



SALT LAKE COUNTY DISTRICT ATTORNEY'S OFFICE
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PRESS NOTICE

FOR IMMEDIATE RELEASE

DATE: August 7th, 2009
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DA's Office Completes Review of Officer Involved Shooting

SALT LAKE CITY – The Salt Lake County District Attorney's Office has issued a letter to the Murray City Police Department notifying the agency that Officer Thomas Rice's and Officer Gregory Stone's use of firearms against Mr. Eric Thatcher was lawful under Utah Code Title 76 chapter 2 part 4. Due to the fact that the District Attorney's Office has filed criminal charges against Mr. Thatcher, the District Attorney's Office is only releasing limited information concerning this matter. The following was taken from the charging document that was filed in State v. Eric Ray Thatcher:

"The statement of Dustin Kramer that on July 28, 2009, he was traveling northbound on Fashion Boulevard when the vehicle in front of him, driven by defendant ERIC RAY THATCHER, slammed on his breaks and then went into the left lane. Mr. Kramer passed the defendant and continued traveling towards the direction of his residence. Mr. Kramer stated that the defendant followed him to his residence located at 525 East 6270 South, Salt Lake County. The defendant pulled into Mr. Kramer's driveway and asked Mr. Kramer what his problem was. Mr. Kramer stated that the defendant proceeded to get out of his vehicle while telling him that he would kick his ass. Mr. Kramer stated that at one point the defendant told him he was going to kill him. Mr. Kramer called the police and took down the defendant license plate number.

Murray City Police Officers T. Rice and G. Stone responded to the defendant's residence located at 475 East 5980 South, Salt Lake County, to speak with him



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regarding the road rage incident. As the officers were waiting for the defendant to come outside and speak with them, they started walking toward the garage. Officer Stone stated that he heard the defendant yelling and looked into the basement window and observed the defendant carrying a rifle. Officer Stone started heading back to his patrol vehicle when he heard someone yell, 'I'm going to kill them.' Officer Stone turned around and observed the defendant running towards him carrying two rifles that were pointed at him."

Officers Stone and Rice both fired at Mr. Thatcher. Mr. Thatcher received injuries to his shoulder, wrist, bicep, and lower left side. The officers later determined that Mr. Thatcher had been carrying two pellet guns.

The District Attorney has reviewed this matter under Utah Code section 76-2-404, and determined that the officers' actions are justified under 76-2-404(1)(c). Section 76-2-404(1)(c) states that a peace officer is justified in using deadly force when the officer reasonably believes that the use of deadly force is necessary to prevent death or serious bodily injury to the officer or another person.

The District Attorney's Office reviews Officer Involved Critical Incidents to determine whether the officer's actions were legally justified under the Utah Code. Whether an officer returns to active duty is determined by the employing agency.

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