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PRESS RELEASE

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On March 5th, 2002, the Colorado Springs Police Department Tactical Enforcement Unit executed a search warrant at 1448 Howard Ave. During the entry into the residence, Brady Ray Acuff, age 34, pointed a 9 millimeter gun at Officer Ron Sheppard. Officer Sheppard then fired his service weapon one time. That bullet traveled through the clip of the weapon being held by Mr. Acuff and entered Mr. Acuff's abdomen. Mr. Acuff was hospitalized and is currently in stable condition.

The original search warrant for 1448 Howard Avenue was the result of an investigation into allegations of identity theft, forgery, check fraud, mail theft, and illegal drugs. The Tactical Enforcement Unit of the Colorado Springs Police Department was called in to assist with the entry because of concerns about fortifications present on the front door of the residence as well as allegations of methamphetamine use which raises the level of danger in these types of searches. As officers approached the front door, they noted a surveillance camera, which monitored the entrance. Police officers wore clothing that clearly marked them as police. They announced over loud speakers numerous times that they were police, they had a search warrant, and requested the residents to open the door. These announcements were confirmed by neighbors who could hear them in their own homes nearby. When there was no response from inside the residence, the SWAT Team forced their way in through the door.

Upon entry, officers found a juvenile male seated in the living room. An adult male was seen running toward another room in the house. Officer Sheppard followed the adult male, later identified as Brady Ray Acuff. Officer Sheppard saw Mr. Acuff turn the corner into another room. When Officer Sheppard turned that same corner, he saw Mr. Acuff bent over something. He ordered Mr. Acuff to the ground. Instead, Mr. Acuff turned and sat back in a chair pointing a gun directly at Officer Sheppard. Office Sheppard and Mr. Acuff were approximately five feet apart at that time. Office Sheppard fired one shot, which struck Mr. Acuff. Mr. Acuff then dropped the weapon and was placed in custody.

A second adult male and an adult female were also found in other parts of the residence. Officers seized numerous items from the residence pursuant to the search warrant. The gun used by Mr. Acuff was also placed in evidence. It was an *Intratec*, Model TEC 9, a nine-millimeter semi-automatic assault weapon. It had a type of muffler attached to the barrel. Two magazine clips taped together were attached to the weapon. The two clips held more than 45 rounds of ammunition. One live round was in the chamber of the weapon when it was recovered.

Officer Sheppard reasonably believed that Mr. Acuff was about to use deadly force to cause death or serious bodily injury to Officer Sheppard. Therefore, Officer Sheppard's use of deadly force was reasonable under Colorado's laws relating to self defense.

Potential charges relating to the original investigation of forgery, theft, and violations of the Colorado Organized Crime Control Act, as well as charges relating to Acuff's actions during the search warrant are being reviewed by the District Attorney's Office.

Note to media representatives

The recovered firearm is available this afternoon (3-12) for viewing at the District Attorney's Office by prior appointment.