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Media Relations Unit
Denver Police Department
Phone: 720-913-6028

Review of the Officer Involved Shooting of Jessica Hernandez Concludes

Denver, CO – Monday, January 23, 2017 – Today, the Denver Police Department announced that the officers involved in the shooting death of Ms. Jessica Hernandez used appropriate force in compliance with the departmental policies and procedures that existed at the time of the incident.

“The Denver Police Department places great value on the sanctity of life and mourns with the community when a life is lost tragically,” said Chief Robert C. White. “When officers must use deadly force, a full review of the incident takes place. After reviewing all of the facts and circumstances of the Jessica Hernandez case it has been determined that the officers’ actions do not warrant disciplinary action. Nonetheless, this incident is a tragedy for all involved. Ms. Hernandez had her whole life in front of her and we mourn her loss with the family.”

Multiple agencies participated in a thorough and impartial review process of the shooting, including an independent [investigation by the Denver District Attorney’s Office](#), a Denver Police Department Internal Affairs Division (IAD) review, an independent review by the Office of the Independent Monitor (OIM), and a review by the Department of Justice Civil Rights Division, which occurred at the Chief of Police’s request. The DA’s Office determined that the officers’ actions did not violate the law and the Denver Police Department determined the shooting was within policy. The OIM agreed that the shooting by Officer Jordan did not violate department policy, but did not believe the evidence was conclusive regarding the shooting by Officer Greene. Further, based upon the IAD investigation which was provided to the Department of Justice (DOJ), the Denver Division of the Federal Bureau of Investigation, in conjunction with the DOJ, did not find sufficient evidence to corroborate the elements of a civil rights violation and, as a result, [the DOJ declined to open an investigation](#).

Click [here](#) for a detailed timeline of the shooting review process. Click [here](#) for the conduct review reports of the incident.

On June 5, 2015, Denver District Attorney Mitch Morrissey issued his Decision Letter, stating that no criminal charges would be filed against the officers for several reasons, including that the officers were lawfully attempting to arrest the driver of a stolen car, the officers reasonably believed that the sudden acceleration of the Honda toward Officer Jordan was the use or imminent use of deadly physical force by Ms. Hernandez, and the officers reasonably believed that responding with deadly physical force was necessary in order to defend Officer Jordan.

On January 6, 2017, the CRO issued a Review and Findings report which determined that, given the totality of the circumstances, the officers' actions were appropriate and necessary because it was reasonable for the officers to believe that the vehicle Ms. Hernandez was driving posed an immediate threat to Officer Jordan's life, and that, as a result, there was no alternative course of action that could reasonably be taken to prevent death or serious bodily injury to Officer Jordan.

The Denver Police Department continuously reviews its policies and procedures and considers what other agencies employ as it relates to best practices. As part of this ongoing evaluation, the department began examining other law enforcement agencies' policies on the discharge of firearms at motor vehicles in 2015. It also consulted with the Police Executive Research Forum (PERF), which develops guidance and best practices in policing. In June of 2015, the department updated its [policy](#) related to the discharge of firearms at motor vehicles.

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