



SHERIFF KOOTENAI COUNTY



SHERIFF **BEN WOLFINGER**

UNDERSHERIFF **DAN MATTOS**

Media Release

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Contact: PIO Det. D. Stinebaugh
208-758-1045 / 208-446-2236
Sopio@kcgov.us

Bonner County Deputies Cleared in Officer Involved Shooting

Coeur d'Alene, Idaho: Bonner County Deputies Michael Gagnon, Justin Penn and William Craffey have been cleared in the January 16th, 2017 shooting of 31 year old, Adam D. Foster near Blanchard, ID.

An investigation into the incident was submitted by the Multi-Jurisdictional, North Idaho Critical Incident Task Force for review.

The review of the actions taken by the Bonner County Deputies was referred to the Office of the Kootenai County Prosecuting Attorney by Bonner County Prosecuting Attorney Louis Marshall.

In a letter dated Dec. 12, 2017 written by, Kootenai County Prosecutor Barry McHugh he states, "I have concluded that Bonner County Deputies; Gagnon, Penn, and Craffey used appropriate force in response to the threatening conduct of Adam D. Foster."

In reaching a decision regarding Law Enforcement Officers use of Deadly Force several items must be taken into consideration, among those are; the totality of the circumstances, what information is known to officers at the moment the incident happens, whether the person is actively resisting, whether the armed person posed an immediate threat to the safety of the officers, the facts and evidence provided, and the severity of the crime being committed. "Any evaluation of the use of deadly force must include a recognition "that police officers are often forced to make split-second judgments in circumstances that are tense, uncertain, and rapidly evolving."

On January 16, 2017, the named Bonner County Deputies were attempting to arrest Adam Foster on an outstanding arrest warrant. Deputies attempted to talk with Foster in an attempt to peacefully take him into custody, but Foster would not obey their commands and fled on foot. Foster took a position behind a residence and as deputies Gagnon and Penn came into his view Foster immediately opened fire on them with a .44 magnum revolver, striking both deputies and severely wounding them. Deputy Gagnon and Deputy Penn were both able to return fire after falling to the ground. Dep. Craffey also fired upon Foster. Foster was injured as a result of the gunfire by the deputies.

Criminal charges pending against Adam Foster are being handled by the Bonner County Prosecuting Attorney's Office. For any more information regarding this incident, please contact the Bonner County Sheriff's Office.