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Bernardo Palacios Public Statement

July 10, 2020

Today, the Salt Lake County District Attorney, Sim Gill, a publicly elected politician, has announced that no criminal charges will be filed against the Salt Lake City Police Department officers who took Bernardo's life on May 23, 2020. As a family and a community, we are deeply disappointed and grieved. Mr. Gill's decision to support the police officers who shot Bernardo at least 34 times reveals a deeply ingrained devaluation of human life, especially of minorities, and further erodes the public's trust in our system of justice. The DA's unwillingness to prosecute makes a mockery of the protesting public and contradicts the views of numerous other city and state officials who have described the killing as "unlawful," "genuinely disturbing and upsetting," and an "all too familiar pattern." The DA has chosen, like so many national, state and local public officials before him, to find justification in what he has publicly called "bad law." As a family, we believe that the DA's decision not to act is a continuation of a system of oppression and control that is sadly being demonstrated throughout our country. The DA's decision not to act perpetuates an unfair system that has been supported and enabled by politicians who are unwilling to take a stand for equality under the law and to represent the interests of unheard and undervalued people in our communities.

Contrary to Mr. Gill's public statement today, the language of Utah's deadly force law expressly authorizes the DA to prosecute the officers who shot Bernardo. Mr. Gill chose to ignore that language and took upon himself the decision to exonerate the officers at the expense of a fair judicial process, rather than permitting a jury of Bernardo's peers to decide the fate of the officers. He did so by speculating on multiple key questions and giving every benefit of the doubt to the officers. One of the most fundamental rights we have as Americans is due process when accused of a crime. Tragically, Bernardo was not afforded any due process when the SLCPD officers acted as judge, jury and executioner. Bernardo, who never once threatened the police with force, was scared for his life and was running from authorities at 2:00 a.m. on empty streets where there was no risk of harm to the police or the public. The officers had many opportunities to use less-than-deadly force but chose not to. Even after shooting Bernardo 4-6 times from approximately 15 feet away before he fell, the two officers then completely emptied their clips which contained 17 rounds each for a total of 34 bullets. That is approximately 25-30 bullets after he was on the ground. The police officers repeatedly pulled the trigger for approximately 9 seconds. Courts have consistently held that deadly force is impermissible when any threat of escape has been eliminated, such as when Bernardo was laying on the ground. The officers' unlawful, senseless and deeply disturbing decision to continue shooting Bernardo cannot be permitted in our society, regardless of the wrongs a person is accused of. Mr. Gill has placed a stamp of approval on these appalling actions.

We are grateful to the numerous members of our community who have supported our family through this painful ordeal and who have called for justice and accountability. We ask them to continue to peacefully protest the injustices we heard announced by the DA today. As a family, we will not stop in our pursuit of

justice for Bernardo through all means that are available to us. We call on the leaders in the Salt Lake City Police Department and other local authorities to continue their internal investigation and to hold these officers accountable. We demand that the SLCPD policies and trainings be changed so that tragedies like this do not happen again. We ask the legislature to take the promised “collective, concrete steps to prevent future replays of this all-too-familiar pattern.”

Bernardo’s death cannot be forgotten and we pray that justice will be accomplished.

Thank you.