

Today, the Missoula County Attorney's Office completed our review of the case involving defendant Eugene Statelen. The investigation was done by Detective Baker at the Missoula Police Department, per standard procedure, when there is an officer-involved shooting.

I charged Mr. Statelen with two misdemeanors and three felonies for his actions on December 31, 2014 and January 1, 2015. The case started as a domestic disturbance, evolved into a chase with Statelen endangering officers and others with his car as a weapon. It did not end until Captain Rio shot him twice. Statelen was taken to the hospital, treated and released.

The Justice of the Peace set Statelen's bail at \$50,000, which he posted. While out on bail, he is being monitored by GPS tracking. When I file the Information into district court, I will be including additional charges relating to events at the home prior to officers' arrival.

After reviewing the reports, statements and videos I have determined to charge Statelen with criminal actions. The investigation, as outlined in the complaint and affidavit of probable cause, shows that Statelen's actions posed an imminent threat of serious bodily injury or death to Captain Rio and several other people in the area.

Inherent in that decision to file criminal charges against Statelen is the determination that Captain Rio's actions taken to prevent injury to others and to prevent further injury to himself were legally justified.

Per Montana law, a person's use of potentially lethal force is legally justified if the person reasonably believes that the force is necessary to prevent imminent death or serious bodily harm to the person or another or to prevent the commission of a forcible felony.

In the near future, the Sheriff's Department will conduct a fitness for duty review to determine when Captain Rio will go back on duty. I defer questions on that process to Sheriff McDermott.

