

**PRESS RELEASE RE: SHOOTING DEATH OF DE'VON MALIK BAILEY – RELEASE OF BODY CAMERAS
PUBLIC STATEMENT – TODAY AT 2:00 p.m. at the Law Firm of KILLMER, LANE & NEWMAN, LLP, 1543
Champa. St., Third Floor, Denver, CO 80202**

Today the City of Colorado Springs released some of the video evidence in the shooting death of De'Von Bailey on August 3, 2019. Many members of the media have inquired as to whether the family of De'Von Bailey has a statement in reaction to these videos.

Today at 2:00 p.m. the lawyers for the Bailey Family will hold a press conference to provide such a statement. The family is devastated at having seen this evidence of the wholly unjustified killing of their beloved family member. Since the wake for De'Von Bailey is today and the funeral is tomorrow, and given the circumstances, the parents of De'Von will not be available for public comment today, as they are grieving and attending to the burial of their son. We request that the media and the public respect their privacy during this profoundly difficult time.

The law of Colorado and the United States Constitution prohibit a law enforcement officer from shooting and killing a fleeing suspect unless the officer has probable cause to believe the suspect is **imminently about to cause death or serious bodily injury to the officer or a 3rd party.**

AS THE UNITED STATES SUPREME COURT HELD OVER 30 YEARS AGO:

“The use of deadly force to prevent the escape of all felony suspects, whatever the circumstances, is constitutionally unreasonable. It is not better that all felony suspects die than that they escape. **Where the suspect poses no immediate threat to the officer and no threat to others, the harm resulting from failing to apprehend him does not justify the use of deadly force to do so.**”

Tennessee v. Garner, 471 U.S. 1, 11, 105 S. Ct. 1694, 1701 (1985)

The video evidence released today demonstrates that De'Von was **not** presenting any threat to the officers who shot and killed him while he attempted to flee. In addition, there is not a shred of evidence that De'Von presented an imminent threat or risk that he was imminently about to use a gun to harm anyone else. Instead, it is clear that he was merely trying to get away from the situation. Even if the officers had legitimate concern that a suspect might escape, the law strictly specifies that it is **only** when the officers have evidence that a person is in imminent risk of death or serious bodily harm may that officer use deadly force – a gun – to stop a person from fleeing.