

ERICK B. THOMSON
GEM COUNTY PROSECUTING ATTORNEY
306 East Main Street
P.O. Box 671
Emmett, ID 83617
Telephone (208)365-2106
Fax (208)365-9411

Denyce Thompson-Udink
Deputy Prosecuting Attorney

Tahja L. Jensen
Deputy Prosecuting Attorney

July 9, 2024

Detective Matt Canfield
Boise Police Department
333 N Mark Stall Pl
Boise, ID 83704

RE: CITF Investigation – Dominic Nathan Soto

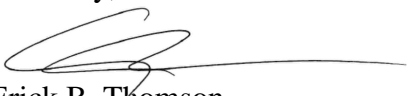
Dear Det. Canfield,

This office has reviewed the reports and videos of the incident involving the critical incident regarding Dominic Soto on February 11, 2024. Based on that information, the pertinent facts in this case are as follows:

On February 11, 2024, a call was made to 911 at approximately 2 a.m. A resident on Seneca Street in Boise called to report that he heard gunshots outside by the daycare. When he went out to investigate, an individual later identified as Dominic Soto turned and fired upon him. Officers responded to the scene and encountered Soto at the nearby intersection of Blackhawk and Five Mile. There, Soto was holding a firearm up to his own head. Officers gave him multiple verbal commands to drop the gun, which Soto ignored. Eventually, Soto swayed and dropped his elbow and head, causing the firearm to move and point towards Ada County Deputy Colton McKone. McKone then fired three times at Soto, striking him twice. Soto immediately fired his own gun into his own head, causing his own death.

Idaho Codes 19-202A and 18-4011 both apply to this situation. Applying the facts of this case to those statutes, McKone justified in his actions. Idaho Law would not allow the criminal prosecution of McKone. As Soto had just fired upon a civilian, McKone rightly felt that every individual in the neighborhood and every officer involved was in danger when Soto refused to drop then gun, which became immediate when Soto swayed, changing the firearm's direction to point towards McKone. It is this office's opinion that no criminal charges shall be filed. Please contact this office if you have questions regarding this decision.

Sincerely,


Erick B. Thomson
Gem County Prosecuting Attorney