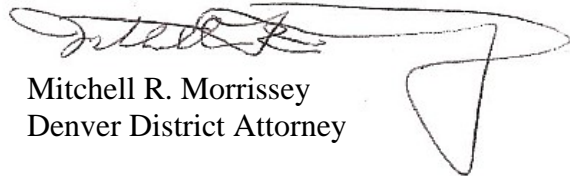
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<sup>6</sup> Officer Ceccacci was not carrying a TASER. That fact standing alone removes that as an option. Additionally, had he been carrying a TASER, it would not have been appropriate to use under the specific facts and circumstances of this confrontation. That will be confirmed by the DPD administrative review of the case. This issue has been addressed in prior letters.

require more time. This more compressed time frame will allow the Denver Police Department administrative investigation to move forward more quickly.” In accordance with the protocol, the administrative and tactical aspects of the event will be addressed by the Manager of Safety and Chief of Police in their review and administrative decision letter.

We will open our Officer-involved shooting file in this case for in-person review at our office at the conclusion of any criminal filing against Ferde for his conduct in this case. The Denver Police Department is the custodian of records related to this case. As in every case we handle, any interested party may seek judicial review of our decision under C.R.S. 16-5-209.

Very truly yours,



Mitchell R. Morrissey  
Denver District Attorney

cc: Officer Gregory Ceccacci; David Bruno, Attorney at Law; Mike Lowe, Attorney at Law; John W. Hickenlooper, Mayor; All City Council Members; Alvin J. LaCabe, Jr., Manager of Safety; Mel Thompson, Deputy Manager of Safety; Mary Malatesta, Deputy Manager of Safety; David Fine, Denver City Attorney; John Lamb, Deputy Chief; Michael Battista, Deputy Chief; Dave Fisher, Division Chief; David Quinones, Division Chief; Mary Beth Klee, Division Chief; Tracie Keesee, Division Chief; Gregory LaBerge, Crime Lab Commander; Joe Montoya, Captain; Jon Priest, Lieutenant, Homicide; Kathleen Bancroft, Lieutenant; Sergeant James Kukuris, Homicide; John Coppedge, Sergeant, Homicide; Detective Larry Moore, Homicide; Detective Maria T. Garcia, Homicide; John Burbach, Commander, Civil Liability Bureau; Chuck Lepley, First Assistant District Attorney; Lamar Sims, Chief Deputy District Attorney; Doug Jackson, Chief Deputy District Attorney; Henry R. Reeve, General Counsel, Chief Deputy District Attorney; Justice William Erickson, Chair, The Erickson Commission; Richard Rosenthal, Office of the Independent Monitor.



**5184 Fontana Court – Denver - Colorado**



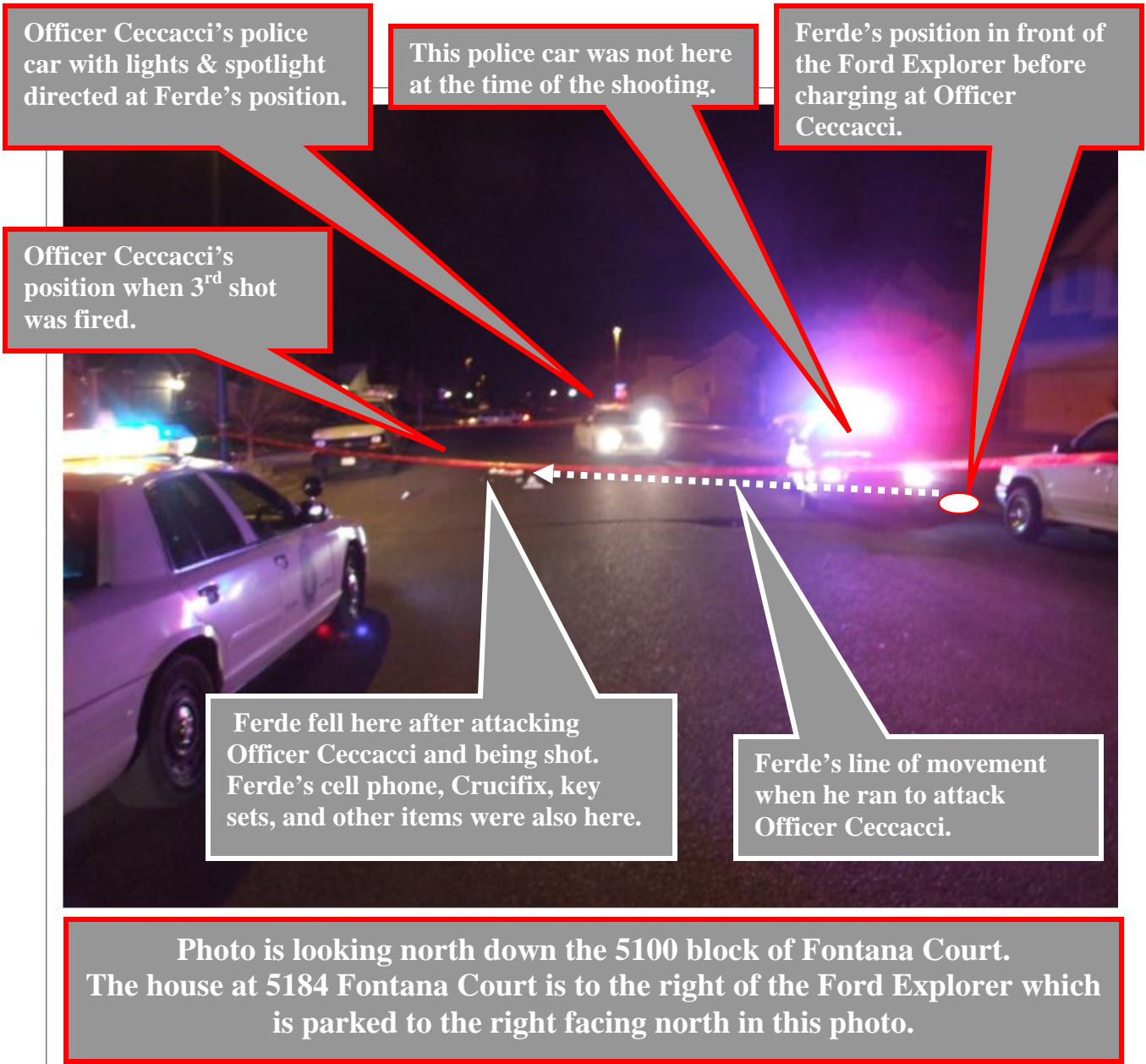
Front door to house which Ferde was pounding on when Officer Ceccacci arrived.

The white Ford Explorer driven by Ferde.



Photo looking East from Fontana Court at 5184 Fontana Court.





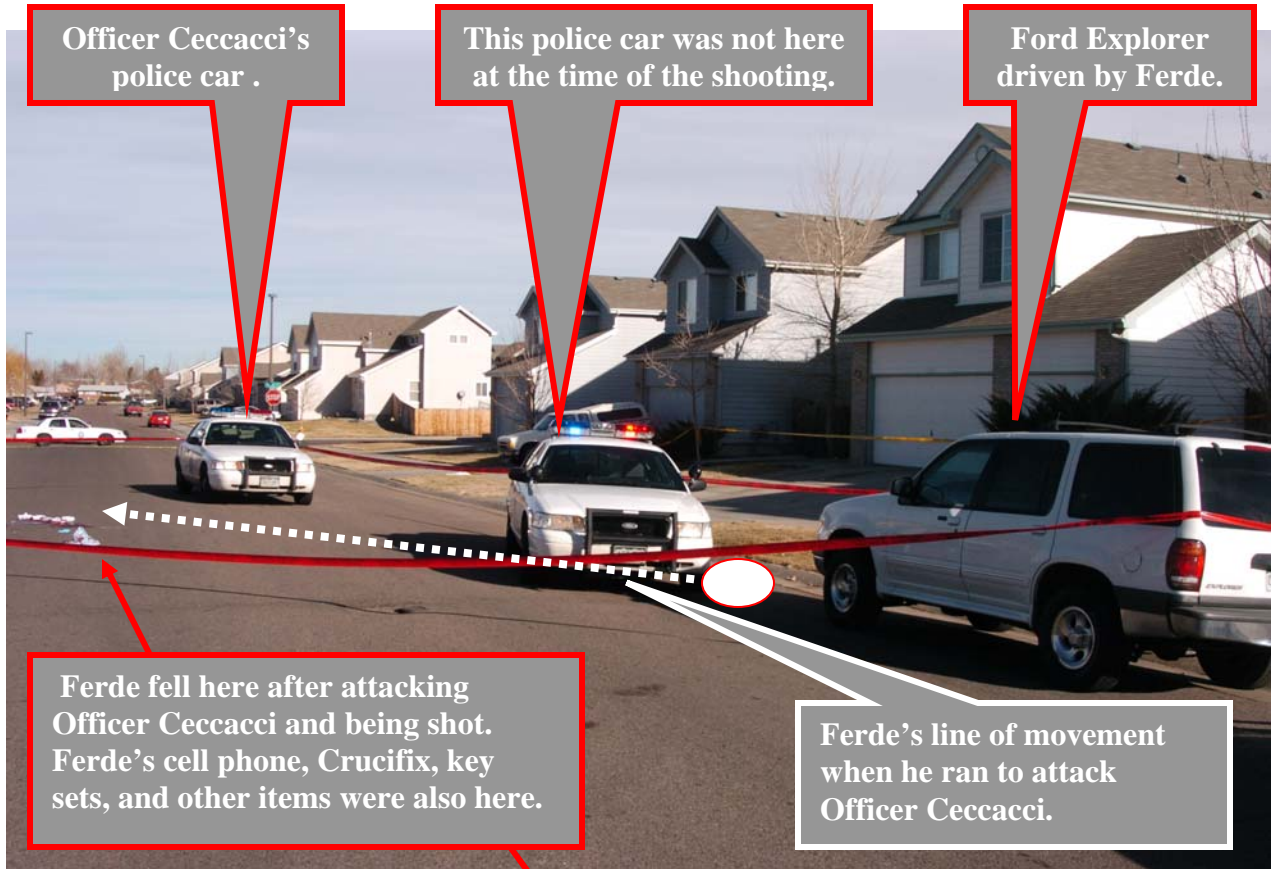
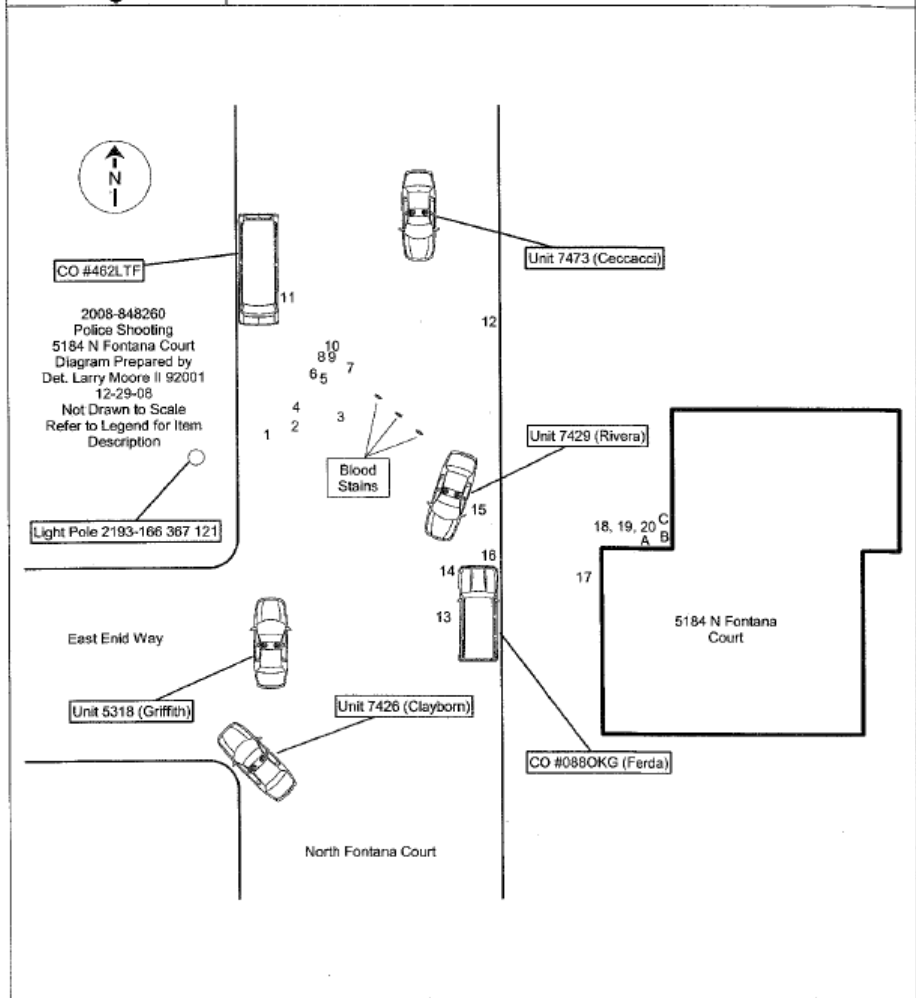




Photo from the 2<sup>nd</sup> floor bedroom window provides a good perspective of the distance and angle Ferde traveled during his attack on Officer Ceccacci.



Case Number: 2008-848260      Date: 12/29/08  
Location: 5000 Block North Fontana Court



1. Shell casing
2. Blue cap
3. Bloody pillow case (First thought to be a shirt)
4. Shell casing
5. Set of keys
6. Second set of keys that were slightly bloody
7. Broken white metal bloody necklace
8. Cell phone that was slightly bloody
9. Large white metal bloody crucifix
10. Bloody white shirt & small clasp that was apparently from necklace
11. Shell casing
12. Apparent blood in street
- 13 – 16. Apparent blood trail on street from Ford Explorer toward east sidewalk
- 17 – 20. Apparent blood on front steps leading up to front door of 5184 Fontana Court
  - A. Apparent bullet strike to wall located on right (south) side of front steps
  - B. Apparent bullet strike to front door
  - C. Apparent blood on front door





Cell phone and crucifix recovered at scene at marker #8 & #9





993 South Helena Way, Unit C  
Aurora, Colorado  
Residents – Daniel Biru & Samson Ferde

Photos show the hallway at 993 South Helena Way, Unit C, and the table on which Mr. Biru saw a bloody knife prior to Ferde leaving to drive to 5184 Fontana Court.

It is probable that the knife was placed in Ferde's backpack which Ferde took with him. The knife was recovered from the backpack during the search of the Ford Explorer after the incident.

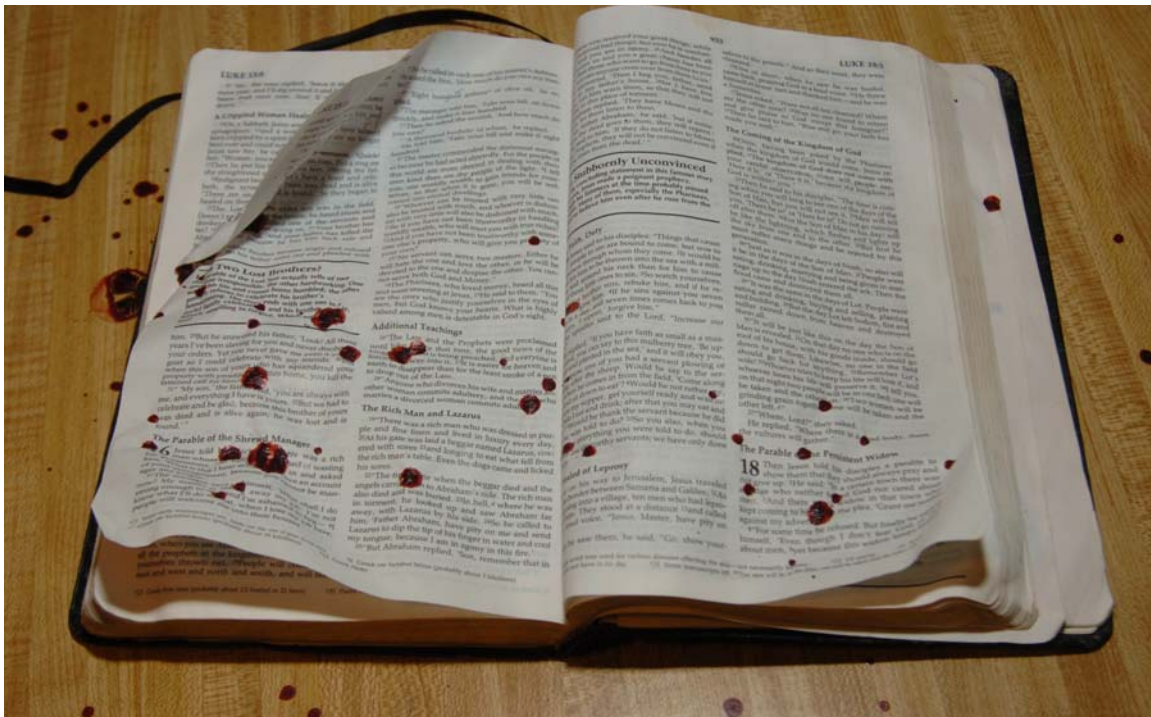




993  
S. Helena Way  
Unit C

Blood  
spatter  
throughout





Officer-Involved Shooting  
Officer Gregory Ceccacci





The area of the “Altar” described by Mr. Biru.

Two knives recovered at 993 S. Helena Way, Unit C.





Two knives recovered at 993 S. Helena Way, Unit C.

Ferde's knife recovered in backpack in the 1999 Ford Explorer.

