

Sheriff to investigate fatal McElmo Canyon - Journal, The (Cortez, Dolores, Mancos, CO) - July 5, 2018

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The Montezuma County Sheriff's Office is still waiting on results of a federal investigation into an officer-involved shootout in McElmo Canyon in February that left one man dead.

But Sheriff Steve Nowlin said he is becoming impatient and plans to conduct his own independent, internal affairs investigation to determine if lethal force by Sgt. Ed Oxley was justified, even though it happened outside the county.

"It has been too long, and I feel like to move forward, we need to conduct our own investigation into the shooting," he said.

On Feb. 15, after Oxley pulled over a vehicle on Road G for an alleged traffic violation, Nowlin said. He said the suspect sped off, and an occupant allegedly shot at Oxley as he pursued the car west into Utah, just past the Ismay Trading Post.

The car had blown a tire and continued driving on one rim until it came to a stop and an occupant exited the vehicle surrendering with his hands up, according to Nowlin. The car rolled backward into the ditch and started a brush fire. Upon arrival, Oxley was allegedly fired upon, and he returned fire, killing Fordell Hill, 27.

Two unidentified people who were in the car with Hill were taken into custody by the Bureau of Indian Affairs. Their names have not been released.

Oxley was not injured, but his patrol car, where he took cover, was shot up, Nowlin said. County Road G was closed overnight while the shooting was investigated.

The shootout occurred in a jurisdictional patchwork of Navajo land and San Juan County, Utah land. It was eventually determined the fatal shooting occurred on Navajo trust land, so the case was turned over to the FBI.

Nowlin said he plans to convene a three-to-five-person review board of civilian and law enforcement experts from outside the area to investigate the officer-involved shooting, and make a recommendation on whether it was justified.

According to Montezuma County Sheriff's Office policy, Oxley has been on paid administrative leave since the incident.

"Usually these get resolved within a few months, so it is frustrating," Nowlin said. "The review board will conduct a fact-finding mission of the action of the officer at the time."

He is also waiting on Utah's U.S. Attorney General's office to release a report on the matter so he can conduct a proper criminal investigation on the portion of the incident that took place in Montezuma County.

On Tuesday, The Journal emailed FBI spokeswoman Sandra Barker for an update on the status of the federal investigation. "There is no new information at this time," Barker said.

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