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## OFFICER IS CLEARED IN SHOOTING

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Article Text:

A Colorado Springs police officer was justified in killing a suspected drug dealer who tried to shoot it out with pursuing cops last month after being trapped in an apartment complex hallway, investigators determined.

Sgt. Ron Sheppard, head of the SWAT unit, had been on paid leave after shooting Gregory Burns at 7:30 p.m. on June 4 in the Greentree Village Apartments at North Carefree Circle and Academy Boulevard.

In a report on the shooting released Friday, the 4th Judicial District Attorney's Office said Sheppard shouted at Burns, "Police, stop, get on the ground."

But the cornered Burns pulled a 9mm pistol and leveled it at Sheppard, who fired four shots at him, the report says.

Under state law, law enforcement officers can use deadly force if they reasonably believe it is necessary to defend themselves or another person from the imminent use of deadly force or to arrest someone committing a felony involving a weapon.

"The District Attorney's Office concludes that no criminal laws were violated, and pursuant to Colorado laws regarding self-defense, the officer's use of force was reasonable and justified," the report states.

Burns was wanted at the time for violating parole and was at the center of a drug investigation that had begun in Boulder.

Undercover Boulder police officers had arranged to buy an ounce of cocaine from Burns, who wanted to make the deal in Colorado Springs at a shopping center in the 3500 block of North Carefree Circle, the report said.

Boulder police enlisted the help of the Metro Vice, Narcotics and Intelligence Unit and the Colorado Springs SWAT team to arrest Burns after the deal was made.

But when the SWAT team moved in to make the arrest, Burns ran into the apartment complex across the street, and officers gave chase, the report says.

An apartment resident, Trinette Warrick told The Gazette the night of the shooting that she heard a commotion in the hallway outside her back door like someone was fighting.

Warrick said she heard someone say, "Please stop, no," before hearing three gunshots.

Police said the pistol Burns drew was loaded. He died of multiple gunshot wounds at Penrose Hospital.

Two bags containing what is believed to be cocaine were found on Burns' body, along with a stolen identification card, the report says.

Burns was the first suspect killed by an officer in Colorado Springs this year. One suspect was killed by an officer last year, and police officers have killed five suspects since 2005.

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