



OFFICE OF THE DISTRICT ATTORNEY
TWENTIETH JUDICIAL DISTRICT
Michael T. Dougherty, District Attorney

Press Release

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Boulder County Sheriff Deputies, James O'Brien and Adam Lunn, each charged with one count of Manslaughter, CRS 18-3-104(1)(a), a class four felony, in the death of Demetrius Shankling.

The District Attorney's Office evaluates officer-involved fatalities in Boulder County to determine whether a police officer has committed a criminal act. In accordance with protocol, officer-involved fatalities are investigated by the Boulder County Investigation Team, consisting of experienced multi-agency personnel. The investigation can take several weeks or months depending on the circumstances involved in the fatality. At the conclusion of law enforcement's full investigation, the District Attorney's Office conducts an independent review to determine whether criminal charges will be filed. The District Attorney's review includes an analysis of police reports, physical and forensic evidence, recordings, medical records, photographs, and witness statements. When needed, District Attorney Investigators conduct further investigation. When there is sufficient evidence to prove, beyond a reasonable doubt, that a police officer should be charged with a crime, a criminal case will be filed and prosecuted by the District Attorney's Office.

After a thorough investigation by the Boulder County Investigation Team, led by the Longmont Police Department, and the independent review by the District Attorney's Office, Boulder County Sheriff Deputies James O'Brien and Adam Lunn are being charged with Manslaughter for their roles in the death of Demetrius Shankling, DOB 09/09/1995. Manslaughter is a Class Four felony with a non-mandatory sentencing range of two to six years in the Department of Corrections.

Demetrius Shankling was contacted by Boulder Police Department officers on September 9, 2018, who determined Mr. Shankling was highly intoxicated and in need of being transported to the Addiction Recovery Center (ARC). Mr. Shankling had turned twenty-three years old that day.

Boulder County Sheriff Deputies O'Brien and Lunn responded to the scene to transport Mr. Shankling to the ARC. The deputies handcuffed Mr. Shankling and placed him on his stomach in a small compartment within a transport van, although they had been trained to not transport individuals in this manner. Mr. Shankling was found unresponsive after sixteen minutes in the van, never regained consciousness, and died twenty-seven days later on October 6, 2018.

Upon learning of the circumstances, Boulder County Sheriff Joe Pelle activated the Boulder County Investigation Team to take on the investigation. Investigators determined that both deputies had been specifically trained to not place a handcuffed individual in this position. An autopsy revealed Mr. Shankling died from positional asphyxia based on being compressed into the compartment in the transport van. The forensic pathologist concluded the manner of death to be homicide.

District Attorney Michael Dougherty stated, "I appreciate that Sheriff Pelle made the decision to activate the Boulder County Investigation Team to conduct the investigation into this tragic incident. The members of the Team conducted a very thorough investigation, as did Coroner Emma Hall and her staff. When these difficult situations arise, it is important to have a shared and unwavering commitment to reaching the right result for the victim, law enforcement, and our community."

Due to the filing of charges and criminal prosecution, evidence from the body-worn camera video and surveillance video from the van will not be publicly released at this time. Under the Colorado Rules of Professional Conduct 3.6(a) and 3.8(f), the District Attorney's Office may not disseminate information or materials that could have a substantial likelihood of materially prejudicing any defendant's right to fair trial.

The filing of a criminal charge is merely a formal accusation that an individual has committed a crime. In every criminal case, a defendant is presumed innocent unless and until proven guilty.