



OFFICE OF THE DISTRICT ATTORNEY

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PRESS RELEASE

03-27-01

On 3-16-01 shortly after 8:00 p.m., CSPD officers were dispatched to the scene of a domestic violence/disturbance complaint at the Dun Rovin Motel on East Platte Avenue near Circle Drive. Officers Chris Garcia, Clayton Blackwell, Hugh Velasquez and Dale Zehner all arrived separately to respond to the complaint. When officers arrived they found Timothy Gladden (D.O.B. 8-18-63) seated on a chair directly in front of the east-end of the motel holding a large hunting knife. Investigators later measured the weapon and determined it to be a foot long knife with a 7-inch blade. The officers gave Mr. Gladden commands to drop the knife. Mr. Gladden refused to drop the weapon and told the officers that they would have to shoot him if they wanted him to drop the knife.

The officers continued to try to calm Mr. Gladden telling him that they did not wish to shoot him and again asked him to drop the weapon. Officers attempted to subdue Mr. Gladden with the use of O.C. spray (Oleoresin Capsicum) but Mr. Gladden was able to avoid the spray while holding the police at a distance with his knife. Mr. Gladden stated to police that if they used the spray they would only "piss me off" and that the police "are going to have to f... kill me". Police continued to tell Mr. Gladden that they did not wish to shoot him and wanted to resolve the situation without injury. Several minutes into the encounter, Mr. Gladden, now standing, took the knife by the blade and made a sudden movement indicating that he intended to throw the knife at the officers. More than one of the officers prepared to fire their weapons at this time but it was Officer Zehner (a fourteen year CSPD veteran) who fired a single shot grazing Mr. Gladden's right shoulder. Mr. Gladden obeyed police commands to drop the knife after he had been grazed by the bullet. Mr. Gladden stated to police at the scene that "you were supposed to kill me". Mr. Gladden was treated and released for a minor graze wound and did agree to speak with investigators later that night.

Mr. Gladden revealed to investigators that it was his intent to threaten police with the knife to get them to shoot him. He was somewhat surprised and upset that he received only a minor wound and told investigators that when police are threatened with a weapon they are supposed to shoot to kill. Mr. Gladden stated that if this incident had occurred in New York or L.A. he would be dead now. Mr. Gladden also apologized that he forced Officer Zehner to have to shoot him but did wish that the officer had "aimed lower".

Officer Zehner fired his weapon to defend himself and his fellow officers from Mr. Gladden's threatened use of a knife against the officers as well as to arrest and/or detain Mr. Gladden based on reports of domestic violence at the motel. These actions are within the requirements of C.R.S. 18-1-707 regarding the use of deadly force.

Mr. Gladden's behavior earlier in the evening with his girlfriend had caused a motel employee to phone the police and complain of a disturbance. CSPD detectives have booked Mr. Gladden on charges of assault against the police officers and his girlfriend as well as other domestic violence charges. Reports will be presented to the District Attorney's office for review.



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PRESS RELEASE

May 16, 2001

The District Attorney's Office has completed its investigation into the officer involved shooting that occurred on May 8th, 2001 at an apartment complex at 935 North 19th Street in Colorado Springs. The review included statements from police officers, civilian witnesses, and physical evidence from the scene itself. Michael Jackson, age 52, was a resident at the apartment complex. However, he had recently been given thirty days notice to leave his apartment because of continuing problems with Mr. Jackson threatening the other residents of the building both verbally and with a knife that he carried regularly. On the morning of May 8th, the person in charge of maintenance at the apartment saw Mr. Jackson with the knife and Mr. Jackson was cursing and threatening the employee. A 911 call was made to ask for help from Colorado Springs Police Department. Officers William Fischlein and Mark Sandoval responded. When they arrived, Jackson was inside his apartment but did open the door to allow the officers to come in. When the officers entered, Mr. Jackson began attacking them. Both officers told Jackson numerous times to put down the knife he was carrying. Officer Fischlein sprayed Jackson with a form of pepper spray but the spray did not stop Mr. Jackson's attack. As Mr. Jackson threw his knife at Officer Fischlein, Officer Sandoval fired one shot, which struck Mr. Jackson through the arm and into the abdomen. Officer Fischlein was struck in the leg by the handle end of the knife and was not injured.

The apartment employee who had accompanied the officers to Jackson's apartment witnessed this incident. Other people in the building also heard the officers telling Mr. Jackson to put down his knife.

Both Officer Fischlein and Officer Sandoval reasonably believed that they were in serious danger from Mr. Jackson's attack with the knife. Colorado Revised Statutes 18-1-707 allows a peace officer to use deadly force in this situation.

Mr. Jackson remains hospitalized due to his injuries.