



NEWS RELEASE –

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**DENVER DA BETH MCCANN TO REFER MATTER REGARDING MARVIN
BOOKER TO DENVER GRAND JURY
DA Will Not Re-Open Predecessor's Charging Decision**

Denver District Attorney Beth McCann announced today that her office will refer a limited aspect of the Marvin Booker case to the Denver Grand Jury.

Mr. Booker died in July 2010 while in the custody of Denver Sheriff's deputies at the Downtown Detention Center. After investigating the matter, District Attorney Mitch Morrissey in September 2010 determined that "the facts of this case do not support the filing of criminal charges" against any of the sheriff deputies involved in the incident.

DA McCann cautioned that the Grand Jury's inquiry will not extend to homicide offenses. "In general and as a matter of policy, I do not believe it appropriate to re-open my predecessor's charging decisions without new evidence surfacing," McCann explained. "There is no new information that would warrant a re-examination of DA Morrissey's decision not to file homicide charges."

However, DA McCann says new information does justify an inquiry into certain conduct that may have occurred in the aftermath of the incident. The information, which first came to light during a 2014 federal civil rights trial concerning Mr. Booker's death, "justifies an inquiry into possible charges for which the statute of limitations has not yet expired," McCann explained.

McCann has determined that, because of the District Attorney's Office original involvement in the investigation and decision not to prosecute, an independent review of the new information by members of the Grand Jury for possible criminal misconduct is appropriate. "This will allow for a complete and thorough review of new questions that have been raised about conduct that took place after the death of Mr. Booker," DA McCann said.

The Denver Grand Jury is already empaneled; the 2017 term ends in December.