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October 1, 2024

Jan Bennetts  
Ada County Prosecuting Attorney  
200 W. Front Street, Room 3191  
Boise, ID 83702

**RE: April 20, 2024, Critical Incident/Officer Shooting Boise, Idaho**

Dear Prosecutor Bennetts,

Pursuant to the Memorandum of Understanding entered into between our two offices on July 10, 2024, I have reviewed the entire case file concerning the critical incident which happened in the late evening hours of April 20, 2024, in the city of Boise. The reports in this case were extensive from numerous officers from the Ada County Sheriff's Office, Boise Police Department, Garden City Police Department, and the Meridian Police Department. Additionally, there was substantial video evidence from local businesses, officers, body cams, and drone footage from the Meridian and Boise Police Departments. The extraordinary amount of evidence in this case certainly was helpful in determining the facts and conclusions on what had transpired and if any criminal charges against any of the officers involved are appropriate.

On April 20, 2024, at approximately 9:00 p.m., a traffic stop was initiated on the suspect, Dennis Mulqueen. Mr. Mulqueen had a minor warrant for his arrest and did not immediately pull over after Ada County Sheriff's Deputy Bolter had activated his emergency lights in his clearly marked patrol vehicle. Once Mr. Mulqueen finally stopped, Deputy Bolter approached his vehicle and was met with immediate gunfire from Mulqueen. It is certainly a reasonable inference that Mr. Mulqueen did not immediately yield to the pursuing police vehicle because he was preparing for the action he was about to take.

After Mulqueen shot Deputy Bolter, Mulqueen left the area traveling a relatively short distance to an apartment complex he was associated with. Responding deputies and officers quickly located his vehicle and attempted to set up a perimeter as it was clear Mulqueen was outside. Officers showed a great deal of restraint and did not confront Mulqueen for over an hour. During this period of time, Mulqueen obviously knew the police had found him, however, he refused to follow commands he was being given by a loudspeaker to surrender.

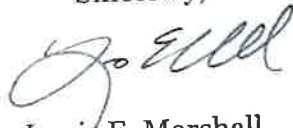
Drone footage and thermal imaging from the drones clearly showed that Mulqueen, at one point, decided to move out from underneath a tarp he had been hiding under and perhaps was considering going into the apartment building where he might be able to take hostages. Contemporaneously, Mulqueen had also fired a single round from his handgun in an unknown direction, possibly at one of the drones flying overhead.

A Boise City tactical team advanced on Mulqueen's position at which time Mulqueen discharged his handgun at the advancing officers hitting the tactical shield that was being held in front of the officers. At that time, Boise Detective Sontag returned fire striking Mulqueen twice. This sequence of events was documented by drone footage. It is clear that Mulqueen fired first, however, even if he hadn't, the officers would still have been justified in using deadly force against Mulqueen.

I find that all officers involved exercised an amazing level of restraint and professionalism in this situation. Mr. Mulqueen had just murdered one of their colleagues and yet the officers involved gave him many chances to surrender in a great deal of time before they were finally forced to advance on his position. It is abundantly clear that Detective Sontag and the other officers involved did not commit any criminal violations and no charges should be filed.

If you have any questions, please feel free to contact me.

Sincerely,



Louis E. Marshall  
Bonner County Prosecuting Attorney