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A Travis County Grand Jury has declined to indict Austin Police Department (APD) officer Justin Boehm in a May 8th, 2013 shooting incident.

At 7:50 a.m. that morning, Boehm was stopped behind James Barton, who was driving his Nissan pickup. Both were at the traffic light heading east at the intersection of Airport Boulevard and 12th Street.

Barton proceeded through the intersection while the light was still red, so Boehm followed and made a traffic stop. Boehm observed Barton reach to the right in his vehicle, which Boehm indicated made him cautious of the driver. After being stopped, Barton exited his vehicle and walked toward Boehm's police unit. Boehm ordered Barton to stay in his vehicle. As Barton was walking toward Boehm, the officer observed Barton reach into the waistband area of his coveralls, using both hands. Boehm again ordered Barton to stay in his vehicle. Officer Boehm saw Barton pull a black object out of his pocket. Boehm told investigators that he believed Barton had a weapon and that he feared for his life and therefore fired one time at Barton.

The shot did not hit Barton who then dropped the black object and returned to his vehicle. The black object was determined to be Barton's wallet.

Barton was later transported to a local hospital for medical evaluation and was released a short time later.

The Grand Jury met on three occasions to consider the case. They heard from seven witnesses, including Officer Justin Boehm.

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