
November 18, 2024



**Iowa Attorney General's Review
of Officer Involved Death**

Incident of October 20, 2024
Sioux City, Iowa

Sioux City Police Officer Christopher Eral

Subject Involved: Jamie Lee Orozco

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Executive Summary

At approximately 7:22 p.m. on October 20, 2024, Jamie Orozco brandished a handgun at two Sioux City citizens. Sergeant Brent Heald and Officer Vince Nielsen of the Sioux City Police Department located Orozco and attempted to talk to him, but Orozco fled on foot. During the foot chase Orozco fired a handgun at the officers, though neither was hit. Officers eventually lost sight of Orozco.

The Sioux City Police Department SWAT team was activated. Information that same night led them to believe Orozco was in a home located at 2519 1st Street in Sioux City. SWAT members entered the home and located Orozco hiding in a second-story crawlspace. Orozco refused multiple commands to surrender. After Orozco stated, “I’m not going back to prison” and appeared to reach for his weapon, Officer Christopher Eral shot Orozco once. Orozco died from his injuries on October 27, 2024. No officers were injured during the incident.

Factual Summary

The Iowa Attorney General’s Office concludes that the fatal shooting of Jamie Orozco by Sioux City Police Officer Christopher Eral on October 20, 2024, was legally justified.

On October 20, 2024, concerned citizens called 911 to report that a person, later identified as Jamie Orozco, had brandished a silver

handgun in the 2600 block of Correctionville Road in Sioux City. At the time of the encounter Orozco had “racked” the slide of the gun and told the couple, “Don’t worry, it’s not for you.” He then left the area on foot. Approximately 20 minutes later, Sergeant Brent Heald and Officer Vince Nielsen of the Sioux City Police Department located Orozco in the 300 block of S. Fairmount Street. The officers exited their patrol cars and attempted to talk to him. Orozco ignored several commands to stop and continuously walked away from the officers. Orozco pulled a silver handgun from his waistband, pointed it at the officers, and then fled on foot across four lanes of traffic. Officers pursued, also on foot. During the chase Orozco turned toward Heald and Nielsen and again pointed the silver handgun at them. Orozco fired a shot, though neither officer was hit. Officer Nielsen returned fire on Orozco, shooting once, but Orozco was not hit. Orozco then continued fleeing on foot. Officers pursued, but eventually lost sight of him.

The Sioux City Police Department SWAT team was activated, and information led them to believe Orozco was in a home located at 2519 1st Street in Sioux City. At approximately 10:08 p.m. that night all known occupants of the home were brought outside while officers cleared the scene. After sweeping the main level of the home, officers proceeded up an interior stairway to the upper level. The upper level was a finished open space with a peaked ceiling

running the entire length of the home. On the east wall officers located a small door, approximately three feet tall, that led to an attic crawlspace which ran the length of the home. Nothing was located within the first crawlspace. Officers then located a second small door on the west wall, directly opposite the first door. There were a number of items stacked in front of the second door in an attempt to conceal it. This door was locked from the outside. Once opened, this revealed a second attic crawlspace area running the length of the home.

Officer Christopher Eral partially entered the doorway to the west crawlspace with a shield and his gun drawn for officer safety. Given the small space, he was only able to get one leg and his torso into the area while crouching down. Officer Eral found Orozco to his right, on his hands and knees, facing him. There were approximately three to four feet between Officer Eral and Orozco, with a cloth bundle between them. Officer Eral suspected the bundle contained Orozco's weapon. With both hands now on his firearm, Officer Eral aimed it at Orozco and ordered him not to move. Orozco reached for the cloth bundle in front of him but pulled back before touching it. Officer Eral told Orozco that if he moved, he would shoot. Orozco responded, "I'm not going back to prison." Orozco then positioned his feet underneath his body. Officer Eral again ordered Orozco not to move. Orozco ignored commands and

reached for the cloth bundle. Officer Eral shot Orozco one time in the head, and Orozco immediately collapsed. SWAT officers entered the crawlspace through the wall to retrieve Orozco. Lifesaving measures were provided on scene, and he was transported to a local hospital. Orozco died of his injuries on October 27, 2024.

Within the cloth bundle in the crawlspace was what appeared to be a black handgun. Examination revealed it to be a Glock CO2 gun.



Process and Authority

The Iowa Division of Criminal Investigation (DCI) investigated the incident, and its investigation is complete. DCI interviewed the officers involved and reviewed the officers' body cameras where available. DCI interviewed the bystanders who initially called 911 and the occupants of 2519 1st Street. DCI secured photographs, video recordings, and gathered evidence and reports from the Sioux

City Police Department, the DCI Criminalistics Laboratory, and the Iowa State Medical Examiner's Office.

The Attorney General's Office has authority under Iowa Code § 13.12 to assess any officer-involved death to determine whether criminal charges are warranted. The office has had a full opportunity to review the findings of the investigation and discuss the investigation with the assigned agent. All law enforcement reports, including audio or video recordings, will be returned to DCI when this report is issued.

Other Pertinent Facts

Jamie Orozco was a 43-year-old Hispanic male. Orozco's criminal history includes multiple felony convictions that disqualified him from possessing a firearm. Orozco was participating in sex offender treatment prior to his death as a result of a conviction for lascivious acts with a child. During a treatment session on September 19, 2024, Orozco was discussing the difficulties in his life, including relapsing on methamphetamine. Orozco indicated he would not go back to prison and was going to go out by "suicide by cop" or by "taking one himself."

Orozco was in a relationship with Agnes Sully. Sully indicated to law enforcement that Orozco had various mental health

diagnoses, but at the time of his death had not been compliant with medication prescribed for those conditions.

The day after the shooting, Sioux City Police officers and DCI agents searched at Orozco's residence at 2600 Washington Avenue in Sioux City. They found drug paraphernalia, a gun cleaning kit, a shoulder holster, an empty gun case, one empty pistol magazine, two loaded pistol magazines, three boxes of ammunition, and a pistol handle extender.

Sioux City Police Officers and DCI agents searched the various locations where Orozco was seen on October 20, but the silver handgun he brandished at bystanders, and which he used to fire on Sergeant Heald and Officer Nielsen, was never recovered.

Applicable Law

To be justified, the force an officer uses must be reasonable. Force is reasonable if a reasonable person, in like circumstances, would judge the force to be necessary to prevent an injury or loss. It can include deadly force if (1) it is reasonable to believe that such force is necessary to avoid injury or risk to the person's or another person's life or safety and (2) it is reasonable to believe that such force is necessary to resist a like force or threat. Iowa Code §§ 704.1, 704.2, and 704.3.

In *Graham v. Connor*, 490 U.S. 386 (1989), the United States Supreme Court held that the use of deadly force by a police officer must be evaluated from the perspective of a reasonable police officer on the scene and in the same circumstances. Under *Graham*, reasonableness of police use of force cannot be evaluated from the perspective of a civilian or the perspective afforded by 20/20 hindsight. The Court further stated that the fact that law enforcement officers are often required to react quickly in tense, uncertain, and rapidly evolving situations are factors that must be considered in determining reasonableness. Since *Graham*, the Supreme Court has narrowed the analysis to focus on the exact moment that the force was applied.

Analysis

Officer Eral's decision to fire his handgun at Orozco was reasonable under the circumstances, and his use of deadly force against Orozco was legally justified. Orozco had already been observed stating that his loaded and ready-to-fire handgun was "for" somebody. He had fled officers who attempted to question him and had opened fire on those officers during the pursuit, indicating no hesitation to use lethal force against law-enforcement officers. Officer Eral was in a compromised position given the confines of the attic crawlspace. The bundle in front of Orozco in the crawlspace

was of the appropriate size to conceal a handgun, and Officer Eral correctly assumed that Orozco was using it to hide a handgun. He attempted on multiple occasions to end the situation peacefully by giving firm commands to Orozco not to move. Despite these commands Orozco continued to make motions toward the concealed gun. After being repeatedly told not to move, Orozco got his feet underneath him, which would have given him more mobility. He told the officer he was “not going back to prison” in a clear indication that he would not be taken into custody peacefully. Any retreat by Officer Eral would have placed himself and other SWAT officers in immediate lethal danger. After making his intentions clear, Orozco then reached for his weapon. Officer Eral’s responding with deadly force under those circumstances was justified.

Conclusion

The Iowa Attorney General’s Office concludes that the law enforcement officer’s actions in this incident were legally justified and that criminal charges are unwarranted. It considers the criminal investigation into this incident to be closed.