



OFFICE OF THE DISTRICT ATTORNEY  
TWENTIETH JUDICIAL DISTRICT

Michael T. Dougherty, District Attorney

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## Press Release

The District Attorney's Office announced today that the investigation and legal analysis of the non-fatal use of force on Jesus Hilario Rodela by Longmont Police Department School Resource Officer (SRO) Sergeant John Garcia has been completed. The incident took place in the area of 104 Longs Peak Avenue in Longmont.

The Critical Incident Team for the 20th Judicial District, also known as the Boulder County Investigation Team ("BCIT"), investigated this case. This multi-agency team is designated to investigate use-of-force incidents in which any law enforcement officer used deadly, or potentially deadly, physical force against a person while acting under the color of official law enforcement duties. Following this incident, the Longmont Police Department ("LPD") quickly notified the BCIT. The BCIT responded and conducted a thorough investigation. Consistent with protocol, the Longmont Police Department did not participate in the investigation into the use of force by SRO Sergeant Garcia.

This announcement, and the decision of the District Attorney, is not to be construed as commentary on the criminal charges, which are merely allegations, pending against Mr. Rodela. He remains innocent of the charges against him unless and until a jury finds him guilty beyond a reasonable doubt. Under the law, the District Attorney is required to make, and publicly disclose, the findings and conclusions which are the bases for not charging SRO Sergeant Garcia with criminal offenses. Those findings are detailed in the decision letter being released today and briefly summarized here:

Officers with the Longmont Police Department responded to the location of a stolen vehicle and attempted to contact four individuals. Mr. Rodela fled and discarded some of his clothing, presumably to avoid detection. SRO Chris Borchowiec moved to protect Columbine Elementary School and then encountered Mr. Rodela. SRO Borchowiec attempted to cut off Mr. Rodela's escape route using his marked police vehicle. Mr. Rodela opened fire on SRO Borchowiec, shooting three times. SRO Borchowiec placed his vehicle into park and dove out onto the ground to take cover from the gun fire. SRO Borchowiec was able to reach his car radio and communicate with fellow officers that the suspect had fired at him.

The next law enforcement officer to encounter Mr. Rodela was SRO Sergeant Garcia, who was aware of the situation regarding the stolen vehicle and that Mr. Rodela had just fired at SRO Borchowiec.

When he saw Mr. Rodela, SRO Sergeant Garcia activated his emergency lights. In response, Mr. Rodela raised the gun at him, and SRO Sergeant Garcia accelerated to strike Mr. Rodela with his police vehicle. Mr. Rodela sustained significant injuries. As required by statute, the Longmont Police Department immediately ensured that assistance and medical aid were rendered to Mr. Rodela. He has since been released from the hospital and is in the Boulder County Jail.

Officers recovered Mr. Rodela's handgun from the scene. Furthermore, projectiles were recovered from the police vehicles of SRO Borchowiec and SRO Sergeant Garcia. Multiple sources of audio and video evidence collected by the BCIT during the investigation captured much of what occurred between Mr. Rodela, SRO Borchowiec, and SRO Sergeant Garcia. Several blue pills, believed to contain fentanyl, were also recovered from Mr. Rodela.

It was later learned that Mr. Rodela was on parole stemming from a sentence in Weld County case 2015CR466. He absconded from parole in September of 2021. Additionally, Mr. Rodela was the subject of two active arrest warrants that had identified him as the suspect in multiple cases involving felony aggravated motor vehicle theft charges.

Under applicable Colorado law, no criminal charges can or should be filed against SRO Sergeant Garcia or the other law enforcement officers.

District Attorney Michael Dougherty stated, "I appreciate that the Critical Incident Team conducted an independent and thorough review. The integrity of these investigations is important to everyone involved and to our community. This investigation highlighted that the officers acted lawfully – but, also, courageously. Each one of the officers moved quickly to protect community members and faced direct gunfire. This situation could have ended much worse."

The District Attorney's detailed report can be found at <https://www.bouldercounty.org/district-attorney/officer-involved-shooting-decision-letters/>. For individuals interested in the process and findings, District Attorney Michael Dougherty will conduct a virtual Town Hall via Microsoft Teams at 12 noon on March 1, 2022. Questions can be submitted in advance via email to [boulderda@bouldercounty.org](mailto:boulderda@bouldercounty.org). The link to join is <https://tinyurl.com/4nu6f976>. Community members are, also, able to call into the Town Hall by calling 720-400-7859 Conf ID# 844 519 018#. DA Dougherty conducts a Town Hall after any BCIT investigation in a continuing effort to be transparent and address any questions.