

## Boulder Daily Camera

Gunbarrel man who shot neighbor in squirrel-feeding dispute gets 12 years in prison

Jon Marc Barbour had billed himself in neighborhood as 'Squirrel Guy'

By Mitchell Byars – August 25, 2017

The Gunbarrel man convicted of shooting his neighbor in the back after an argument about feeding the local squirrels was sentenced to 12 years in prison on Friday.

Jon Marc Barbour, 60, was convicted in June of attempted murder and first-degree assault following a four-day trial in Boulder District Court, and on Friday was sentenced to 12 years in prison by Boulder District Judge Maria Berkenkotter.

"This is one of those cases where you shake your head and wonder why on Earth this happened," Berkenkotter said. "This was all precipitated by a petty, petty, petty, dispute over the feeding of squirrels, that quite frankly is just so unfortunate. Even if the neighbors were mean to Mr. Barbour, that certainly doesn't give Mr. Barbour license to shoot an unarmed man in the back."

Prosecutors asked for Barbour to be sentenced to 16 years while Barbour's attorneys asked for the minimum 10-year sentence, but Berkenkotter ultimately went with the recommendation of a pre-sentence investigation in levying the 12-year sentence.

Berkenkotter pointed out that Barbour has no criminal history, is already 60, and has the support of family and friends, many of whom were in court on Friday. But she also said that the facts surrounding the shooting of Barbour's neighbor Jeffrey Browning made the crime aggravated.

"Mr. Barbour shot an unarmed man in the back, and while he certainly testified and had a much different description of events, it's very clear from the jury's verdict that they believed Mr. Browning's version of events," Berkenkotter said. "Quite frankly, when you look at the fact that Mr. Browning was shot in the back or buttocks, it is not difficult to see why the jury came out the way jury it did."

Barbour shot Browning in the back on May 12, 2016 after what prosecutors said was an argument stemming from Barbour's habit of feeding peanuts to area squirrels.

Barbour put up fliers — which he signed as "The Squirrel Guy" — explaining that he fed the squirrels because it made him feel closer to his deceased parents. He became mad when he saw Browning take down those fliers, and prosecutors said that led to the shooting.



Barbour, who did not speak at Friday's sentencing on the advice of his attorney because he is appealing the verdict, maintained during the case that he was acting in self-defense.

Boulder Deputy District Attorney Lisa Saccomano said during closings that she was concerned by Barbour's refusal to accept responsibility for the shooting or to acknowledge he may have mental health issues.

"What's most concerning to the people is that this defendant has refused to admit to having mental health issues, and has refused to agree he needs any mental health treatment," Saccomano said. "There are serious concerns in terms of what kind of danger he does pose to the public after he is released. This is an offender who has failed at every juncture to accept responsibility for what he has done."

Saccomano said that Browning, who chose not to attend the hearing, continues to have both physical and emotional hardships as a result of the shooting.

"This victim could have died," Saccomano said.

But Barbour's attorney David Sanderson pointed out that Barbour's quick actions after the shooting was the reason Browning is still alive.

"The reason that Mr. Browning did not die is because of Jon Barbour," Sanderson said. "(Barbour) called 911 immediately to save the man's life. That's significant."

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