

DISTRICT COURT
COUNTY OF JEFFERSON
STATE OF COLORADO
100 Jefferson County Parkway
Golden, Colorado 80401

DATE FILED: July 24, 2018

Plaintiff:
PEOPLE OF THE STATE OF COLORADO

v.

^FOR COURT USE ONLY^

Defendant:
ERIC ST. GEORGE

Case No. 2016CR2509
Division 1

REPORTER'S TRANSCRIPT

The sentencing in the above-entitled matter commenced on April 4, 2018, before THE HONORABLE LILY OEFFLER, Judge of the District Court.

This is a full transcript of the proceedings had on this date in the aforementioned matter.

A P P E A R A N C E S

For the People:

MIKE FREEMAN, DEPUTY DISTRICT ATTORNEY
KATHARINE DECKER, DEPUTY DISTRICT ATTORNEY
District Attorney's Office
First Judicial District
500 Jefferson County Parkway
Golden, Colorado 80401

For the Defendant:

MR. ST. GEORGE, PRO SE
MR. MENGES, ADVISORY COUNSEL

1 PROCEEDINGS, WEDNESDAY, APRIL 4, 2018, 1:30 P.M.

2 THE COURT: Okay. We are set for sentencing
3 this afternoon in People versus St. George, this is
4 2016CR2509. Can I have appearances, please?

5 MR. FREEMAN: Good afternoon, Your Honor. Mike
6 Freeman and Katharine Decker on behalf of the People.
7 Also with us is our advisory witness, Detective Larson.

8 MR. ST. GEORGE: Eric St. George on his own
9 behalf appearing with advisory counsel Peter Menges.

10 THE COURT: All right. Are both sides ready for
11 sentencing today?

12 MR. FREEMAN: People are ready.

13 MR. ST. GEORGE: Yes, Your Honor.

14 THE COURT: All right. Well, we'll first talk
15 up the motion for judgment of acquittal that was filed.
16 Mr. St. George, do you want to add any additional argument
17 to what you have filed for the Court?

18 MR. MENGES: Judge, is it possible to take
19 Mr. St. George's handcuffs off so he can assist himself?

20 THE COURT: Yeah. We can take the handcuffs off
21 for purposes of sentencing.

22 MR. MENGES: Thank you.

23 MR. ST. GEORGE: Your Honor, the motion for
24 judgment of acquittal is complete, and I stand with it as
25 it is.

1 THE COURT: Any response?

2 MR. FREEMAN: Judge, we didn't file a written
3 response. The Court didn't require one, and to be honest
4 I didn't think one was necessary. I would just say that
5 while the defendant I think generally cited the correct
6 legal standard for the Court to follow, he did spend
7 numerous pages of his brief asking the Court to violate
8 one or more of those principles by asking the Court to
9 find alternative information to the evidence, to
10 second-guess the credibility of the witnesses, to give
11 specific weight to certain pieces of evidence -- most
12 notably his own testimony. All of those things are not
13 proper in a motion for acquittal.

14 There's certainly nothing about the testimony of
15 any of the witnesses and especially the victims that was
16 incredible as a matter of law that would allow the Court
17 to discount their testimony, and the jury was entitled to
18 reject most or all of the defendant's testimony, which
19 they clearly did, and credit the testimony of the People's
20 witnesses. And for those reasons, Judge, we would ask
21 that the motion be denied.

22 THE COURT: All right. The Court has gone ahead
23 and reviewed defendant's motion for judgment of acquittal.
24 In his motion, he has asked the Court to review pieces of
25 evidence and testimony that were brought forward. He has

1 argued that there was insufficient evidence to prove
2 beyond a reasonable doubt both the counts that were found
3 guilty by the jury, and also to disprove his theory of
4 self-defense. The Court was asked to look at these issues
5 previously during the course of the case. A defendant can
6 bring a motion for judgment of acquittal at a variety of
7 different occasions during the course of the trial and at
8 the conclusion of the trial.

9 Again, the Court -- the jury found the defendant
10 guilty of Counts 1 and 2 as Felony 3s, that is attempt to
11 commit murder in the second degree; Counts 4 and 5,
12 assault in the first-degree; menacing; illegal discharge
13 of a firearm; and unlawful sexual contact. So, with that
14 being said, the Court did go ahead and review the
15 testimony and evidence presented.

16 The Court reviewed the information provided by
17 the defendant. I look, again, at the standard, which is
18 the standard in Colorado in People versus Bennett, 183 Co
19 125, and with that I look in passing upon a motion for a
20 judgement of acquittal, "the trial Judge should not
21 attempt to serve as a 13th juror or invade the province of
22 the jury, but should prevent a case from being submitted
23 to the jury when prosecution has failed to meet its burden
24 of proof."

25 The Court has found in the course of the

1 proceedings that the prosecution did meet its burden of
2 proof. I looked at, in this case, People versus Robb, 215
3 P.3d 1253, and there Robb tells me that when assessing the
4 sufficiency of the evidence in support of a guilty
5 verdict, a Court must determine whether any rational trier
6 of fact might accept the evidence taken as a whole and in
7 the light most favorable to the prosecution as sufficient
8 to supporting a finding of the accused's guilt beyond a
9 reasonable doubt.

10 After a thorough review, I find that that
11 standard has been met, and I'll deny the motion for
12 judgement of acquittal.

13 Let's proceed to sentencing, I'll hear from the
14 People.

15 MR. FREEMAN: Judge, at the outset, I haven't
16 received or we haven't received any motions for
17 restitution. I know there was some damage done to
18 obviously the defendant's unit or the one he was renting
19 and outsides of other units. In an abundance of caution,
20 I'd ask the Court to allow us to reserve that issue for
21 91 days in case anyone decides to submit a motion. We did
22 --

23 THE COURT: Hold on one second. I'll go ahead
24 and reserve restitution for 91 days.

25 MR. FREEMAN: Thank you, Your Honor.

1 We did reach out to Ms. Elliott to ask whether
2 she wanted to be here today or not. She declined to join
3 us, indicating that she didn't ever want to see the
4 defendant again and didn't want to be in his presence, so
5 she is not here today.

6 Agent Meyers -- formerly Agent Trimmer -- is
7 here. She has decided not to make a statement to the
8 Court. We did send her a copy of the defendant's
9 handwritten PSI. She did indicate to me that she did get
10 a chance to read it, found it very upsetting, and didn't
11 feel like she would be able to make a statement today.

12 We also sent it to Sergeant Maines. He has
13 declined to be here and make a statement today. However,
14 on their behalf, we have Chief McCasky, chief of the
15 Lakewood Police Department. He is here. He would like to
16 make a statement on their behalf. And the Court may
17 recall that during this case, the defendant filed a
18 lawsuit against the Lakewood Police Department, and also
19 against Detective Larson. I believe that's still pending.
20 So at this time I would ask him to come up.

21 CHIEF MCCASKY: Good afternoon, Your Honor. I'm
22 Dan McCasky, the chief of police of the Lakewood Police
23 Department, and I'm here to speak on the behalf of all the
24 men and women of the Lakewood Police Department and for
25 the community that we serve as well.

1 Today's a day to put a difficult chapter behind
2 the Lakewood Police Department, behind our community, and
3 if ever possible, behind Agent Meyers and Sergeant Maines,
4 along with the other police agents that responded that
5 night to that dangerous situation. There's also another
6 young woman who was victimized in this case that I'm sure
7 she would also like to put this chapter of her life behind
8 her as well.

9 Today I'm asking you to send a message, a loud
10 and clear message, that the actions of this defendant will
11 not be tolerated by the citizens of our community.

12 Today's about sending a message that law enforcement
13 officers are here to serve the public and not be targets
14 of violence because of some alcohol-fuelled frenzy or some
15 precalculated plan to commit violence against these
16 officers.

17 I realize, as all the men and women of the
18 Lakewood Police Department do, that there are always
19 inherent risks to this -- to put on this badge and this
20 uniform every day. We understand that. But that doesn't
21 excuse anybody the right to try and kill our police
22 agents. That's not part of our job description. It's not
23 why these men and women serve our community. They serve
24 because they care. They serve with compassion. They
25 serve with dignity. They serve with bravery. And on this

1 particular night, they served with incredible courage and
2 bravery. And I'd ask that you send a message that honors
3 that bravery of these officers in this deadly situation
4 they encountered.

5 I'm sure that you're going to hear people tell
6 you today that the defendant's not some evil person, that
7 he didn't mean these things. I'm sure there's a variety
8 of reasons and excuses that will be given to you today for
9 you to consider. The fact that he's shown no remorse, no
10 regret, nothing but filing a lawsuit against the Lakewood
11 Police Department for his actions that he created, this
12 situation that night, just goes more to show that this man
13 deserves a lengthy prison sentence, that he can't harm
14 anyone else in our community and he can't put our police
15 agents in danger, or any other law enforcement officers
16 that serve with bravery and dignity.

17 Again, I would ask you to send this message
18 particularly for Agent Meyers and Sergeant Maines and the
19 other police agents that were there that night, the victim
20 who was also there that night that was traumatized -- a
21 victim of a sexual assault. I ask that you send a message
22 for her as well. But please send this message that this
23 community values our law enforcement officers, that you
24 respect the work that we do, the bravery, the dignity, and
25 the courage that we serve this community every day, and

1 that this defendant's action won't be tolerated.

2 So I would just ask that when you consider all
3 the facts of this case, that a lengthy prison sentence
4 will send a message that's appropriate to the men and
5 women of the Lakewood Police Department that their service
6 is valued and that to our community, that we believe in a
7 safe community to live in.

8 Thank you.

9 THE COURT: Thank you.

10 MR. FREEMAN: Judge, I think one of the
11 questions that I know I asked myself when I got this file
12 was why did this case happen? You look at the defendant's
13 lack of criminal history, lack of violence in his
14 background, his education, his employment, and you wonder
15 how did we get here? And I think the case can be really
16 boiled down to four factors.

17 One, on this particular night the defendant was
18 very frustrated over the evening's events. He was very
19 frustrated with his interaction with Ms. Elliott and that
20 led him to be fairly angry.

21 The second factor is excessive amount of
22 alcohol. As the Court recalls from the trial, his BAC at
23 the time of the shooting was somewhere between a .27 and a
24 .29, and the I think as the Court knows from its
25 experience, that's an extremely high amount of alcohol in

1 his system that led to some very poor judgement, very poor
2 decisions.

3 The other factor that I think led to this is
4 access to a lot of firearms. And that, by itself, is
5 certainly not a crime or anything that necessarily leads
6 to a crime. But I think when you factor in the
7 frustration and the anger and the alcohol and the access
8 to firearms, it was a bad combination.

9 And lastly really is just the defendant's
10 incredibly inflated sense of self, and almost to the level
11 of narcissism, that you add those other factors in, the
12 access to firearms, the alcohol, and the frustration that
13 really led to him reacting the way he did.

14 Everything that the agents did that night, and
15 I'm not just talking about Sergeant Maines and Agent
16 Trimmer, but all of the agents that responded, everything
17 they did was reasonably focused on having a safe
18 interaction, hopefully, with the defendant, and also for
19 themselves, which they were entitled to do. And the
20 backdrop of this case was always officer safety.

21 It's a very, you know, sort of high-profile
22 issue right now. We live in a country where already in
23 the first three months of this year we've had 16 peace
24 officers killed, including two in Colorado, just in the
25 first three months of 2018. We had a peace officer killed

1 in Colorado during this trial on February 5th, and that
2 was always the backdrop on this case.

3 In every instance the officers explained why
4 they did or didn't do something in relation to their
5 safety and the defendant's safety should they ever make
6 contact with him. And yet time and again, the defendant
7 rejected the notion that they have the right to do
8 something to protect themselves. He would have them walk
9 up to his front door on a weapons call, a shots-fired
10 call. He would have them walk up to his front door and
11 knock. How many officers have been shot through a front
12 door or have knocked on a front door and had that door
13 flung open and been shot? And yet he thinks that that's
14 what they had to do, and that's the only reasonable thing
15 that they should have done in this case.

16 There were so many things that the defendant did
17 this night that were simply unreasonable and put other
18 people in unreasonable danger, and not just the
19 officers -- Ms. Elliott, his neighbors. The Court may
20 recall when the defendant was testifying and I was asking
21 him about whether he perceived any danger from shooting a
22 firearm into the air in a relatively densely populated
23 urban area and he rejected that notion. He talked about
24 the velocity of bullets, no, it can't -- that can't
25 possibly -- the bullets coming down can't possibly hurt

1 anybody.

2 I was curious about that, because I know in my
3 experience that's simply not true. I went back and all I
4 had to do was do a search in Wikipidia and just in a
5 7-year period in Los Angeles, California. One city in one
6 state in one country in the world, in a 7-year period, 118
7 people were injured by falling bullets, randomly falling
8 bullets from the sky. 38 of those died. And yet even on
9 that simple point the defendant couldn't even agree with
10 me that that was a dangerous act, that that was an
11 unreasonable act. He wouldn't even agree with me on that.

12 He refused to call 911. When the police called
13 him on the phone and said hey, we're outside, and we want
14 to talk to you, and if you have any concern that we're not
15 who we say we are, call 911. They will put you through to
16 us. He rejected that. That was unreasonable. Rather
17 than come out the front car unarmed as he was being asked
18 to do, he went out the back door armed with a handgun in
19 his shorts, as we know now that he always carries and
20 always carried with him back then. That was simply
21 unreasonable.

22 And then ultimately he arms himself with a
23 shotgun, that handgun, extra rounds of ammunition, goes
24 out his back door at night while intoxicated looking for
25 an armed confrontation. And that was inherently

1 unreasonable and dangerous, and that is what the jury
2 found in this case.

3 I look at the purposes. I know the Court is
4 familiar with the purposes for sentencing under
5 18-1-102.5, to punish a defendant by assuring a sentence
6 is deserved in relation to the seriousness of the offense,
7 to ensure fair and consistent treatment of offenders, to
8 prevent crime and promote respect for the law, to promote
9 rehabilitation of a defendant, to address an offender's
10 individual characteristics, and to promote acceptance of
11 responsibilities.

12 Here we're talking about punishment, the first
13 factor. He fired three separate handguns at ten times
14 total at or near three victims that night. The jury
15 determined that none of those shots were justified. He
16 had justified -- unjustifiably endangered Ms. Elliott,
17 Agent Trimmer, Sergeant Maines, and numerous neighbors.
18 And his level of intoxication made him make numerous bad
19 decisions that night. All of those things are strongly
20 deserving of punishment.

21 In looking at fair and consistent treatment of
22 offenders, other defendants who have shot at officers
23 received lengthy and significant sentences, not only in
24 this county but all over the United States. And again I
25 think the backdrop of this is that so many officers have

1 been killed already this year, I think 16 in 2018,
2 including two in our state, that a message should be sent
3 that shooting at an officer, even if it doesn't cause
4 harm, is an extremely grave and serious act that has to be
5 punished.

6 The factor of preventing crime and promoting
7 respect for the law is a really tough one for this
8 defendant because he clearly has little or no respect for
9 the law and little respect for law enforcement. And that
10 was not only obvious by his testimony in the case, but the
11 PSI that he wrote in the case shows that he has no respect
12 for law enforcement and no respect for the rights of these
13 officers to do things to insure their own safety. And
14 really, the outrageous statements that he made in his PSI
15 writing shows that he has no remorse for his actions. So
16 how do you -- how do you promote respect for the law with
17 somebody who doesn't have any? I think the only way to do
18 that is to give them a significant sentence that sends
19 that person a message that they will respect the law or
20 they will be punished.

21 To promote rehab, I think this is a similar
22 issue. I'm not sure how you rehabilitate somebody who
23 doesn't think they did anything wrong. And it's clear
24 from his PSI he doesn't think that he made one wrong step
25 that night. So I'm not really sure how you promote

1 rehabilitation for somebody who doesn't think they need to
2 be rehabilitated and don't think that they ever did
3 anything wrong.

4 It even goes back to his interview with police
5 that night. He consistently stated alcohol had nothing to
6 do with the decisions that he made that night, and we
7 know, based upon our experience, that alcohol had a huge
8 factor in the decisions that he made and the poor judgment
9 that he had. But he wouldn't even acknowledge that. So I
10 think it's difficult even to say well, if he gets alcohol
11 treatment, that's going to promote rehabilitation when he
12 doesn't even acknowledge that alcohol had something to do
13 with this offense.

14 You know, addressing his individual
15 characteristics and reducing his potential to re-offend,
16 again somebody who doesn't think they did anything wrong
17 and has no remorse and his -- sort of his last filing is
18 to attack the victims? I'm not sure now you address that.
19 And certainly his lack of criminal history would otherwise
20 be a significant factor and a strong indicator that he's
21 not likely to re-offend.

22 But then you factor in his complete lack of
23 remorse and his complete lack of responsibility --
24 acceptance of responsibility -- and all you're left with
25 is someone who, if they were confronted with the same or

1 similar situation would act in the same or similar manner.
2 And that's really what makes him dangerous, is he is
3 basically saying by his PSI, if I ever get in a similar
4 situation, I'm going to do the same thing. And that makes
5 him dangerous.

6 To promote acceptance of responsibility, only a
7 lengthy sentence is going to do that with this defendant.
8 The PSI shows that he hasn't accepted any responsibility
9 at all, blames and -- not only blames, but attacks the
10 victims, calls Ms. Elliott a perjurer, calls Agent Meyers
11 a coward, calls Sergeant Maines a lackluster leader, calls
12 him -- essentially calls him selfish and a coward as well.
13 The only way to promote acceptance of responsibility to
14 this defendant is to force it on him by way of a
15 significant sentence. He thinks he's the victim in this
16 case, and he said as much in his PSI.

17 Judge, we're asking for a sentence that should
18 reflect the harm that was done to each victim. I think
19 each victim in some manner should be reflected in the
20 Court's sentence. We did file -- we did file a sentencing
21 brief in which we laid out what we thought the sentencing
22 ranges were and the limitations on the Court's discretion.
23 I do think that the minimum sentence is 20 years, and -- I
24 think I wrote it in here -- I think the maximum sentence
25 is 152 years.

1 Judge, we're not asking for anything near the
2 maximum. We're not asking that the Court necessarily lock
3 the defendant up for the rest of his natural life. I
4 don't think that that would be appropriate. But we are
5 asking for a significant sentence that not only reflects
6 the conduct and the serious nature of the conduct, but his
7 complete lack of remorse, his insulting and outrageous
8 statements in the PSI, and his complete lack of acceptance
9 of responsibility in this case.

10 And, Judge, based upon those feelings, those
11 beliefs, we feel that a minimum sentence of 30 years would
12 be appropriate, and nothing short of that, in our opinion,
13 would address those factors, the seriousness of the
14 offense, and his complete lack of remorse in this case.

15 THE COURT: Mr. St. George?

16 MR. ST. GEORGE: Your Honor, I have friends and
17 family here in the gallery who are entitled to and want to
18 speak on my behalf. They will also be representing those
19 friends and family who weren't able to be here for one
20 reason or another. And they will be reading letters that
21 have been brought to them from those friends and family.

22 THE COURT: And just to let you know,
23 Mr. St. George, I have reviewed all the letters that
24 you've submitted to the Court. So I have read the letters
25 that were submitted over the past couple of days. So if

1 these are new letters, I will definitely hear them.

2 MR. ST. GEORGE: Your Honor, in that case, while
3 I think it would be beneficial for all of those in the
4 gallery to note --

5 THE COURT: I'll hear from anyone that's here
6 personally. I was just telling you that I have reviewed
7 the letters that you submitted to me, and I think the
8 district attorney's office has had the opportunity to
9 review those also.

10 MR. ST. GEORGE: Okay. That being said, I'd
11 like to call my uncle, John St. George --

12 THE COURT: Sure.

13 MR. ST. GEORGE: -- to speak.

14 THE COURT: Sure. Come on up.

15 MR. JOHN ST. GEORGE: Good afternoon, Your
16 Honor. I'm John St. George. I'm Eric's uncle, his
17 father's brother.

18 The family is very sorrowful about this whole
19 episode, and we don't condone what Eric did that night.
20 Wasn't there. Can't offer any evidence or I would have
21 been called at the trial.

22 But we would like to say that this is a valuable
23 man, he's an entrepreneur, he's started several business,
24 he employs people, he pays taxes. As the district
25 attorney's pointed out, he has no history of criminal

1 violence or criminal activity. So in terms of
2 rehabilitation, any sentence given would certainly
3 suffice, I think.

4 He's 40 years old now. 30 years he'd be 70,
5 20 years he'd be 60. We would like -- his family -- to
6 see him get past this thing and be free at some point so
7 that he can return to society and contribute and, you
8 know, be there for us, with us, and rejoin society and
9 hopefully not repeat, you know, these mistakes.

10 THE COURT: Thank you so much.

11 MR. ST. GEORGE: Your Honor, I would next like
12 to call some of my closest friends. This will be Troy and
13 Casey Loftus to speak on my behalf.

14 THE COURT: And spell your last name?

15 MR. LOFTUS: Loftus, L-O-F-T-U-S.

16 THE COURT: Thank you.

17 MR. LOFTUS: Your Honor, my wife and I -- Casey
18 -- are very good friends of Eric St. George. Actually
19 personally, for me, I've known him for 20 plus years, and
20 in the 20 plus years, he's probably been I would say one
21 of my closest friendz. You know, you have people in your
22 life come and go, he's been there for me or I've been
23 there for him the whole 20 years basically. I've only
24 been married for ten years, and that's when Casey met him.

25 But you know, basically he's had no violent

1 history the whole time I've ever known him for 20 plus
2 years. You know, just as a little history on me, I've
3 never had a detention. I grew up as a straight-A student.
4 I've never been in trouble for with the law. I think I
5 maybe have one speeding ticket. And, you know, I don't
6 tolerate others around me that don't respect the law or
7 that are violent and things that I -- that would put my
8 wife or anybody I cared about in danger.

9 So I think that night's events were very
10 circumstantial and, you know, in all honesty, when someone
11 is innocent or is, you know, defending themselves, why
12 would you show remorse for that? I wouldn't feel remorse
13 if I was trying to defend myself against unknown danger.

14 You know, I've trusted this man with my life.
15 We spent seven months in the Alaska wilderness, hiking
16 around and staking gold claims for a big company, to where
17 -- in Alaska, in the wilderness, it's life or death up
18 there. And I trusted this man with my life for months on
19 end. Any time I've ever called him when my vehicle's
20 broke down, he's been to help me. I've driven 3000 miles
21 with him to go pick up a vehicle that was disabled.

22 On the night in question, Your Honor,
23 Mr. St. George had in his possession probably \$10,000
24 worth of my most precious firearms and ammunition that he
25 was temporarily storing for me while we were moving and

1 transitioning from an RV to a cabin. I would not trust
2 someone that I felt was dangerous or unstable with that
3 kind of fire power. I'm more responsible than that.

4 MS. LOFTUS: And I'd just like to add from my
5 personal point of view, I've actually been friends with
6 Eric for 13 years and he has become one of our best
7 friends. You know, he's smart, he's intelligent. He's
8 not an acquaintance, he's the guy you have deep
9 conversations with, intellectual conversations. And we've
10 been hiking on multiple day hikes, and throughout that
11 time, you know, we've talked about life and what our plans
12 were, and he's always said that he planned to get married
13 and have kids. That's the life that he wanted and that's
14 the life he deserves.

15 And so we're asking for leniency today and
16 understanding, that this -- this is this man's life, and
17 he is a good man.

18 THE COURT: Thank you so much.

19 MR. ST. GEORGE: Your Honor, next I call one of
20 my classmates from high school. I call Courtney Horning.

21 MS. HORNING: Thank you, Your Honor. My name is
22 Courtney Horning, and I live in Castle Rock, Colorado.
23 I'm a single mother of three girls, ages 9, 8, and 5. I
24 met Eric in high school and I've known him for 25 years.
25 I would not hesitate for one second to leave him with my

1 three girls.

2 I wanted to give you a glimpse of the Eric I
3 know outside of the incident on July 30, 2016. He is one
4 of the most dedicated, loyal friends that I know. He has
5 always been there for me and every one of the girls, as he
6 likes to call us. He has travelled very far to be a part
7 of the important events in our lives. He truly values his
8 friends.

9 He is also one of the most intelligent people I
10 know. He has successfully started and grown several
11 businesses where he's always shown integrity. He has a
12 large support group of friends and family who have been
13 with him since the beginning and will continue to stand
14 beside him, no matter of the outcome.

15 I understand the gravity of the crimes he has
16 been convicted of. I believe in laws -- the law -- and we
17 are responsible for our actions. Eric truly believed, as
18 do I, that he was acting in self-defense. He stands
19 firmly for his Second Amendment right and the
20 responsibility that comes with that right. The Eric I
21 know would never intentionally harm two peace officers.

22 Over the last 25 years, I've never seen Eric
23 demonstrate any inappropriate sexual behavior. Honestly,
24 through high school and college he had many opportunities
25 to do so but always acted with good moral character.

1 Eric is a good man with integrity and it would
2 be devastating to lose my friend. So I thank you very
3 much for considering leniency for Eric James St. George.

4 THE COURT: Thank you.

5 MR. ST. GEORGE: Your Honor, next I call another
6 classmate, I call Kom Pak Koeut.

7 THE COURT: Could you help me with your last
8 name spelling, please?

9 MS. KOEUT: Sure. K-O-E-U-T.

10 THE COURT: Thank you.

11 MS. KOEUT: Good afternoon, Your Honor.

12 First and foremost I'd like to thank you for the
13 opportunity to say a few words about my friend, Eric St.
14 George. I'm from Jacksonville, Florida, and actually flew
15 in about 2:00 your time when I left home to be here to
16 support him. I've known him since high school, so like
17 Courtney said, in numbers that's more than 25 years.

18 So I want to give you just a little bit of
19 background. When I was in 8th grade, my guidance
20 counselor told my dad that I should apply to this high
21 school called Stanton College Preparatory. It's an
22 academic magnet school in Jacksonville, located downtown,
23 where everyone had to be bussed in or drove -- driven. I
24 had never had to do that before -- apply to a public
25 school -- but I did. I applied and I got in. It used to

1 be a 7th through 12th grade school, and our class, 1996,
2 was the last of the 7th through 12th.

3 When I went to that school, that was the third
4 school in three years that I had been to. But it was even
5 worse for me because the people and the students, they had
6 already been together for two years. So not only was I a
7 new student from the wrong side of the tracks, but all the
8 groups were already made, friends were already made.

9 Your Honor, I remember it like it was yesterday.
10 I walked into class and I was frozen. I just, I had to
11 have been like a deer in headlights. I couldn't move. I
12 mean, I was nervous and I was scared. I was more scared
13 of this than any other new school I had been to. And I
14 think Eric sensed something. He looked up. I saw a bunch
15 of people in the corner and they were talking and
16 laughing. And through that crowd, he looked straight at
17 me and he smiled the warmest smile. I don't think I've
18 seen a warmer smile since.

19 And he was kind. I mean, you can tell he had a
20 lot of friends, so I think when he made that gesture, and
21 he was kind to me and he introduced himself and he was
22 nice, everybody else just kind of followed suit. Because
23 I wasn't scary anymore. I like to think of him -- I like
24 to think of Eric as my high school ice breaker. I don't
25 think he ever knew, back then, the impact that he had on

1 me in high school.

2 I know that I'm going to forever be grateful for
3 how he helped me. But as I would learn, that would just
4 be par for the course, because he's a good person. And I
5 don't mean that in a nonchalant way. Eric is a good
6 person to his core. He's smart, he's dedicated, he's
7 loyal. He loves life. He loves adventure.

8 I mean, this is a guy that once dressed up as
9 Slenderman. He wore stilts. He was seven feet tall. He
10 wore a very super hot outfit and he walked around a parade
11 and he took pictures with everybody. People tried to give
12 him money, he didn't take it. He probably took hundreds
13 of pictures with people, and he did it because they were
14 smiling, they were happy. He did it for the joy. He's
15 not a bad person.

16 I mean, you've heard from several people that he
17 has a very entrepreneurial spirit. That entrepreneurial
18 spirit and his, just, know-how -- I mean, he was
19 successful in not only growing and running a business, but
20 he was also successful and excelled in our ridiculously
21 hard academic routine at school.

22 There was once, I don't recall the year, maybe
23 2007, one of our mutual friends had basically hit rock
24 bottom. And I won't mention names, but he was in trouble.
25 He had nobody, he had no one, nowhere to go, no money, no

1 nothing. But Eric saw the good in him and he gave him a
2 job. And not only did Eric give him a job, but Eric gave
3 him a place to stay until he could get on his feet. He
4 gave him a second chance, second chance at life, and that
5 person now -- that person now is not only self-sufficient,
6 he's financially stable, he's emotionally stable, he's in
7 a loving relationship.

8 I don't know where he would have been if Eric
9 didn't help him and reach out to him, say hey, man, why
10 don't you come work for me. I got an extra room at the
11 house, you can stay there. You don't have to pay me
12 anything, it's okay. That's the kind of person that he
13 is. That's who he is.

14 Just a couple more things. Eric is a go-getter,
15 probably will be always. But the thing is, when he gets,
16 he always gives back more than he gets. He gives back to
17 his community, he gives back to his friends, his family.
18 His door was always open. I remember at our 20th
19 reunion -- it's hard, weird for me to say 20th high school
20 reunion -- he offered everybody from our graduating class
21 a free tint job. Yeah, come on over, I'll tint your
22 windows for you. I'm not charging you anything. I was
23 busy, though. I couldn't do it. His hand is always a
24 giving hand, and always a helping hand.

25 Eric loves his family. He loves his friends.

1 He loves his communities that he's been a part of,
2 Jacksonville, Atlantic Beach, Colorado, Alaska. He loves
3 his life, and that's what I want to impress upon the
4 Court. He loves his life. He values it.

5 I flew here from Jacksonville today to beg the
6 Court to show him mercy, give him a chance to do more good
7 in the world. Because I promise you, Your Honor, he's not
8 done. I would wager my own life on that. You show him
9 mercy, you won't be disappointed. He's going to do good
10 things.

11 We all want him to come home. We'd all like him
12 really to come home so that we can all start to mend this
13 brokenness that we feel. The experience has changed a lot
14 of us, all of us. And obviously today we're a little
15 down, but we're not out. We all have fight left in us, no
16 one more than Eric. So I'm asking you to send him back to
17 us so we can all begin to heal. And we love him and we
18 need him in our lives.

19 You have most of the letters, but just some of
20 the names of the people: Nicky, Cheryl, Peg, Ronny,
21 Vanessa, Adam, Julian, Gina, Ashley, Crystal, Jeremy. All
22 these people need him home.

23 Thank you.

24 MR. ST. GEORGE: Your Honor, I call my brother,
25 Craig St. George.

1 MR. CRAIG ST. GEORGE: My name is Craig St.
2 George, Eric's brother. I've literally know him my entire
3 life. And I know the difference in him.

4 I know the difference in him between angry
5 intent and sheer terror. And what I can tell you about
6 what I've heard of that night is that was sheer terror.
7 Some of the things that I listened to during the trial, I
8 had to just listen to in disbelief in trying to picture
9 some of those things he lived through and had to live
10 through.

11 And any time I talk to someone about this and
12 they kind of tell the story and I tell them about some of
13 the things that were said over the phone, you know, "my
14 friends are in your backyard, they're standing in the dark
15 and looking through the window," that's just creepy.
16 That's creepy to me, and I don't know how I would react to
17 that. I have a wife and a kid, and I'm very protective of
18 them. I would probably do something to make sure they
19 were safe no matter what I had to do.

20 My brother and I obviously grew up together.
21 Same parents, no divorce, had a good life. We weren't
22 affluent by any means, but we had everything that we
23 needed. Always had everything we needed, guidance, love,
24 support, and we had a dad that, he worked really hard and
25 we learned from him. We both learned from him. And what

1 he did is he worked three jobs his entire life. You know,
2 he had good jobs, but he just kept working other jobs to
3 make sure we were taken care of.

4 When my dad was in school -- he was going to
5 school for a radiographer -- he would get off -- that's a
6 40-hour-a-week position, for anyone who knows medical
7 imaging. I did it too. He would work that 40 hours per
8 week and he would get off and be an orderly for the
9 hospital and he would work until the late hours of the
10 night and then he would drive a cab and he would do that
11 until the early hours of the morning to make sure that we
12 had extra money so that my mom could stay home and take
13 care of us.

14 He did that all through high school until we
15 graduated. Not the cab part, but he was a stenographer
16 manager, so he worked 40 plus hours. Managers have to
17 work 40 plus hours in medical imaging. And he took calls
18 at two different hospitals. And if anybody in here's been
19 on call, which I think a lot of you have, it's terrible.
20 You know, you go home, you're trying to go to sleep, and
21 get called in. I myself have worked 24 plus hours
22 straight. It's awful.

23 He did that, and my mom worked as well. My
24 brother and I learned at a very young age how to take care
25 of ourselves for the most part. My parents were busy

1 people but they wanted to provide for us, wanted to make
2 sure we had a good life. You know, we learned very early
3 on how to cook for ourselves, clean for ourselves. We
4 were doing our own laundry an about my son's age -- he's 7
5 -- and that's about when we started to do those things for
6 ourselves. It sounds dangerous but it was a different
7 time back then. Things are different now.

8 But we both learned -- the point is we both
9 learned from my parents and we wanted to do more with our
10 own lives. Eric, I would say, probably got the picture a
11 little earlier than I did. He had his own lawn company
12 when he was, like, 12. And he worked all the time. He'd
13 go to school, he'd get off, and he would go cut people's
14 yards, and they would pay him for it. He did a good job.
15 They respected his work, a 12-year-old's work. And they
16 would hire him and they would tell their neighbors, hire
17 this guy, hire this little kid, he does a great job.

18 And that stemmed on into high school. He
19 started his own business in my parents' garage and he was
20 tinting windows and the neighbors started to complain
21 about it because there was so much word of mouth that the
22 product was good, he was doing a good job, that the
23 traffic got to be too much for the neighborhood and they
24 were upset and they essentially kicked him out of the
25 garage -- the neighbors did, not my parents.

1 So he bought his own shop. He worked at his own
2 shop for many years. He built that company up like from
3 nothing and he made really great money, then he employed
4 people and gave people chances. He did all that before a
5 lot of us, obviously. So when he finally did graduate
6 high school, he was already a businessman, in business for
7 himself, doing well.

8 He is a giving person as you already heard. He
9 gave jobs to people. There was one kid who would have
10 never gotten an opportunity like the one my brother gave
11 him. He did not finish high school. He finally received
12 a GED from my brother's guidance and he would have gone
13 into the world and he would have wound up working at
14 low-paying jobs for the rest of his life, but Eric gave
15 him a chance. He gave him a really good salary and he
16 taught him about business, taught him how to work for
17 himself and do things for himself. And I've talked to
18 that person, you know, in the last couple years and he is
19 doing very well. He is self-sufficient, he is a
20 businessman of his own. He's doing great. He learned
21 those things from my brother, from that give-back.

22 I definitely looked up to my big brother. When
23 I needed something, he was always there. He could always
24 provide it. If I ever needed money, he would give it to
25 me. He sold me my first car for \$500. He gave me a loan

1 of \$500 for, I think, like, 24 months, which equates to
2 about \$6 a month or something like that. And I, you know,
3 I could barely pay it. And he never came asking for
4 money, he just -- I essentially paid him off, but he never
5 bothered to ask. He just wanted to give me a car because
6 he knew I needed it. He was just that kind of person. He
7 wanted to make sure his little brother was taken care of.

8 If I ever need a place to stay, he was there.
9 He let me move in with him, didn't charge me any rent. It
10 was better than living with my parents and he didn't want
11 me to sleep in my car so he let me move in with him rent
12 free. I always appreciated that.

13 If I ever got myself into a situation where I
14 was stranded -- and it happened a couple of times, I would
15 be an hour and a half, two and a half hours away from
16 home, midnight, 1:00 a.m., 2:00 a.m. -- I'd call Eric and
17 explain my situation to him, tell him how I got there and
18 how stupid I thought I was. And he wouldn't even think
19 about it, he would just ask where are you, I'll be there
20 as soon as I can. 1:00 in the morning and he's willing to
21 drive two and a half hours to pick me up just to drive me
22 two and a half hours back home.

23 If I ever needed to just clear my head, if I
24 just needed to talk to somebody, I always valued him as a
25 very intelligent person. I still do. He's one of the

1 smartest people I know.

2 Even through this experience he wanted to
3 educate some of his fellow inmates and read to them. And
4 it turns out that they're Spanish-speaking and they can't
5 read the books themselves. He learned Spanish again so he
6 could read to them because they couldn't read it on their
7 own. And they're bored and needed something to do. And
8 he would sit there and he would spend these hours with
9 these folks that he doesn't even know and read to them in
10 a language he learned back in high school and has
11 rekindled himself. It's incredible. So why wouldn't you
12 want to talk to that person? Why wouldn't you want that
13 person in your life to talk to you, to explain things, to
14 teach you? He was always a great educator.

15 He was always there to tell he how stupid I was
16 being sometimes, and I eventually -- I took the hint and I
17 did go back to school, and I'm doing quite well, and it
18 was because I always looked up to him and I also wanted
19 nice things like he had. And while I was in school, my
20 wife and kid and I had to take a lot of time away from
21 family.

22 Eric never took time away from family. Nothing
23 was more important than that. He was always at big
24 events, weddings, anniversaries, birthdays. No matter
25 what it was, no matter where it was, he was on a plane, in

1 his car -- mostly in his car. He's what I would refer to
2 as a road dog, kind of a St. George thing. We like to
3 drive across country. I don't know why, but we like it.

4 But he was there and I wasn't. And everyone
5 knows I'm the jerk in the family. So they got to know him
6 a lot better than me. These are family members in
7 Minnesota. These are people we don't see very often. He
8 saw them often. They know him, they love him, they love
9 having him around. He's fun. He's fun to be around.

10 There was a picture of my brother as a child in
11 a little red suit. It's a ghastly outfit and my
12 grandmother just loves that suit. She's 90 now. And --
13 she's 92 now. On her 90th birthday, while I was too busy
14 with my studies to make it, Eric showed up. He bought
15 a custom suit. Custom suit runs about \$150 to \$200, and
16 he just wanted to see that old woman smile at his new red
17 suit.

18 He's fun. He does these things. He remembers
19 things in people, things that they love and appreciate.
20 He goes out of his way to make people smile. It's all he
21 wants to do. He loves to smile. I love to smile. So he
22 loves to make people smile.

23 He's made every holiday gathering for a long
24 time. He's filled it with a lot of joy and laughter. He
25 has one of the biggest hearts of anyone when it comes to

1 family and friends, and he puts the needs of others before
2 his own. He obviously has a great deal of friends. He's
3 gotten letters, you've heard from some of them today,
4 they're inspired by him, they appreciate him, they respect
5 him, they love him. They're lifted by his personality.
6 I'm lifted by his personality.

7 My son is lifted by his personality. He's a
8 young child and he asks about his uncle all the time.
9 Last couple Christmases have been difficult because I
10 haven't been able to tell him what's going on. I don't
11 have the words yet, but I'm going to have to at some point
12 explain what's going on with his uncle, and he's just
13 going to keep asking for him to be there because he just
14 loves being around the guy. He just takes really good
15 care of his nephew, makes sure that each day that he's
16 around him is filled with fun and laughter.

17 He's not a narcissist, not a narcissist at all.
18 And maybe he was frustrated that night, rightfully so.
19 Everything was out of control completely and nobody was
20 doing anything to bring it back in. Nobody was reigning
21 it in. He would never intentionally hurt anyone. I know
22 that. I know that. He doesn't hurt people. As I
23 mentioned before, he has a big heart.

24 And I also mentioned that when I was working on
25 my degree I didn't spend a whole lot of time with family,

1 and that meant him. I didn't get a lot of time to be
2 around him, and he would ask and I wouldn't be able to
3 make it to things, and I was really hoping that when I
4 moved to New Mexico, that we would be close again. He did
5 start coming down a lot when he could, and I never made it
6 up here to visit him. And I wish I would have on so many
7 more occasions.

8 I wish I would have taken the time, and I want
9 that time back. I want to go hiking with my brother and
10 want to help him put the pieces back together. I want to
11 reconnect with him, and I want to do things that brothers
12 do.

13 He's intelligent, he's capable, and he has the
14 ability to learn anything. He needs the chance to
15 demonstrate his best intentions. 20 years might not be a
16 life sentence to him, but it's a life sentence to a lot of
17 people in our family. He's already missed one
18 grandmother's funeral, and I don't know who's going to be
19 next. There's lots of elderly uncles and aunts, older
20 cousins, another grandmother -- the one that loves the
21 suit.

22 My parents. My parents were here for the trial.
23 They sat and listened to the whole thing. It was hard to
24 watch them go through this. Heart trouble runs in my
25 family. My dad's been in to the cardiologist since this,

1 just recently. It's hard. He's already had a heart
2 attack and this is hard for him to handle and he looks
3 older than I've ever seen him look, and it's because he
4 doesn't understand what's going on with his son and why
5 he's being treated like this.

6 When my -- when we finished the trial, we went
7 back to my uncle's house and we talked a little bit, but
8 my parents walked off because they needed some time to
9 kind of process this on their own, which I can understand.
10 I wasn't allowed to process it yet, at least I told myself
11 that, that I was going to make sure I stayed strong for
12 them, to let them have their time with each other, the
13 time that they needed to be with each other.

14 And I overheard something that my mom said to my
15 dad. And if you understand my dad, he lost his brother
16 recently, his older brother as well, to a heart attack --
17 go figure. And he was just a stone. He's just a hard
18 man, you know? These things don't affect him like they
19 affect most people. They don't bring tears to his eyes.
20 He's able to accept them and move on as life.

21 He recently lost his mother, that was in
22 December. That's the grandmother that Eric was not able
23 to be at the funeral. Same thing, I sat next to him the
24 whole time, choking back my tears and wondering where his
25 were. This was his mother. But he's just a stone. Then

1 I overhear my mom after the trial walk to the back room
2 and say Fran, we just lost a son. That was the straw.
3 It's the first time I'd ever seen tears.

4 We don't get to close this chapter. We don't
5 get to move on, high fives all around. This chapter
6 doesn't end for us. So there is no moving on past this.
7 And I don't want to be at another funeral without my
8 brother putting a flower on a casket on his behalf. He
9 shouldn't have to miss those things. I don't want him to
10 miss those things. So I'm asking you to please show
11 leniency towards this good man, toward my brother.

12 People mistake us for a lot of things because of
13 the way we are. St. Georges are goofy people. They
14 mistake our confidence for arrogance. They mistake our
15 wise cracks for snarkiness. They mistake our silliness
16 for a lack of respect or responsibility. That's just not
17 true. They are mistakes.

18 We like to have a good time, but I can tell you
19 one thing, we handle our business and we get things done.
20 We learn that from each other and we care about each other
21 and we take care of each other.

22 So please, again, I ask you to show a little bit
23 of leniency for my brother. Regardless of what other
24 people in the room might say, he is a good man and he has
25 done good things and he's been good to a lot of people.

1 And he had one really bad experience. One really bad
2 experience. That was out of his-control and it landed him
3 here.

4 Thank you.

5 THE COURT: Thank you.

6 MR. ST. GEORGE: July 31, 2016, I was shot and
7 killed. My life was taken from me that night. Instead of
8 actually expiring that night, though, I've had the
9 misfortune of living. Because had I actually passed that
10 night, from my wounds, from being shot and killed, my
11 family would have had the opportunity to begin the healing
12 by now. But instead, I've continued to be painful to
13 them. They haven't had the chance to heal. Instead they
14 get to watch me slowly expiring again.

15 Following the trial, articles were placed in the
16 news.

17 "Man who fired gun at exotic dancer, Lakewood
18 police is convicted of felonies. Gunman was hit by
19 officer fire in July 2016 incident, no officers were
20 injured. Man who fired shots at Lakewood police has been
21 convicted of multiple felonies including two counts of
22 attempted murder.

23 Eric James St. George, 40, was found guilty this
24 month by a Jefferson County jury after a 7-day trial
25 according to the district attorney's office.

1 On July 31, 2016, a woman called 911 saying that
2 she had just left St. George's house in the 8100 block of
3 West Eastman Place. He followed her outside and fired a
4 gun at her. The woman and exotic dancer said St. George
5 paid her to dance for him at his home, but during the
6 session he started groping her.

7 The jury deliberated for two hours before
8 returning their verdict. Officers told the jury in the
9 case that when the pair arrived, they talked to
10 Mr. St. George, but the 40-year-old refused to answer six
11 calls from them. Lakewood police then began to set up a
12 perimeter around the home. The DA's office said that
13 St. George went out the back door and kept walking until
14 he had a clear line of sight on an officer behind a
15 vehicle. St. George reportedly raised his shotgun and
16 fired at the officer three times."

17 Even after winning at trial, it wasn't good
18 enough. The district attorney continued to pitch this
19 false narrative, the false narrative that they brought to
20 trial, false narrative that they're still trying to sell.

21 They've approached this case without so much as
22 the smallest amount of professional integrity. They've
23 brought shame into your court. They've allowed their
24 career ambitions to come before seeking truth or justice
25 or morality. They've suborn witnesses to perjury.

1 They've committed crimes of their own, perjuring
2 themselves.

3 We all heard it at the trial. We heard even the
4 police department's detective in an "aw, shucks" testimony
5 where he said, "you know what, I think we blew it on this
6 one. Mr. St. George never fired at that girl." Because
7 that was -- that's true. I never fired at that girl.
8 That didn't stop the DA from putting that into the public
9 and libelling me.

10 They said that I walked out the back door trying
11 to flank officers. I came out the back door because I was
12 told there were people in the backyard looking through my
13 windows. I went out there unarmed. There was no gun on
14 me. We have witnesses that said that very thing.

15 There were no police at my house that night.
16 There were just shadows. Had I known -- had I known that
17 there were police out there -- this would have never
18 happened. I wouldn't have been shot and killed. I
19 wouldn't have put people at harm, in harm's way. I would
20 never have shot at someone had I not been open fired upon.

21 It was suggested that, even today, the DA still
22 hasn't relented, said I came out looking for a
23 confrontation. We know that's not true. I was defending
24 myself. We still can't seem to get the facts correct,
25 even after trial.

1 It was suggested that I have no respect for law
2 or law enforcement. Nothing could be farther from the
3 truth. When I tried to say at trial that I have friends
4 and family, I have clients who are law enforcement, it was
5 objected to. I was stopped before I was allowed to say
6 that, because we couldn't let the jury hear that I respect
7 law enforcement, because we're trying to sell a narrative
8 that I'm a bad dude who's out to kill cops. A fiction and
9 a lie. Nothing could be farther.

10 It's been said that alcohol -- it's just because
11 he was so drunk. Had the scenario been played out exactly
12 as it occurred that night and I had been stone sober, I
13 still would have fought to defend myself. If someone
14 fires upon me, I have no option but to fight back for my
15 life. Alcohol played no part in this. Don't blame
16 alcohol. I won't tolerate that. And we won't blame guns.
17 My guns would never harm somebody. But if someone tries
18 to murder me, I promise you I will defend myself. And if
19 I have to use a gun, I'll use it. I never denied that. I
20 never claimed otherwise. I said from the beginning I was
21 fighting for my life.

22 Officer Meyer --

23 THE COURT: You need to speak with me,
24 Mr. St. George.

25 MR. ST. GEORGE: That person has stolen my life

1 from me. Every minute that person spends with her wife
2 and child is a minute that was stolen from me. Whether it
3 was fear, whether it was -- whatever. I don't know
4 what -- I'm not going to be like others, and I'm not going
5 to speculate as to what was going through someone else's
6 mind. What I do know is something became between that
7 person and their professional, legal obligation as peace
8 officer to do what needed to be done that night.

9 Never once did I see a squad car or a uniform,
10 did I hear a warning. That person laid in wait, hiding,
11 and when I came around the back of that truck, they opened
12 fire on me, wounding me. Could have killed me. Then, for
13 fear of the consequences, couldn't honestly report what
14 had occurred in that incident. Instead, made me out to be
15 the aggressor, which is flatly not true.

16 I was not the aggressor that night. That person
17 lied to her fraternity of fellow officers, dragging them
18 into a perjury. Said, "he shot at me three times, and
19 then I fired back." Physical evidence wasn't there. We
20 saw that at trial. There were no shotgun shells behind
21 that truck. I got shot and immediately retreated.

22 Your Honor, I do not envy your position. I gave
23 you a motion for judgment of acquittal. I don't ask you
24 for a favor. I don't ask you for special consideration.
25 I don't ask you for sympathy nor pity. I'm not asking you

1 to make a moral decision based on your own subjective
2 feelings. I ask you to make a legal judgment.

3 That motion should have been granted. I gave
4 everything that you needed in order to do that. And I
5 understood -- I believed -- that you could find the
6 strength to make a politically difficult and unpopular
7 decision and grant that motion. And I really hoped you
8 would do it.

9 You now have to come and pass judgment on me.
10 You have to determine what happens to me next. I warned
11 you of these potential hazards. If this conviction is
12 allowed to stand, we forever eliminate the obligation of
13 peace officers to identify themselves in dangerous
14 situations. We forever strip men of their right to
15 self-defense. We set a legal precedent today, which
16 effectively revokes the statute which allows self-defense,
17 Colorado statute 18-1-704. We effectively eliminate the
18 obligation by police to mitigate the risks to those that
19 they serve. I'm very afraid for that.

20 I never would have harmed peace officers. I
21 know enough peace officers that I know how challenging
22 their job is. That job requires placing themselves into
23 dangerous, potentially lethal situations. They also have
24 an obligation to eliminate those dangers where possible.

25 Your Honor, I know that my message sounds much

1 different than that of my friends and my family, because
2 while they're sad, I have not afforded myself the luxury
3 of being sad just yet. I have to be hard, because I have
4 to fight. I'm not sad, I'm angry. I've been cheated. My
5 life has been stolen from me. You heard a couple of my
6 friends -- you heard Casey talk about my aspirations
7 towards marriage and family. That has been stolen from
8 me. I won't have that. I have a right to that. It
9 belongs to me.

10 And it's true, I have been a good person my
11 whole life. I don't have the arrogance to get up here and
12 told you all about it, despite what you may have heard
13 from others. Because I'm not an arrogant man. In fact,
14 I'm quite the contrary. You won't find someone who's
15 quite so self-deprecating as me.

16 Since the time I've been housed in this
17 facility, I have met all the peace officers who work here.
18 Many of them come to me and they ask me, how do I have the
19 strength and the confidence to do what I've done? How is
20 it possible for me to defend myself, not to be represented
21 by counsel, to get up and speak on my own behalf? In
22 fact, I explained to them, I didn't have a choice. My
23 back was against the wall. Didn't have an option, not
24 unlike that night.

25 I had an incident with a woman of ill repute

1 earlier in that evening. When my friends and my family
2 tell you about the mistakes that I made, that's where it
3 ends. That was the mistake that I made. I made a choice
4 to invite the devil into my own home.

5 She lied to police. She told them that I tried
6 to kill her. That never happened. We know it's not true.
7 She told us it wasn't true, basically, in her own words,
8 in her recorded statement. All the neighbors knew it
9 wasn't true. They only heard one sound. She used
10 innocent people as tools. That wasn't fair to them,
11 wasn't fair to me to have those innocent people used
12 against me.

13 It's been said that I'm not taking
14 responsibility. I've been told by many people the best
15 thing to do is to go fall on your sword in court, beg for
16 mercy, take responsibility. Except how can I do that?
17 How can I take responsibility for trying to defend myself,
18 to protect my own life? I have -- you've watched me fight
19 in this courtroom for my life. It hasn't ended yet for
20 me.

21 I was shot in an attempt on my life and then I
22 entered the legal system, which is nothing more than
23 another attempt on my life. Shameful people with career
24 aspirations, I suppose, or perhaps it's an obligation to
25 their constituency, have had no problems telling

1 falsehoods about me, misrepresenting the evidence, lying.
2 There's no better words for it, it's just lying. And it
3 cheapens this court, spitting on the dignity of this
4 Court. And it's morally wrong, legally wrong.

5 Again, Your Honor, I'm asking you to make a good
6 legal decision here. I genuinely had hoped that my motion
7 for judgment of acquittal would be heard. There was no
8 evidence presented at trial that I was not defending
9 myself. There was none. And now I have to take up this
10 fight in an appellate court, I presume. My family gets to
11 watch me slowly lose myself. The man that they all spoke
12 of, I don't know if I can continue to be that man as I'm
13 robbed of my life.

14 I don't smile as much any more. I have nothing
15 to give anyone anymore. Everything I had's been taken
16 from me. I don't know what I'm going to do. But I will
17 keep one promise. I will fight. I've told my family that
18 I will fight. I will fight until this thing can't be
19 fought anymore.

20 When you make this decision, Your Honor, make
21 sure that you know an innocent man, an innocent man at
22 least in these charges -- I'm not guilty of attempting to
23 murder anybody. I'm not guilty of assaulting anybody.
24 I've fought for my life. Those people outside my home did
25 not tell me that they were police. So as far as I could

1 tell, it was the payback from Ms. Elliott. Well, she's
2 got her payback. I've already lost nearly two years of my
3 life, and today you're going to decide how many more I
4 lose. But I'm not guilty of these charges.

5 I hope everyone -- I hope everyone who has used
6 me as their personal little scratching post knows what
7 they have done. I hope they lose sleep. I hope that they
8 one day will be recognized for the shame, for the elicited
9 behavior, for the poor conduct, for the lack of integrity
10 that their actions deserve. They deserve to be seen as
11 unfit people.

12 Your Honor, I wish you the best of luck in
13 making this decision.

14 THE COURT: All right. Have you concluded your
15 remarks?

16 MR. ST. GEORGE: I think you're done hearing
17 them.

18 THE COURT: No. I'm asking you if you've
19 concluded. Yes?

20 MR. ST. GEORGE: Perhaps I am, Your Honor.

21 THE COURT: I'll assume that means yes.

22 All right. So we're here today to look at
23 convicted charges from the jury, Counts 1 and 2, attempt
24 to commit murder in the second degree; Counts 4 and 5,
25 assault in the first degree; Counts 6, 7, and 8, menacing;

1 Count 9, illegal discharge of a firearm; and Count 10,
2 unlawful sexual contact.

3 So when I take a look at this, I understand,
4 Mr. St. George, that you disagree with the finding of the
5 jury. It is your position that you are not guilty of
6 these charges, and it's been your position throughout the
7 course of this trial.

8 So just to go through a bit of this, when I
9 looked at the register of actions, you did choose to
10 represent yourself, so we appointed advisory counsel. We
11 assigned an investigator in order to pursue your case.
12 You also asked for an investigator, a special expert, who
13 would analyze your crime scene information in order to
14 provide you with substantiation of your version of the
15 ballistics and what occurred. So you did have those
16 opportunities.

17 So then we went before a jury and they heard the
18 testimony and the evidence. The Court is not the finder
19 of fact within the context of a jury trial. But certainly
20 I listened and need to listen for purposes of any motions
21 and, of course, the evidentiary rulings throughout. What
22 I found was there was more than ample evidence to prove
23 each and every element of each offense you were found
24 guilty with, beyond a reasonable doubt.

25 An individual can craft a motion to the Court,

1 emphasizing certain pieces of evidence and certain not
2 pieces of evidence: versions of the events, things that
3 are missing like the fact that an individual contacted a
4 friend to try to give themselves some sort of alibi for that
5 night because they knew that they had shot up in the air
6 or at Ms. Elliott and knew they were in trouble. People
7 try to formulate an alibi because they know the police are
8 coming. Because they have a consciousness of guilt.

9 Certain factors such as that have -- also have
10 to be considered when you look at the entirety of it. I
11 listened to each and every witness in the case. The jury
12 listened to each and every witness in the case. They
13 heard your self-defense defense. And they found it to be
14 lacking.

15 I understand that it is difficult for you to
16 accept your behavior that night and what occurred that
17 night. You have asked the Court to disregard the fact
18 that you were very intoxicated. You indicated that
19 intoxication played no part in. Now, the jury found that
20 intoxication played a significant part of it, and they
21 took a far more serious charge and reduced it because of
22 your intoxication. So certainly the jury found
23 intoxication to be relevant. I found intoxication to be
24 relevant, otherwise my sentencing range would be much
25 higher.

1 I need to find some sort of explanation. It is
2 not appropriate to blame those people that you endangered
3 that night, beginning with Ms. Elliott. You ran after
4 Ms. Elliott when she left the home. You ran after her
5 with a loaded gun. You shot it up in the air, or
6 wherever, while Ms. Elliott was right there in front of
7 you going to her car. How terrified would she have been?
8 You shot a loaded handgun in the midst of a crowded
9 apartment complex. That was certainly out-of-control
10 behavior. No one can condone that. No one.

11 She called the police to say that somebody ran
12 after her with a loaded handgun and started shooting in a
13 busy apartment complex. Of course she called the police.
14 What could be more dangerous?

15 You left and went to a bar. You indicated you
16 needed to get out of there, you could be in some kind of
17 trouble. You began drinking. You contacted a friends to
18 provide you with an alibi. You knew the police were going
19 to come. You don't have an alibi because scary people
20 from an escort service are going to come over to your
21 house. You have an alibi for fear that you are going to
22 get in trouble for shooting a gun into a parking lot of a
23 busy apartment complex on a nice afternoon.

24 Then you went home. You didn't know who was
25 there? Your expectation was that after you just shot at a

1 young woman racing to her car, you thought that police
2 would come up to your house and knock on your door? No.
3 They called you. You answered the phone. You didn't
4 believe them. I'm hopeful that it was intoxication.

5 They said, call the dispatch operator. The
6 dispatch operator will confirm that these are police
7 officers out there, because they will connect you to their
8 phone. You chose to disregard that. You caused this.
9 Your behavior caused this. These are just a few of the
10 small pieces of evidence that were brought out during the
11 course of that trial which disproves your case.

12 Your theory was not accepted by the jury. A
13 judge found probable cause for the charges initially, and
14 I found more than ample evidence to support each and every
15 one of the elements of the crime. I found ample evidence
16 to disprove your theories of defense of property, because
17 you were defending that \$200 when you ran after
18 Ms. Elliott. And defense of self -- self-defense against
19 her -- I found each and every element that the prosecution
20 had proved that was not correct beyond a reasonable doubt.
21 There was no self-defense.

22 I'm hopeful that it was because of intoxication.
23 I'm hopeful that you weren't thinking clearly, because if
24 you were, I should put you in prison forever because you
25 are a terrible danger to the community. There was no

1 self-defense. You created this environment. You were the
2 dangerous situation.

3 There were two police officers that could have
4 been killed that night. It is terrifying. The testimony
5 from those police officers was chilling, as they moved
6 around the car, as they were looking for shadows, as they
7 were looking for cover, because who knew what you were
8 going to do. Walking out a door and racking a shotgun, as
9 you said, is the universal sign of go away? No, no. That
10 is an incredibly scary sign of aggression. People don't
11 brandish deadly weapons unless they intend to use them.

12 So I don't really understand what your thoughts
13 are with reference to this self-defense. I understand
14 that people filter their own experiences through their own
15 life, but I'm having difficulty with this one. No, judges
16 do not make decisions because they are politically
17 expedient. Judges make decisions based on the evidence,
18 the facts, and the law. And applying the evidence, the
19 facts, and the law in this case, there is no motion for
20 judgement of acquittal. There are jury verdicts. And the
21 Court will sentence you on those jury verdicts.

22 So, this is what we're going to look at.

23 Okay. The attempt to commit murder in the
24 second degree against the two police officers, two counts,
25 I'm finding 15 years in the Department of Corrections for

1 each count to run consecutive. I require them to be run
2 consecutive for a variety of different reasons. These are
3 violent crimes arising out of the same set of
4 circumstances with two different victims. However, I'm
5 going to note for the record that if this wasn't mandated
6 by statute, the Court would still find the consecutive
7 sentencing to be appropriate in this case within the facts
8 and circumstances of the case.

9 With reference to 4 and 5, assault in the first
10 degree, I note that there are different elements in these
11 crimes. However, the behavior is the same as that that
12 supports the attempt to commit murder in the second
13 degree. And thus I'm going to merge Counts 4 and 5 into
14 Counts 1 and 2.

15 Counts 6, 7, and 8 are menacing. And in this
16 case, Counts 6 and 7 are two years to run concurrently
17 with Counts 1 and 2.

18 Count 8 is two years to run consecutively. That
19 is Ms. Elliott. Ms. Elliott is a victim in this case. I
20 don't protect victims because I like their occupation or
21 dislike their occupation. I protect victims and sentence
22 violent behavior against them because they deserve to be
23 protected just as everyone else. And to disparage a
24 victim because of the particular employment is
25 inappropriate. The Court protects everybody. Everybody

1 comes before the Court in the same set of circumstances.

2 Count 9, illegal discharge of a firearm, that is
3 two years to run concurrent. Count 10, unlawful sexual
4 contact, two years in the county jail to run concurrent to
5 the other counts. It is to be served in the Department of
6 Corrections.

7 How many days do we have?

8 THE CLERK: 610, Judge.

9 THE COURT: I'm granting credit for 610 days.

10 So you do have a right to appeal this sentence,
11 Mr. St. George. You have 45 days to appeal it. I would
12 gladly appoint counsel to appeal both the sentence and the
13 trial itself. The public defender's office has an
14 appellate section and they certainly would provide
15 excellent legal help. I would gladly appoint the office
16 of the public defender to represent you to take this
17 appeal.

18 MR. ST. GEORGE: Thank you, Your Honor.

19 THE COURT: And you want me to do that?

20 MR. ST. GEORGE: Yes, Your Honor.

21 THE COURT: Okay. All right. And with that,
22 then, I will go ahead and grant the production of the
23 transcription. They'll ask me for all of that. So we've
24 appointed the office of the public defender, the appellate
25 section, to go ahead and prepare the appeals. Thanks very

1 much, everyone.

2 (End of proceedings.)

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REPORTER'S CERTIFICATE

The above and foregoing is a true and accurate transcription of my stenotype notes taken in my capacity as the Court Reporter for the First Judicial District Court, County of Jefferson, State of Colorado.

Dated this 24th day of July, 2018, at Golden, Colorado.

Stephanie D. Swihart
STEPHANIE D. SWIHART
Registered Professional Reporter

*This is an electronically signed copy of the transcript.