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NEWS RELEASE –

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District Attorney McCann Issues Officer-Involved Shooting Decision Letter Investigation and Decision Re the Shooting of Heber Gonzalez

DENVER—Denver District Attorney Beth McCann’s legal review of the officer-involved shooting that occurred on September 26, 2020, at N. Vine St. and E. 37th Ave in Denver is complete. DA McCann concluded that the shooting by Denver Police Officer Samuel Bailey was legally justified.

On Sept. 26, 2020, Officer Bailey responded to a call that a man with a large machete was threatening people and that children were playing in a nearby park. Upon arrival, the officer saw Heber Gonzalez (age 30) and ordered him to drop his weapon. According to the decision letter, immediately, and without saying a word, Gonzalez sprinted at Officer Bailey with the machete raised in his hand. Gonzalez got within 10-15 feet of Officer Bailey still running at a fast pace at which time Officer Bailey fired seven shots at Mr. Gonzalez who fell close to Officer Bailey’s police car. The officer called for an ambulance and began administering aid to Mr. Gonzalez who was transported to the hospital and survived his injuries.

On October 5, 2020, prosecutors with the Denver District Attorney’s Office charged Gonzalez with first degree assault (F3), menacing (F5), and possession of a weapon by a previous offender (F5). His case number is 20CR05697 and a Preliminary Hearing is scheduled for December 1, 2020, in Denver District Court courtroom 4C.

DA McCann’s decision letter to Denver Police Chief Paul Pazen is also available for review: <https://www.denverda.org/wp-content/uploads/news-release/2020/102620-Decision-Letter-for-Officer-Involved-Shooting-Heber-Gonzalez-Sept-26-2020.pdf>.