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SALT LAKE COUNTY
SIM GILL

Wednesday, April 27, 2011

2:35 PM

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FOR IMMEDIATE RELEASE

DISTRICT ATTORNEY DETERMINES USE OF FORCE LAWFUL

Salt Lake City, UT—Salt Lake County District Attorney Sim Gill announced today that the Office of the Salt Lake County District Attorney has completed its investigation concerning Taylorsville City Police Officer Ryan Oyler's use of deadly force against James Chidister during an incident that occurred April 3, 2011 at 1017 Country Villa Lane, Taylorsville City, Utah.

The Office advised the Taylorsville Police Department of its findings in a letter to Chief of Police Del Craig, the text of which follows below:

Chief Del Craig
Taylorsville City Police Department
2600 W Taylorsville Blvd
Taylorsville, Utah, 84118

Re: Officer Involved Critical Incident – April 3, 2011

Dear Chief Craig:

After working in conjunction with the Taylorsville City Police Department, the Salt Lake County District Attorney's Office has completed its investigation concerning Taylorsville City Police Officer Ryan Oyler's use of deadly force against James Chidister during an incident that occurred April 3, 2011 at 1017 Country Villa Lane, Taylorsville City, Utah. The purpose of the review is to determine whether the force employed was lawful under Utah law.

On April 3, 2011, police officers were dispatched to the above address after Zach Zerall called 911 to report that his step-father, James Chidister, was pounding on the door of the residence.

While the officers were en route to the residence, Mr. Chidister left and drove to Tyler Jones' house. At Mr. Chidister's request, Mr. Jones called Shanen Chidister, Mr. Chidister's estranged wife. Ms. Chidister informed Mr. Jones that the police had been contacted and had arrived at the Country Villa Lane residence. Mr. Jones relayed this information to Mr. Chidister. Upon hearing this, Mr. Chidister immediately left Mr. Jones' residence and drove back to the Country Villa Lane residence.

Officer Ryan Oyler arrived at the Country Villa Lane residence and parked his marked patrol vehicle in front of the residence. At the residence, Officer Oyler located a live rifle round in the driveway. Officer Oyler made contact with Ms. Chidister in the residence and showed her the live round he discovered in the driveway. Officer Oyler and Ms. Chidister compared the live round to ammunition in the residence for a firearm owned by Mr. Chidister. The live round Officer Oyler found in the driveway and the ammunition in the home appeared to be of the same type.

Sgt. Rod Lowry heard the dispatch over the police radio and proceeded to the Country Villa Lane residence. Sgt. Lowry arrived in his unmarked patrol vehicle, parked in front of the residence and remained in his vehicle.

While Officer Oyler was interviewing the occupants of the Country Villa Lane residence, Ms. Chidister received several phone calls from James Chidister. Ms. Chidister asked Officer Oyler to answer her phone and speak with Mr. Chidister.

Officer Oyler answered the phone call, identified himself as a police officer, and spoke with Mr. Chidister. Mr. Chidister told Officer Oyler that he was now outside of the residence. Further, Mr. Chidister informed Officer Oyler that he was armed with a gun and wanted Ms. Chidister to "step outside."

While in his patrol vehicle, Sgt. Lowry observed a red Dodge truck pull up to the residence with a single occupant and positioned his patrol vehicle to view the license plate on the truck. Sgt. Lowry was able to confirm that the occupant of the truck was Mr. Chidister and radioed Officer Oyler that Mr. Chidister returned to the residence. Officer Oyler informed Sgt. Lowry that Mr. Chidister was armed with a gun. Sgt. Lowry observed Mr. Chidister exit his vehicle armed with a rifle in a "ready" position. Sgt. Lowry ordered Mr. Chidister to drop his gun. Mr. Chidister replied, "No. Why don't you come and get it." Sgt. Lowry began to move his vehicle to a safer position.

Concerned for the safety of Ms. Chidister and several other occupants in the residence, Officer Oyler told them all to get down and Officer Oyler exited the residence. Outside, Officer Oyler saw Mr. Chidister standing next to a red truck. Additionally, Officer Oyler could see that Mr. Chidister was holding a scoped rifle in the "low ready position" with his right hand on the

action and his left hand on the fore grip of the barrel. Later investigation determined the distance between Officer Oyler and Mr. Chidister to be 143 feet.

Officer Oyler commanded Mr. Chidister to drop the gun. Officer Oyler ordered Mr. Chidister to put down his gun three times. Mr. Chidister ignored the commands and continued to hold the rifle. Fearful for his own safety, Sgt. Lowry's safety, and the safety of the people inside the residence, Officer Oyler fired four shots with his service pistol.

None of the four shots stuck Mr. Chidister's person; however, one round hit the rifle Mr. Chidister was holding. When Mr. Chidister felt his rifle hit by the bullet, he dropped the rifle and the officers placed him under arrest. Mr. Chidister was unharmed.

Mr. Chidister was later interviewed by investigators. Mr. Chidister acknowledged that he recognized the two cars parked in front of the residence as police vehicles and he knew police were there. When asked what he was thinking when he arrived, Mr. Chidister stated, "Suicide by cop, I guess."

This office has concluded the force employed by Officer Oyler was legally justified under Title 76, Chapter 2, Part 4 (1953 as amended). Specifically, under both 76-2-404 (1)(b)(ii) and 76-2-404 (1)(c).

If you have any questions or concerns regarding the determination made in this case, or otherwise wish to discuss the matter, please feel free to contact our office to set up a personal meeting.

Sincerely,

/S/ _____
SIM GILL,
Salt Lake County District Attorney

Each person accused of an offense is presumed innocent unless and until adjudicated guilty in a court of law.

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