



Office of the District Attorney

Fifteenth Judicial District

Joshua Vogel
District Attorney

Jennifer Esch Swanson
Assistant District Attorney

Date: July 2, 2020

Baca County Sheriff's Office
265 E. 2nd Ave.
Springfield, CO 81073

Re: April 22, 2020 Officer-Involved Shooting in Baca County

Dear Baca County Sheriff Shiplett:

On April 22, 2020, the Colorado Bureau of Investigation was assigned to lead the investigation into an officer-involved shooting in Baca County on the same date, which resulted in the death of Christopher Lawson (DOB: 03/09/89). The Colorado Bureau of Investigation has since completed its investigation and presented it to the 15th Judicial District Attorney's Office, and I have reviewed that investigation along with applicable provisions of Colorado law.

Relevant Facts

On April 22, 2020, Baca County Sheriff Aaron Shiplett, Baca County Undersheriff Christopher Griffin, and Baca County Deputy Dean George responded toward Mr. Lawson's residence located at 19390 County Road PP, Springfield, CO from the east, upon a call to dispatch from Mr. Lawson's spouse (S.B.) at 5:42 PM that was transferred to Undersheriff Griffin's cell phone. S.B. told Undersheriff Griffin that Mr. Lawson was at the residence knocking on the door,¹ had a long gun slung on his shoulder, and drove off on an ATV. S.B. also reported that she could hear gun shots from somewhere outside of the residence but did not believe that any rounds were striking the house. Undersheriff Griffin instructed S.B. to take herself and her five children (family) into the basement of the residence and to maintain contact with dispatch so that he could coordinate a proper response.

¹ At the time of Mr. Lawson's entry onto the property at 19390 County Road PP on April 22, 2020, Mr. Lawson was the subject of intervention by Baca County Department of Human Services and the subject of a related and active criminal investigation by the BCSO, led by Undersheriff Griffin, both of which began on April 16, 2020. On April 16, 2020, Mr. Lawson agreed to vacate the residence and separate himself from the family, and at a meeting on April 21, 2020, Baca County Department of Human Services instructed Mr. Lawson to have no contact with the family until further notice. As a result of the foregoing, Undersheriff Griffin had contacted Mr. Lawson several times, was aware that Mr. Lawson typically carried a handgun on his person and possessed at least two handguns and a rifle, and was aware that Mr. Lawson's criminal record included several weapons offenses.

At or near the same time of S.B.'s call, Mr. Lawson called dispatch and informed the dispatcher that law enforcement needed to send officers to his residence and that those officers "had better be a better shot than him." Mr. Lawson also told the dispatcher that they just took his wife and kids away from him, that he was "ready to play," that he "w[ould] die on [his] own land," that they "might want to call SWAT," that he "[had] enough ammo to take on a battalion," and that he hoped they were trained. Sheriff Shiplett, along with Undersheriff Griffin and Deputy George, set up a perimeter with their patrol vehicles about a mile east of the residence on County Road PP due to the potential for incoming rifle fire.

Undersheriff Griffin obtained Mr. Lawson's cell phone number from dispatch and was eventually able to contact Mr. Lawson. Mr. Lawson made various statements to Undersheriff Griffin, including that "this isn't going to end well" and that "you took my wife and kids away from me and you turned my wife against me." Mr. Lawson also informed Undersheriff Griffin about his marksmanship and asked Undersheriff Griffin if he thought he or Undersheriff Griffin were a better shot. Throughout Undersheriff Griffin's telephone contact with Mr. Lawson, Undersheriff Griffin repeatedly attempted to deescalate the situation.

During that conversation, Undersheriff Griffin successfully negotiated an agreement from Mr. Lawson to release the family, i.e. that Mr. Lawson would not shoot at Undersheriff Griffin, at the family, or at the patrol vehicle if there were only one patrol vehicle and only one officer at the residence and if that officer strictly limited his activities to retrieving the family. Mr. Lawson stated to Undersheriff Griffin that he did not want the family to see what was going to happen, which is why he conditionally agreed to release the family, and that he would not shoot at the officer because he did not want to hit one of the children. Mr. Lawson refused to reveal his location.

Undersheriff Griffin emptied out his patrol vehicle in order to fit the family inside of it and complied with Mr. Lawson's conditions. He drove toward the residence alone, leaving his position of cover and his backup at the perimeter. Fearing an ambush from a scoped rifle, Undersheriff Griffin drove the approximately one mile of dirt road to the residence using his knees to steer and with his hands sticking out of his driver's side window in an attempt to placate Mr. Lawson, whom he presumed was watching him with a scoped rifle. Undersheriff Griffin had used dispatch to coordinate the extraction of the family and was able to quickly retrieve them from the residence. While Undersheriff Griffin was loading the family into his patrol vehicle, Mr. Lawson had called dispatch and informed the dispatcher that he could see someone parked next to his barn and that he had them in his crosshairs. Dispatch relayed information to Undersheriff Griffin about Mr. Lawson's call, and at the same time Undersheriff Griffin was attempting to load the family into his patrol vehicle, he was also using the dispatcher to reassure Mr. Lawson that he was complying with his conditions. While still on the line with the dispatcher, Mr. Lawson started a countdown, which culminated in the dispatcher hearing a gun shot.

Undersheriff Griffin returned with the family to the perimeter, and Springfield Police Chief Katrina Martin gathered the family and safely relocated them. Law enforcement officers from Colorado Parks and Wildlife, Colorado State Patrol, Prowers County Sheriff's Office, Springfield Police Department, and other deputies from Baca County Sheriff's Office (BCSO)

began arriving, and Sheriff Shiplett and Undersheriff Griffin used those officers to build a more complete perimeter in order to contain Mr. Lawson and protect civilians. The Pueblo County Sheriff's Office SWAT unit initiated a response upon Sheriff Shiplett's request.

Undersheriff Griffin was able to recontact Mr. Lawson via cell phone after returning to the perimeter. Mr. Lawson told Undersheriff Griffin that he (Mr. Lawson) was not leaving alive and that the only question was how many officers would he have to kill to facilitate that outcome. Undersheriff Griffin repeatedly attempted to deescalate the situation and to negotiate with Mr. Lawson, but Mr. Lawson continued to reassert that he would die on his own land, at which point Undersheriff Griffin heard through his cell phone the sound of the action on a bolt-action rifle close and a gun shot. Mr. Lawson stated to Undersheriff Griffin that "I missed" and remarked that he thought he was 600 yards from Undersheriff Griffin but that he must be off. Mr. Lawson also stated that "I am still building my range card" (a reference to long-distance shooting) and that he was southwest of Undersheriff Griffin. Mr. Lawson told Undersheriff Griffin that he had a .308 caliber rifle with a scope. At various points in time during Undersheriff Griffin's cell phone conversation with Mr. Lawson, Mr. Lawson would reference various law enforcement officers on the perimeter and Undersheriff Griffin would hear the bolt on Mr. Lawson's rifle close, followed by a gun shot or shots. During the first hour after Undersheriff Griffin extracted the family, Mr. Lawson fired his rifle approximately 10-15 times in this manner.

While Undersheriff Griffin remained on the cell phone call with Mr. Lawson, Chief Martin returned to the perimeter and walked up toward Undersheriff Griffin. At the same time, Mr. Lawson told Undersheriff Griffin that the female who just showed up needed to leave or he would start killing people. Mr. Lawson made it clear to Undersheriff Griffin that he did not want any women or children near the scene.

Despite Undersheriff Griffin's continued attempts to negotiate a peaceful resolution, Mr. Lawson continued to express his desire to die on his own land and continued to shoot his rifle. Mr. Lawson told Undersheriff Griffin that he would not be going to prison and asked Undersheriff Griffin how many officers would he have to kill to die on his own land. Mr. Lawson told Undersheriff Griffin that he was going to crawl to his ATV and drive back to the residence to get more beer. At that point, it was approximately 6:58 PM or 35 minutes before sunset.

Mr. Lawson returned to the residence and then left the residence on his ATV driving south at about 7:04 PM. Law enforcement officers were now utilizing a spotting scope to watch Mr. Lawson, and they observed Mr. Lawson leave on his ATV headed south from the residence and fire his rifle several times into the air. At one point, Mr. Lawson questioned Undersheriff Griffin as to why law enforcement officers were not shooting back at him yet and demanded Undersheriff Griffin get a sniper on scene so "that way this can end." Undersheriff Griffin remained on the cell phone call with Mr. Lawson and continued to attempt to deescalate the situation and negotiate with Mr. Lawson. Mr. Lawson continued to shoot his rifle and reiterate his mindset to Undersheriff Griffin; that he was going to die or see how many officers he would have to kill before he died. Mr. Lawson told Undersheriff Griffin that once it got dark outside, he would get a lot closer and would start killing officers, suggesting that he could sneak up on officers and stab them.

Mr. Lawson terminated the phone call with Undersheriff Griffin and returned to the residence on his ATV. Undersheriff Griffin was able to recontact Mr. Lawson via cell phone. Mr. Lawson informed Undersheriff Griffin that he would have to come closer to the officers, despite Undersheriff Griffin's attempt to convince him to stay at the residence.

At 7:37 PM, approximately four minutes after sunset, Mr. Lawson drove his ATV east down County Road PP toward the perimeter and stopped his ATV about an eighth of a mile away from it. Mr. Lawson, who was still on the cell phone call with Undersheriff Griffin, was screaming for officers to shoot him loudly enough that Undersheriff Griffin could hear it both through his cell phone and through the air. Other officers on the perimeter also heard through the air Mr. Lawson screaming for officers to shoot him. Mr. Lawson shot his handgun into the air three times. Undersheriff Griffin reassured Mr. Lawson that nobody there wanted to shoot him and continued to attempt to deescalate the situation, even offering to drop off a cell phone charger to keep Mr. Lawson's waning cell phone battery charged. Mr. Lawson drove his ATV back to the residence, where he informed Undersheriff Griffin that he had bent the barrel on his rifle but that he "[had] more in the house." Through the spotting scope, law enforcement officers could see Mr. Lawson near a pickup truck in the driveway at the residence. Mr. Lawson informed Undersheriff Griffin that he had obtained a life insurance policy for the family and that he made sure it would pay out if he were shot by a law enforcement officer.

At 8:14 PM, Mr. Lawson drove his ATV east down County Road PP again, eventually stopping about 75 yards from the perimeter, screaming at officers to shoot him loudly enough that most of the officers on the perimeter could hear him, and asking Undersheriff Griffin why they were not shooting him. Undersheriff Griffin told Mr. Lawson that no one was going to shoot him and continued to attempt to negotiate with Mr. Lawson. Mr. Lawson asked Undersheriff Griffin how many of his friends would he let die before he decided to shoot him. At about this time, Trooper Crampton of the Colorado State Patrol activated his patrol car dash camera, which captured significant portions of audio and video for the rest of the incident. The microphone for the CSP patrol car dash camera was attached to Trooper Crampton, who was taking cover between the unoccupied building and the road grader south of the perimeter vehicles, creating a natural disconnect between the audio and the video portions. The audio clips embedded in this document contain slightly distorted audio characteristics that are not present in the original file (due to unavoidable recording issues).

At 8:19 PM (47 minutes after sunset and mostly dark outside), Mr. Lawson quickly drove his ATV east down County Road PP through law enforcement's perimeter and past the perimeter to the east.



CSP Car Camera, Clip
1.mp4

The perimeter was set up so that vehicles were placed on and parallel to County Road PP (an east-west road), all facing west toward the residence, with a main group of patrol vehicles on County Road PP forming the west end of the perimeter and several patrol vehicles in line toward the east behind that group. Trooper Crampton's patrol vehicle was among the main group of patrol vehicles forming the west end of the perimeter. Sheriff Shiplett, Undersheriff Griffin, Colorado State Patrol Captain Knabenshue, Colorado State Patrol Trooper Lacost, and Prowers County Sheriff Zordel were taking cover among the main group of patrol vehicles that formed the west end of the perimeter. Other law enforcement officers from Colorado Parks and Wildlife, Colorado State Patrol, and the Prowers County Sheriff's Office were taking cover between an unoccupied building and a road grader located to the south of those patrol vehicles.

After Mr. Lawson drove his ATV through the perimeter to the east, he turned his ATV around and stopped approximately 50 yards east of the perimeter. Undersheriff Griffin heard Mr. Lawson exclaim through the cell phone "fuck, fuck, they didn't fucking shoot me" and Mr. Lawson asked Undersheriff Griffin why he did not shoot him. Mr. Lawson fired a round from his handgun into the air, quickly drove his ATV west through the perimeter, and stopped his ATV about 50 yards northwest of the perimeter in a field, where he fired another handgun round into the air. Mr. Lawson told Undersheriff Griffin that he had 14 rounds left in his handgun. Mr. Lawson rejected Undersheriff Griffin's attempt to end the confrontation civilly. At 8:22 PM, Mr. Lawson quickly drove his ATV east through the perimeter a second time, this time passing north of the main group of patrol vehicles. Mr. Lawson stopped his ATV to the east of the perimeter, where he fired another handgun round. Mr. Lawson then quickly drove his ATV west through the perimeter, eventually stopping his ATV to the northwest of the perimeter in the field about 50 yards away, where law enforcement trained a spotlight on him.



CSP Car Camera, Clip
2.mp4

Undersheriff Griffin was still attempting to negotiate with Mr. Lawson. Mr. Lawson asked Undersheriff Griffin several times why they did not shoot him, and Undersheriff Griffin told Mr. Lawson once again that nobody wanted to shoot him and tried to deescalate the situation. Mr. Lawson asked Undersheriff Griffin what it would take for them to kill him and told Undersheriff Griffin that they would start dying. CPW Officer Mahan, taking cover between the unoccupied building and the road grader, heard Mr. Lawson yell "you better kill me or I'm going to kill at least one of you."

At 8:26 PM, Mr. Lawson turned his ATV around in the field and drove east down County Road PP through the perimeter a third time, firing approximately seven rounds into the air from his handgun. Several rounds preceded entry of the perimeter, including the approximate fourth round, which Mr. Lawson shot into the air only feet from patrol vehicles and officers. Mr. Lawson fired three more rounds while he was passing through the perimeter and to the east of it. Mr. Lawson screamed "why didn't you shoot me" as he stopped his ATV to the east of the perimeter. Mr. Lawson was no longer communicating with Undersheriff Griffin and the call seemed to have connectivity issues, so Undersheriff Griffin terminated the call and recalled Mr. Lawson.



CSP Car Camera, Clip
3.mp4

Undersheriff Griffin had his cell phone in his left hand and a .223 caliber pistol in his right hand. As Undersheriff Griffin was calling Mr. Lawson's cell phone, Mr. Lawson had turned his ATV around and was driving his ATV west on County Road PP toward the main group of patrol vehicles in a slower fashion than before. Undersheriff Griffin could see a handgun in Mr. Lawson's right hand and could hear his cell phone in his left hand continuing to ring as it attempted to call Mr. Lawson's cell phone. Law enforcement trained a spotlight on Mr. Lawson, who stopped his ATV approximately 10 yards east of Undersheriff Griffin. At 8:28:33 PM, Mr. Lawson extended his handgun directly at Undersheriff Griffin, rotated his handgun 180 degrees toward the east keeping it level, covering all of the five officers among the main group of patrol vehicles, rotated his handgun 180 degrees back toward the west keeping it level, covering all of those same officers a second time, and at 8:28:36 PM, Mr. Lawson steadied his handgun at Undersheriff Griffin for two and a half seconds, at which point Undersheriff Griffin fired his .223 caliber pistol once striking Mr. Lawson in the upper, center chest.



CSP Car Camera, Clip
4.mp4

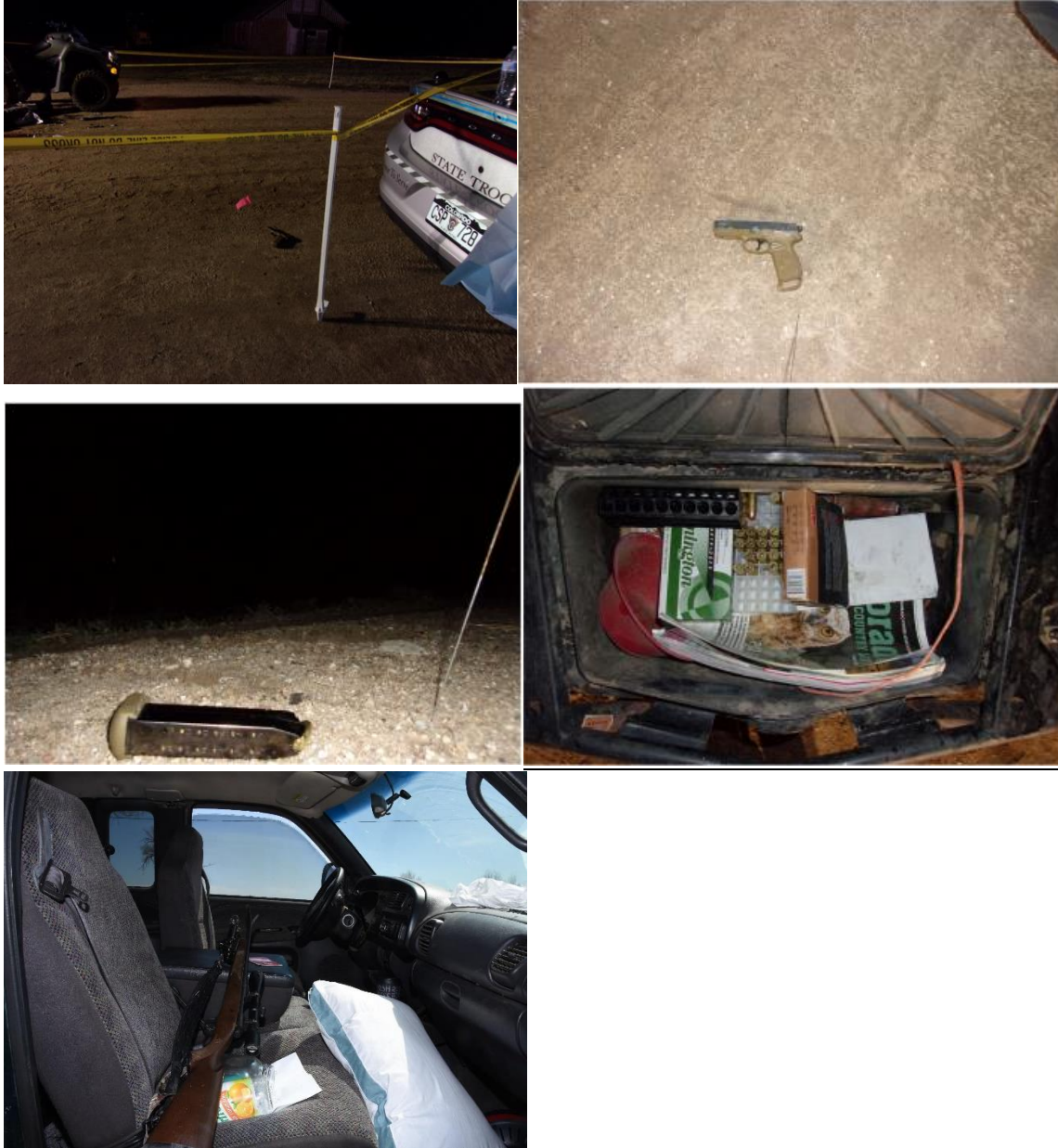
Mr. Lawson slumped forward, his handgun fell from his right hand onto the ground, and then Mr. Lawson slumped to the right side of his ATV. Law enforcement officers converged on Mr. Lawson. Sheriff Shiplett observed a handgun lying on the ground approximately eight inches from Mr. Lawson's right hand, which was extended toward the ground. Sheriff Shiplett kicked the handgun away from Mr. Lawson. Law enforcement officers initiated life-saving measures while they waited for EMTs to arrive, who were staged only a short distance away. The coroner's office later pronounced Mr. Lawson deceased at the scene.

The medical examiner later determined that Mr. Lawson died from a rifle wound of the chest and recovered a .223 caliber bullet from Mr. Lawson's body. Forensic analysis later determined that the .223 caliber bullet recovered from Mr. Lawson's body was fired from Undersheriff Griffin's .223 caliber pistol.

On County Road PP, between or near the main group of patrol vehicles and where Mr. Lawson stopped his ATV, law enforcement officers recovered a .45 caliber FNX handgun with a round in the chamber, a handgun magazine loaded with 14 .45 caliber rounds, a spent .45 caliber casing, and a spent .223 caliber casing. From inside a compartment on Mr. Lawson's ATV, law enforcement officers recovered multiple .45 caliber rounds. From inside the pickup truck parked in the driveway at the residence, law enforcement officers recovered a scoped Savage .308 caliber rifle with catastrophic damage to the barrel. Law enforcement officers also recovered several spent .45 caliber casings from the south side of County Road PP between the perimeter

and where Mr. Lawson had driven his ATV, a spent .45 caliber casing and a .308 caliber round northwest of the perimeter, and several spent .45 caliber casings south of the residence.

Forensic analysis later determined that the spent .45 caliber casing recovered from County Road PP near the ATV was fired from Mr. Lawson's .45 caliber FNX handgun and that the spent .223 caliber recovered from near the main group of patrol vehicles was fired from Undersheriff Griffin's .223 caliber pistol. DNA analysis determined that Mr. Lawson's DNA was located on the .45 caliber FNX handgun, the Savage .308 caliber rifle, and the magazine loaded with 14 .45 caliber rounds. Law enforcement also recovered a .243 caliber rifle from inside the residence.



During an interview with CBI agents, Undersheriff Griffin stated that when Mr. Lawson swept his handgun back toward the west, he could see the end of Mr. Lawson's barrel aimed at him. Undersheriff Griffin stated that he feared for his own life and the lives of the other officers within the main group of patrol vehicles and believed "the only option left was to shoot him before he shot one of us or me." Undersheriff Griffin also stated that "I have no doubt in my mind that if I hadn't shot him right then, he would shoot one of us."

Applicable Law

The following provisions of Colorado law are relevant to our legal analysis:

Section 18-1-407, C.R.S. (Affirmative defense)

(1) "Affirmative defense" means that unless the state's evidence raises the issue involving the alleged defense, the defendant, to raise the issue, shall present some credible evidence on that issue.

(2) If the issue involved in an affirmative defense is raised, then the guilt of the defendant must be established beyond a reasonable doubt as to that issue as well as all other elements of the offense.

Section 18-1-710, C.R.S. (Affirmative defense)

The issues of justification or exemption from criminal liability under sections 18-1-701 to 18-1-709 are affirmative defenses.

Section 18-1-704, C.R.S. (Use of physical force in defense of a person)

(1) Except as provided in subsections (2) and (3) of this section, a person is justified in using physical force upon another person in order to defend himself or a third person from what he reasonably believes to be the use or imminent use of unlawful physical force by that other person, and he may use a degree of force which he reasonably believes to be necessary for that purpose.

(2) Deadly physical force may be used only if a person reasonably believes a lesser degree of force is inadequate and:

(a) The actor has reasonable ground to believe, and does believe, that he or another person is in imminent danger of being killed or of receiving great bodily injury;

Section 18-1-707(1), C.R.S. (Use of physical force in making an arrest or in preventing an escape)

(1) Except as provided in subsections (2) and (2.5) of this section, a peace officer is justified in using reasonable and appropriate physical force upon another person when and to the extent that he reasonably believes it necessary:

- (a) To effect an arrest or to prevent the escape from custody of an arrested person unless he knows that the arrest is unauthorized; or
- (b) To defend himself or a third person from what he reasonably believes to be the use or imminent use of physical force while effecting or attempting to effect such an arrest or while preventing or attempting to prevent such an escape.

Section 18-1-707(2), C.R.S. (Use of physical force in making an arrest or in preventing an escape)

A peace officer is justified in using deadly physical force upon another person for a purpose specified in subsection (1) of this section only when he reasonably believes that it is necessary:

- (a) To defend himself or a third person from what he reasonably believes to be the use or imminent use of deadly physical force; or
- (b) To effect an arrest, or to prevent the escape from custody, of a person whom he reasonably believes:
 - (I) Has committed or attempted to commit a felony involving the use or threatened use of a deadly weapon; or
 - (II) Is attempting to escape by the use of a deadly weapon; or
 - (III) Otherwise indicates, except through a motor vehicle violation, that he is likely to endanger human life or to inflict serious bodily injury to another unless apprehended without delay.

Legal Analysis

Under the particular facts of this case, Undersheriff Griffin's action in using deadly physical force against Mr. Lawson meets the legal requirements of several affirmative defenses found in sections 18-1-704 and 18-1-707, C.R.S.

Throughout the course of this nearly three-hour incident, Mr. Lawson menaced law enforcement officers who had done nothing other than to set up a perimeter, extract his family, and try to negotiate a peaceful resolution. Mr. Lawson repeatedly verbally threatened to kill Undersheriff Griffin and the other law enforcement officers on scene by several different means, repeatedly fired his rifle, at times representing to Undersheriff Griffin that he was firing it at Undersheriff Griffin and at the other law enforcement officers on scene, and repeatedly and intentionally escalated his confrontation with law enforcement officers at the perimeter, despite Undersheriff Griffin's constant attempts to negotiate a peaceful resolution.

Mr. Lawson significantly escalated his confrontation by first driving his ATV east down County Road PP, shooting his handgun into the air, and yelling at officers to shoot him. Realizing that the law enforcement officers on scene were only intent on de-escalation, Mr. Lawson significantly escalated his confrontation even further by quickly driving his ATV at and through the perimeter on five different occasions (three times from the west and two times from the east), using several different paths and creating chaos in the darkness for the stationary law enforcement officers, who were exposed during and had to reverse cover with each of Mr. Lawson's passes.

During Mr. Lawson's five passes through the perimeter, Mr. Lawson shot his handgun approximately 10 times on four separate occasions. On his third pass from the west, Mr. Lawson began shooting his handgun as he quickly drove his ATV toward the officers in the main group of patrol vehicles, who were taking cover among those vehicles. Mr. Lawson continued to shoot his handgun into the air as he passed through the perimeter. The law enforcement officers taking cover among the main group of patrol vehicles and only several feet from Mr. Lawson as he fired his handgun showed significant restraint.

After Mr. Lawson's third pass through the perimeter from the west, Mr. Lawson turned his ATV around and made his fatal choice. Mr. Lawson, instead of driving his ATV quickly as he had before, began driving his ATV slowly from the east toward the officers taking cover among the main group of patrol vehicles and stopped his ATV only 10 yards from Undersheriff Griffin and the other four officers nearby. Instead of pointing his handgun into the air as he had before, Mr. Lawson pointed and extended his handgun level to the ground directly at those officers. Mr. Lawson then rotated his handgun 180 degrees to the east and 180 degrees back to the west, thereby pointing his handgun at all five of those officers twice. Mr. Lawson then steadied his handgun at Undersheriff Griffin for two and a half seconds before Undersheriff Griffin fired his .223 caliber pistol.

Based upon the entire investigation of this incident and the application of Colorado law, I hereby conclude that the legal requirements of the affirmative defenses found in section 18-1-704(1),(2)(a), C.R.S., section 18-1-707(2)(a), C.R.S., and section 18-1-707(2)(b)(I), C.R.S. are satisfied, that Undersheriff Griffin's use of deadly physical force was clearly justified, and that Undersheriff Griffin's conduct did not violate any criminal statute.

Sincerely,

/s/ Joshua Vogel

District Attorney
15th Judicial District

cc: CBI Agents Cahill, Koback, and Lewis