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March 24, 2020

Chief David Montgomery  
Firestone Police Department

**RE: Investigation of the February 13, 2020 Officer-Involved Shooting of Sarah Jesser**

Chief Montgomery:

The investigation into the shooting of Sarah Jesser has been completed by the Critical Response Incident Team (CIRT). Applying the facts from the investigation to applicable Colorado law, criminal charges will not be filed against the officer who discharged his weapon. Attached hereto are the findings of the Investigations Section of the District Attorney's office based on the entirety of the CIRT investigation. This report applies the facts from the investigation to the pertinent Colorado laws.

**APPLICATION OF THE FACTS TO THE LAW**

The District Attorney's office may ethically charge an individual with a crime only in cases where there is a reasonable likelihood of conviction. The law states that criminal liability is established in Colorado only if it is proven beyond a reasonable doubt that someone has committed all of the elements of an offense defined by Colorado statute.

Further, it must be proven beyond a reasonable doubt the offense was committed without any statutorily-recognized justification or excuse. While knowingly or intentionally shooting another human being or shooting at another human being is generally prohibited as homicide or attempted homicide in Colorado, the Criminal Code specifies certain circumstances in which the use of physical force is justified, also known as an affirmative defense. Because the evidence establishes that Jesser was shot by one of the responding officers, the determination of whether the officer's conduct was criminal is a question of legal justification.

**C.R.S. § 18-1-707(2)** establishes when a peace officer can use potentially deadly force to defend himself or others. The statute reads, in pertinent part, as follows:

A peace officer is justified in using deadly physical force upon another person...only when he reasonably believes that it is necessary...**to defend himself or a third person from what he reasonably believes to be the use or imminent use of deadly physical force, OR to effect an arrest...of a person he reasonably believes has committed or attempted to commit a felony involving the use or threatened use of a deadly weapon, OR**

otherwise indicates...**that he is likely to endanger human life or to inflict serious bodily injury to another unless apprehended without delay.**

Colorado case law unequivocally states that when determining whether it was necessary for an individual to act in self-defense or in the defense of someone else, that person is entitled to rely on “apparent necessity.” This can be relied on so long as the conditions and circumstances are such that a person would reasonably believe the defensive action was necessary. *See People v. LaVoie*, 395 P.2d 1001 (1964); *Riley v. People*, 266 P.3d 1089 (Colo. 2011). Thus, it is irrelevant in this analysis whether Cotter intended to use deadly force. The issue is whether it was reasonable for the officers to believe that he was about to use deadly physical force against the officers or another person with a deadly weapon or explosive device. In this case, the officers were attempting to contact Ms. Jesser regarding active warrants she had pending against her. When officers made entry into her hotel room to effect an arrest, Jesser was hiding behind a door, and shot at a Sheriff’s deputy. Officer 1 returned fire, striking Jesser several times.

Jesser clearly knew that the individuals entering the hotel room were officers because they announced themselves numerous times.

The officer reasonably believed when he fired his weapon that he and others nearby were in danger of death or serious bodily injury because Jesser fired at the deputy as he entered the room.

Based on the facts gathered during this investigation as summarized in the attached report and the legal analysis outlined above, I find that that Officer 1 was justified in discharging his firearm at Jesser and reasonably believed that it was necessary to protect himself and others from Jesser’s use of potentially deadly physical force. Further, Jesser had committed a felony when she shot at the Sheriff’s deputy and was an ongoing threat to inflict serious bodily injury to those present in the hotel room.

## CONCLUSION

Under C.R.S. § 18-1-707(2), the officer’s actions in this situation were justified and authorized by law to defend and protect themselves and others from actions of Sarah Jesser. As a result, the Weld County District Attorney’s Office will not file charges against the officer for the use of deadly physical force in this event. If you have any questions, please feel free to contact me.

Sincerely,



Michael J. Rourke  
District Attorney



Officer Involved Shooting

Sarah Jesser DOB/03/10/1978

Weld County, Colorado

Chief Investigator Thomas M Walde

February 13, 2020

Weld County SO 20W005458

Firestone PD 20-01313

**Summary:**

On February 13, 2020 at 1640 hours Deputy Carlos Lopez was on patrol in the area of the Econo-Lodge located at 10811 W I-25 Frontage Road. This is an area known for criminal activity. Deputy Lopez ran a clearance on a Jeep parked in the hotel lot. The Weld County Regional Communications Center confirmed the vehicle registered to a Sarah Jesser and this person had three active warrants for her arrest.

The warrants are as follows:

Douglas County 20M102 Phone Harassment, issued January 13, 2020

Las Animas County 19T662 FTA traffic, issued January 16, 2020

Las Animas County 20CR23 Eluding/resisting arrest issued January 23, 2020

Deputy Lopez verified with hotel staff Jesser was in fact a tenant and was in room 205. Deputy Lopez contact dispatch requesting assistance from Firestone PD. Officer 1 and his trainee arrived to assist Deputy Lopez.

Lopez aired to dispatch they were outside room 205 and the female inside was refusing to open the door. The female was confirmed to be Sarah Jesser, she denied the existence of any arrest warrants. During this time hotel staff was attempting to open the door with a pass key, these efforts failed.

Jesser called dispatch from inside the room demanding the officers outside her room leave saying she did not have any warrants and they were harassing her. Jesser demanded officers come and arrest the officers outside her room. Jesser was ranting about previous contacts with the Police and FBI. She said she is the victim of murder during previous contacts with the police. This back and forth conversation with Jesser went on for about twenty-one minutes. The hotel staff was eventually able to defeat the deadbolt lock; however, the inside security latch was engaged. Hotel staff left the scene to obtain a tool to defeat the security latch.

While Hotel staff was gone Deputy, Lopez forced the door open and all three officers entered the room. Officer 1 was equipped with a Body Worn Camera and he was the second officer to enter the room. As Deputy Lopez walked by the darkened bathroom a shot is heard. When reviewing the Body Worn Camera footage you can see a handgun come from the dark room to

just beyond the door casing. The gun is aimed at the head of Deputy Lopez. You can see the muzzle flash as Deputy Lopez walked by the door, the bullet from this shot hit the mirror behind Deputy Lopez approximately five- and one-half feet from the floor. This measurement confirms Jesser fired at the head of Deputy Lopez.

Officer 1 was behind Lopez with his weapon drawn. Officer 1 returned fire striking Jesser ending her aggression. Jesser fell back into the tub and was later taken into custody. Jesser was transported to a hospital for treatment of her injuries.

The 19<sup>th</sup> Judicial Critical Incident Response Team was notified, and an investigation was completed.

**Evidence Collected:**

Bathroom and Hallway:

Five silver colored casings stamped Win 9mm Luger +P

Bathtub:

Two copper colored casings stamped USA 9mm Luger

Glock 9mm semi-auto handgun. Impact damage by bullet.

Glock magazine with six rounds identical to the two fired casings above.





One of Jesser's rounds entered the mirror across from the bathroom - 5 ½ feet above the floor



## **Officer Statements:**

The statements obtained from the Firestone officers were provided in written form through their attorney. The below statements were copied to this document. There have been changes made from the original documents. The changes are limited, double and in some cases triple spacing have been removed. The reason for this is space considerations in this document. Spelling errors were corrected. Punctuation errors were corrected.

With the exception of the above-mentioned changes these are the statements of officer 1 and officer Ream.

### **Officer 1**

On February 13th, 2020 myself and Firestone Officer Michael Ream assisted Weld County Sheriff's Deputy Lopez in apprehending an individual who had multiple warrants, located at the Econo Lodge hotel in unincorporated Weld County.

At approximately 4:50pm myself and Officer Ream were in the 4200 blk of Sable Ave conducting traffic enforcement when I heard Deputy Lopez over the radio asking for assistance from a Firestone PD unit to assist with contacting a Code 6 party, individual with warrants, at the Econo Lodge. In his radio traffic to Dispatch he advised the party had multiple warrants. Since Officer Ream is currently in the Field Training and Evaluation Program and I am his Field Training Officer, I believed it would be a good training opportunity for him to assist. I instructed him to attach to the call and take us to the hotel.

As we approached the hotel, I observed a WCSO patrol car parked to the west of the hotel, and as we got closer the vehicle pulled into the parking lot in front of us and parked by the main entrance. Officer Ream parked directly behind. As we exited our patrol vehicle, I observed Deputy Lopez exit the WCSO vehicle. I recognized him from previous interactions I had with him.

We all entered the hotel and Deputy Lopez went and spoke with the front desk employee. Deputy Lopez did not speak to me or Officer Ream but gestured for us to follow him and the hotel employee. We all went up the stairs to the second level, turned left and went to room 205.

Deputy Lopez directed Officer Ream to stand to the right of the room door, while he stood directly in front of it, and I stood to his left. Deputy Lopez pointed to the door and told the staff member to open it. The staff member, using what appeared to be a master key, attempted to unlock and open the door. The door did unlock and open a short way, then stopped as the bar lock was engaged and would not let the door open completely.

At that time, I heard a female voice from inside the room ask who it was and to hold on a second as she was talking on the phone. I observed Deputy Lopez attempt to continue to open the door and attempt to disengage the bar lock. The female came to the door and pushed it shut and stated to "what do you want" and to "go away". It appeared that the female had locked the door deadbolt from the inside, as Deputy Lopez directed the staff member to attempt to unlock the door with the key card again, but it would not work. Deputy Lopez then asked the staff member to retrieve a 'fork tool' to assist with detaching the bar lock once the door was partially open. I could still hear the female talking inside the room and I announced that it was the Weld County Sheriff's Office and asked her to unlock and open the door. She stated she would not, and then Deputy Lopez stated to her "Sarah you have warrants and you need to open the door". Sarah stated she did not have any warrants and that we needed to leave. Deputy Lopez stated she had multiple warrants, with one being a felony warrant, and he named the jurisdiction which they were out issued out of. I heard Sarah state the warrants were false, and they had been issued because that jurisdiction failed to complete a "medical homicide investigation."

Observation of the door handle and lock showed that it was different from the other door handles and locks on the other rooms in the hallway. It was evident that the tumbler mechanism where a key would be inserted to unlock the deadbolt had been removed. Deputy Lopez asked the staff member if he had tools to unlock the door, and the staff member stated he would have to call someone to get them, and Deputy Lopez instructed him to do so.

At that time, myself and Officer Ream were still attempting to speak with Sarah and asking her to unlock and open the door. She continued to make statements that the warrants were false, or not valid, and we should leave. She was asked multiple times to just open the door and cooperate with us and we would work with her on the warrants. I heard Sarah state that she did not believe we were law enforcement officers, and Officer Ream asked her to open the door so she could see us and recognize us, and so we could speak face to face. All officers present were wearing their department issued uniforms to include badges, duty belts, and other gear and items which would identify us as law enforcement officers.

I heard Sarah on the phone state to someone her name and then she said she was at the Econo Lodge Hotel and that there were officers there, and I heard her tell the person she was on the phone with to tell the officers to leave. I believed she was possibly on the phone with Dispatch, so I radioed Dispatch and advised them of that. I also advised Dispatch that Sarah was being uncooperative and refusing to open the door. Sarah continued to make statements that the warrants were false and continued to refuse to open the door. I asked Sarah to slide her Id. under the door so that we could make sure the warrants were valid, and again told her that if she would "work with us we would work with her." She stated that we were there to hurt her,

and she was told we had no intentions of hurting her and did not want to hurt her, but she needed to cooperate with us. I asked her several times to unlock the door, and to back away from it, kneel on the floor with her hands open and visible, so that we could come in, but she refused to do so.

At about that time another staff member arrived with some hand tools and began to attempt to unlock the deadbolt. I continued to attempt to negotiate with Sarah to get her to peacefully open the door. I did advise Sarah that she was refusing to obey a lawful order by refusing to open the door. I could hear Sarah speaking to someone on the phone again, stating that there were police at her door and telling that person to make us go away. I could hear a male's voice coming from the phone ask her if she wanted to talk to a sergeant and she stated no she just wanted us to go away. I could hear the male's voice tell her that he was not a police officer and he could not order us to leave.

At that time the staff member was still attempting to unlock the deadbolt, and every time he would get it unlocked Sarah would immediately lock it again. Sarah was given multiple instructions to back away from the door, keep her hands visible and let officers inside. At about that point Deputy Lopez stated to Sarah that he was "done arguing with you, you need to open the door, if you don't you will be charged with resisting arrest".

It appeared that Sarah had moved away from the door, as the staff member was able to unlock the deadbolt and we were able to open the door to point where the bar lock was engaged. At that time, I was standing in front of the door, left of its center with my left foot holding the door open as far as it would go. Deputy Lopez was to my immediate right, and Officer Ream was to his immediate right. Deputy Lopez attempted to knock the bar lock loose with his baton but was unsuccessful. It appeared to me that with a hard kick or shove the bar lock would break free. I motioned for Deputy Lopez to hit the door, which he did with his shoulder.

As the bar lock broke free the door opened, and Deputy Lopez continued inside. I drew my service weapon and began bringing it up to point into the room. As I did so I heard a gunshot and observed Deputy Lopez crouch down. It was not immediately apparent where the shot had come from. As I looked forward, I could see a hand coming out of the open door in front of me, later determined to be the bathroom. In the hand I could see what appeared to be a squarish black object, and the hand was pointing in the direction of Deputy Lopez. It appeared that Deputy Lopez was about to be shot, and believing that he was in imminent danger of death or serious bodily injury I moved closer to the open door, moved my service weapon around the door in what appeared to be in a direct line with the hand outside of it and opened fire. I fired approximately 5-6 rounds then paused to assess. I did not hear anymore gunfire, so I peered around the corner and observed a white female laying in the bathtub. It was apparent that she was injured as I could see blood on her clothing, and it appeared that she had a wound to her face. I held my position as Deputy Lopez moved into the bathroom and began giving commands

to the female. I heard him say 'show me your hands' multiple times. At that time Officer Ream was also at the bathroom door covering Deputy Lopez. I radioed Dispatch and advised that there were shots fired at our location and there was a female down and all Law personnel were ok. As I was talking with Dispatch Deputy Lopez was able to secure Sarah's hands with handcuffs. I confirmed with Officer Ream that he was ok, and he stated he was. Observation of the room showed that no one else was inside. At that point Deputy Lopez began walking Sarah out of the bathroom. I stated to him to put her on the bed, and he told me he was taking her to the hallway, which he did. I advised Officer Ream to stay in the room for scene security. Knowing multiple shots had been fired, and it had occurred inside a hotel room with adjacent rooms I then moved to ensure no one else had been harmed. I exited room 205 and got the attention of one of the staff members and told him I needed the room immediately to the right of 205 open so I could check to see if anyone was inside and hurt. The staff member opened the door using his key. I announced myself and asked if anyone was inside and did not get a response back. I looked into the room and did not see anyone or any movement. While looking into the room I did observe, on the left wall, the one adjacent to room 205, what appeared to be a bullet hole exiting from the mirror on the wall. I also observed what appeared to be bits of broken glass and other debris on the floor directly below the mirror. I advised Dispatch via radio to make a note that room 207 should be considered part of the crime scene. At that point I moved to the room to the left of 205, and again the staff member opened the door so, I could check to see if anyone was inside. I announced myself, then looked in the room, I did not see or hear anyone inside. Knowing that when I fired my weapon it was pointed in the direction of that room I looked to see if there were any bullet holes but did not observe any. I then moved back to the doorway of room 205 and stood by while Officer Ream conducted another sweep of that room. While standing at the door I observed Deputy Lopez speaking with Sarah, she appeared to be conscious and alert, but I could not understand what she was saying. I radioed Dispatch and asked them to advise Medical that we were Code 4, scene secure, for medical and that we had a female who was conscious and breathing, with multiple GSWs, gunshot wounds and gave our location as the second floor. Shortly thereafter medical personnel arrived and began treating Sarah. At that point Firestone Sergeant Marc Robinson arrived on scene and contacted me. I advised him that I was the one who had fired, and once he was certain the scene was safe, he escorted me to his patrol car outside. A short time later Officer Ream was also brought to Sgt. Robinson's patrol car. I contacted my wife via phone and advised her I had been involved in a shooting and that I was ok and would keep her updated. While still on scene, and in the parking lot, a Weld County Deputy took pictures of myself and Officer Ream. Soon after Sgt. Robinson escorted us to the Weld County Southwest Substation. While at the substation additional photographs were taken, and I surrendered my firearm as evidence. I provided my body worn camera to another Firestone Officer so they could work with The Weld County Shoot team to get the video downloaded.

The preceding statement was offered by officer 1 through his attorney in written form. The following are answers to follow-up questions.

In Reference to the question to if I believed the black squarish object to be a handgun or gun generally. To the best of my recollection I believed it to be a gun generally. Seeing the hand coming out of the bathroom with a black object after hearing the gunshot, and seeing it pointing at Deputy Lopez, I believed it to be a gun.

In Reference to the light in the bathroom, to the best of my recollection the light was on prior to our entry. I do not remember turning it on and do not remember observing either Lopez or Ream turning it on.

**Officer Ream statement:**

On 02/13/2020 at approximately 1720 hours I, Officer Ream and Officer CPL Wittler were dispatched to Econo Lodge at 108011 West I-25 Frontage Road, Longmont, Weld County, Colorado, to assist Weld County Deputy Lopez to contact a female subject with warrant's staying at the hotel.

When we arrived on scene, we contacted Deputy Lopez near the front entrance of the hotel. I followed Deputy Lopez into the hotel when he contacted an employee at the front desk of the hotel. It appeared Deputy Lopez had already spoken with the employee to get room information and a key to the room. The communication between the two was short and brief. I, CPL Wittler, and Deputy Lopez, went to the second story and to the room where the female subject was staying. Deputy Lopez knocked on the room door calling out Sarah, the female subjects name. A female in the room asked who it was. CPL Wittler replied to her saying this is the Weld County Sheriff's Office and she has warrants for her arrest. The female subject replied saying we were wrong, and she did not have warrants for her arrest. She also stated we were corrupt, and she did not want to talk to us. During this time the front desk clerk unlocked the door for Deputy Lopez, and it opened partially but was locked by a swing bar lock at the top of the door. The door to the room ended up closing again when Deputy Lopez attempted to swing it open. The front desk clerk attempted to use the key card to unlock the door again but was unable to for unknown reasons. The female subject asked how Deputy Lopez knew she had warrants. He replied stating he was running plates when her vehicles plates came back with warrants associated with her.

Once the door was closed, we attempted to get the female subject to open the door identifying us officers and telling her we needed to speak with her. CPL Wittler and I asked the female subject if she would slide her ID. underneath the door and we would figure out her situation with the warrants with her ID. Each time an officer would call out the name Sarah she would reply to the name. The female subject continued to tell us she did not have warrants and we

needed to leave. Each time the female spoke with officers it appeared she was further back into the room due to her voice being faint and sounding distant compared to the time her voice was louder appearing close to the door. This was a sign to me she was moving around the room a lot. At this point I covered the peek hole on the door to ensure the female was not aware of officer's position outside of the door.

After approximately 8-10 minutes after arriving on scene with the key card no longer working on the door, a male arrived assisting us with attempting to get the door open using a screwdriver to unlock the door where a key slot was once located but was broken. I believe the male was a property manager to the Hotel. The male was able to get the door open once before the door was closed by, I believe the female subject. Currently officers were telling the female subject to open the door. The male attempting to open the door for us once again was having trouble unlocking the door. The female told officers to go away and it appeared she was leaning against the door due to her voice sounding as if she was right against the door. Due to the male struggling to unlock the doors bolt lock, it appeared the female was holding the bolts knob, so officers were unable to unlock the door. During this time, I was giving loud verbal commands telling the female subject to let go of the lock. After approximately one minute of attempting to get the door open it became unlocked. The swing lock was still preventing Deputy Lopez from opening the door. The male assisting the officer tried to pry it open using a screwdriver but was unsuccessful. Deputy Lopez then tried using his flashlight to break the swing lock but was unable to. Deputy Lopez then used his body and put his shoulder into the door forcing it open.

Deputy Lopez then entered the room moving fast and approached the bathroom on the left side of the room. CPL Wittler and I followed behind him trying to follow him in. Once Deputy Lopez entered the doorway area of the bathroom, there was an immediate single gunshot from the bathroom towards officers. I observed what appeared to be a muzzle flash from the gunshot. I did not see a gun as I was focused straight ahead into the room and not looking at the bathroom. Deputy Lopez ducked immediately taking cover in the right side of the door. CPL Wittler approached the bathroom with his duty weapon and fired approximately three rounds from the left side of the doorway into the bathroom. Due to CPL Wittler and Deputy Lopez's location, I was unable to identify the specific location of the female subject in the bathroom. CPI Wittler then got on the radio advising shots fired and one subject is down. At this point I was unaware of CPL Wittler's condition, whether he was hit or not. I told CPL Wittler to move to the side to allow me to now become lethal coverage so he could triage himself. I believe the bathroom light was on at the time of the shooting, but I am not certain.

I approached the doorway from the left side and spotted the female subject in the bathtub but did not see the location of the weapon. I asked Deputy Lopez where the weapon was, but I do not remember hearing a response. With no knowledge of the location of the weapon, I watched the female subjects' hand movements to insure she was not reaching for the weapon. It appeared the female had been struck in the right forearm but was unsure due to my concerns of knowing where her hand movements were. We began giving commands to the female subject telling her to put up her hands in order to place her in hand cuffs and remove her from

the area of the weapon. At this time, the female subject was yelling what sounded like, "you shot me mother fuckers." I continued to give commands to the female subject telling her to put her hands up. once Deputy Lopez was able to place cuffs on the female subject, I assisted him by grabbing her left wrist and pulling her out of the bathtub, removing her from the hotel room and placed her in the hallway with Deputy Lopez.

Once the female subject was removed from the bathroom, I located what appeared to be a smaller model of a Glock pistol in the bathtub where the female subject was removed from. Once the weapon was located, CPL Wittler told me to clear the room to insure there were no more threats in the area. I announced twice, "if there is anyone else inside the room, make yourself known." I then cleared the room insuring no one was underneath the two beds or inside the coat closet. I then stood near the doorway of the room to insure no one could enter the crime scene.

Deputy Lopez was with the female subject and talking with her. The female subject was first sitting up making statements about officers shooting her. She then laid down and continued to make statements while Deputy Lopez talked to her while appearing to be coherent. Once medical arrived, I could hear them tell each other the female subject has a gunshot wound to the chest with an exit wound on her back. Medical than removed the female from the scene. After approximately five minutes of standing in the doorway, a Deputy approached me and took photos of my uniform for evidence due to blood being on it. Once this was completed, I was removed from the scene and relocated to be with the Sergeant on duty.

### **Deputy Lopez:**

The interview with Deputy Lopez took place at GPD on 02/14/2020 at about 1348 hours. Lopez stated he has four years law enforcement experience. Lopez states the Del Camino area is a known high crime area for narcotics, recovery of stolen vehicles. Lopez stated his activity is a crime suppression plan within the Weld County Sherriff's Office. Lopez ran a plate of a black Jeep. He ran the plate because he had not seen the vehicle in the area before. Lopez found the registered owner had several warrants for her arrest. Lopez went inside the hotel and spoke with front desk staff. Lopez was able to confirm Jesser was in room 205. Lopez confirmed Jesser had provided an ID when she checked in. Lopez requested assistance from the Firestone Police Department.

Lopez had the front desk person come to room 205 with him to contact Jesser. Jesser refused the answer the door. Lopez then spoke to Jesser through the door telling her was the police and she had warrants for her arrest. Lopez requested Jesser come to the door, Jesser refused saying it was a mistake and she did not have any warrants.

During contact Jesser called dispatch saying there were officers outside her room harassing her. She wanted different officers to come arrest these officers.

Lopez made the decision to have hotel staff open the door. Once the door was opened Lopez found the security latch inside was engaged. Lopez used his body weight to force the door open. Once the door was open Lopez was inside the room, as he entered, he says he felt and heard a loud bang, he said his ears were ringing. Lopez continued into the room, when he turned around, he saw the Firestone officer with his gun out. Lopez said he did not see the Firestone officer shoot his gun but felt from what he heard the officer returned fire. Lopez felt the suspect was shooting at him. He based this statement on previous training. He states when involved in active shooter training, he knows the first person in the door is going to draw fire from the suspect. Lopez knew the suspect was inside the bathroom after the shots were fired.

Lopez said when he turned around, he saw a shadow inside the bathroom, Lopez says the bathroom light was still off at this time. Lopez said in his thinking he was not hit, and the other officer was not hit. Lopez made the decision to deploy and fire his Taser. Lopez 100% believes the person inside the bathroom was shooting at him.

Lopez removed Jesser from the bathtub and handcuffed her. Lopez saw injuries to Jesser right arm and saw she was bleeding from the face. Lopez did try to find out from Jesser where she was hurt, she refused to talk with Lopez saying, you guys just shot me.

### **Jesser Interview:**

Investigators Kinne and Hunziker tried to interview Jesser while she was in the hospital. Investigator Kinne advised Jesser of her rights. Jesser immediately said she was the victim of a homicide. Jesser said she would not speak with the officers. Jesser continued to make statements about being a victim. She said her facebook posts are the reason the police are after her. Jesser said she would prefer to talk with Kinne when she gets out of the hospital. Jesser said you cops don't help, you hurt. Jesser then told Kinne she wanted to talk with a lawyer before she speaks with Kinne. As Kinne was leaving, Jesser said "I was good citizen" I was not able to understand what she said after that statement.

**Medical Observations:**

Jesser has refused to sign a medical release. There is limited information available about her injuries.

Paramedics later told Lopez, Jesser had a wound to her left side and it appeared to have exited her back. Jesser also had injuries to her face. These injuries were likely caused by shrapnel from the bullet fired by office 1 that hit the gun held by Jesser.

