



**OFFICE OF THE
DISTRICT ATTORNEY**

**Kala Beauvais, District Attorney
10th Judicial District, Colorado**

April 23, 2025

Chief Chris Noeller
Pueblo Police Department
Pueblo Municipal Center
200 S. Main Street
Pueblo, CO 81003

Sheriff David Lucero
Pueblo County Sheriff's Office
101 W 10th Street
Pueblo, CO 81003

Re: District Attorney CIT Decision Letter
Officer Involved Incident on April 17, 2024
Location: 3015 Lake Avenue # 72, Pueblo, CO 81004
Deceased: Ronald James Courtney (DOB 2/3/1963)
Officer Involved: Thomas DeCesaro

Dear Chief Noeller and Sheriff Lucero:

The 10th Judicial District Critical Incident Team (CIT) was activated on April 17, 2024, to investigate an Officer Involved Shooting (OIS) Incident which resulted in the death of Ronald James Courtney (DOB 2/3/1963). The Pueblo County Sheriff's Office (PCSO) was designated as the lead investigative agency and other CIT participants included the Colorado Bureau of Investigation (CBI), Colorado State Patrol (CSP), Pueblo Police Department (PPD), and the 10th Judicial District Attorney's Office (DA). After the investigation, the CIT prepared and submitted an executive summary, investigative reports, and materials to the District Attorney's Office for review. Those materials were reviewed, and this is the District Attorney's Decision Letter pursuant to CIT protocol.

Overview of the Incident

On April 17, 2024, at approximately 2:00 p.m., PPD Officer Shae Maestas and Corporal Thomas DeCesaro were sent to 3015 Lake Avenue #72, Pueblo, Colorado, on reports of a disturbance. The manager of the trailer park called PPD to report that Ronald Courtney was at this location, causing a disturbance and possibly abusing his dog.

Officer Maestas arrived on-scene first and contacted Courtney at his trailer. After some time, Courtney opened the door of his trailer and sat on the step in the doorway to speak with Officer Maestas. Shortly after, Corporal DeCesaro arrived, and the Officers continued to converse with Courtney while they waited for information from dispatch regarding Courtney's clearance. While speaking with Courtney, they learned he had a warrant for his arrest for failure to appear for a Driving Under the Influence charge out of the Alamosa County Sheriff's Office. The Officers informed Courtney of the warrant, and they would have to arrest him. Officers were trying to help make arrangements for Courtney, as he had his dog inside the trailer. Courtney stated he needed to turn off his air conditioner and tried to go back into his trailer. Corporal DeCesaro stepped onto the door of the trailer, and Courtney began to push Corporal DeCesaro back and told him to "step back". Corporal DeCesaro tried to grab Courtney's arm, and both Officers informed Courtney they "weren't going to do this". Courtney pulled away from Corporal DeCesaro, went toward the back of his trailer, and pulled out a gun from his right front pant pocket. Corporal DeCesaro saw Courtney pull the gun out and fired one round from his duty weapon, striking Courtney.

Officers retreated to cover momentarily, then proceeded back to the trailer and provided life-saving measures on Courtney until AMR and Fire Rescue arrived. Courtney was transported to St. Mary Corwin Hospital, where he was later pronounced deceased.

Interview: Corporal Thomas DeCesaro

On April 22, 2024, PCSO Detectives Victor Herrera and Chase Telfer interviewed Corporal DeCesaro at the Pueblo Police Department. Corporal DeCesaro was accompanied by his legal representative for the interview. Corporal DeCesaro was advised of his rights, which he stated he understood, and that he wished to speak with investigators about the incident.

At the time of the incident, Corporal DeCesaro had been employed with PPD for nearly 15 years and was currently assigned as a patrol officer. On April 17, 2024, he was working on shift and in full uniform when he was dispatched to an animal abuse call with some type of disturbance.

Corporal DeCesaro stated he arrived at the location after Officer Maestas. When Corporal DeCesaro arrived, he observed Officer Maestas in contact with Courtney and appeared to have nearly completed her investigation. Officer Maestas informed Corporal DeCesaro that she was "just waiting on information from dispatch for a clearance of wants and warrants". Corporal

DeCesaro stated that while they were waiting, they engaged in casual conversation with Courtney. During this conversation, they were informed that there was a warrant, so they knew they were probably going to have to take him into custody, but they were waiting to make sure it was confirmed before they took him into custody.

Corporal DeCesaro stated that while they were waiting for confirmation, he and Officer Maestas were trying to gain some information from Courtney on people he knew in the area who could take care of Courtney's dog. They were able to engage Courtney in conversation about his son, who lived in Pueblo, and whether his son had access to his trailer. Corporal DeCesaro stated they were trying to get information about whether Courtney's son had a key to the trailer when the warrant was confirmed.

At that point, Corporal DeCesaro stated he put his hand on Courtney's shoulder and let him know there was an active warrant, and they were going to have to take him into custody. Corporal DeCesaro wanted to see how Courtney was going to react to that information, and knew he needed to keep eyes on him and keep him within arm's reach. At that point, Courtney stood up and stated that he needed to shut off the air conditioning for the trailer. When Corporal DeCesaro stood up with him, Courtney began making statements telling Corporal DeCesaro to "step back", while also trying to contain the dog. Corporal DeCesaro stated he grabbed onto Courtney and informed him, "Hey, we're not going to do this." Corporal DeCesaro told Courtney that Officer Maestas could control the dog and that they (Courtney and DeCesaro) could go in and take care of whatever he needed to. Corporal DeCesaro stated that Courtney pulled away from him, and he was concerned about what Courtney's intentions were at that time.

Corporal DeCesaro stated, "Courtney took a few steps toward the back of the trailer, and after one or two steps, Courtney turned back toward Corporal DeCesaro and put his right arm into his pocket". Corporal DeCesaro described Courtney's arm movement as a furtive movement, one that he's seen many times with people drawing firearms. At that point, Corporal DeCesaro began to draw his firearm and activated the light on his firearm to illuminate the inside of the trailer, which was quite dark. Corporal DeCesaro observed Courtney retrieve what he believed was a firearm, so Corporal DeCesaro fired a shot. At that moment, he stated he was not sure if Courtney had fired a shot or not, and he began his retreat while airing "shots fired" to dispatch.

After Corporal DeCesaro and Officer Maestas retreated, he reported they did not see any signs of movement in the trailer, so they approached the trailer again and saw that Courtney was lying on the ground inside the trailer. At that time, Corporal DeCesaro saw the object that he believed was a firearm, which was indeed a firearm, on the floor inside the trailer near Courtney. Officer Maestas began performing lifesaving measures while Corporal DeCesaro went to look for a chest seal and a first aid kit before Fire Rescue arrived on-scene and took over the rescue efforts.

When asked how it made him feel when Courtney pulled the firearm out, Corporal DeCesaro stated he was "in fear for his life and fear for Officer Maestas' life". Corporal DeCesaro stated he was

aware they were both in a shorter position compared to Courtney based on their positions around the trailer, and that Courtney had higher ground with a clearer shot at either of their heads, so Corporal DeCesaro felt they were at a disadvantage. Corporal DeCesaro confirmed he felt that he was in imminent danger of receiving serious bodily injury from Courtney wielding what he believed to be a firearm.

Summary of Body Worn Camera Footage: Officer Thomas DeCesaro

On April 17, 2024, at approximately 2:02 p.m., Corporal DeCesaro's body-worn camera (BWC) was activated. Corporal DeCesaro was in his patrol car driving to the scene on the report of a disturbance at Lot #72. Corporal DeCesaro arrived on-scene, parked his patrol vehicle behind the patrol vehicle already on-scene, and approached Officer Maestas and Courtney. When Corporal DeCesaro arrived at Lot #72, Courtney was sitting inside the doorway of his camper, holding his dog, and Officer Maestas was standing a few feet across from Courtney, speaking with him. The three of them engage in casual conversation for several minutes.

At approximately 2:16 p.m., it appeared that the Officers received information from dispatch and stepped closer to Courtney, who was still seated inside the doorway of the camper with his dog. Officer Maestas began to ask Courtney about how to contact his son. Courtney reached up to the counter for his phone and began to look through it for his son's phone number.

At 2:18:07 p.m., Corporal DeCesaro placed his hand on Courtney's shoulder and informed him they were going to be honest with him and he had a warrant. Courtney asked what it was for, and Corporal DeCesaro explained that it was a DUI and that he must have missed something or not completed something, but they were going to have to take him. Courtney stated that it was about three years ago and stated he did not know what he missed. Officer Maestas stated they can figure all that out and asked for a key to the camper so they can give it to Courtney's son.

At 2:19:10 p.m., Courtney began to stand up and appeared as though he was looking for the key on his key ring for the camper. Courtney was in an elevated position, standing in the entryway of the camper, while both officers were standing on ground level outside the camper. Courtney held onto his dog for a few seconds and appeared to be thinking. At 2:20:01 p.m., Courtney stepped further back into the trailer, and Corporal DeCesaro stepped up to follow him, at which point Courtney told Corporal DeCesaro to step back and extended his arm out, trying to push Corporal DeCesaro back out of the camper. Corporal DeCesaro maintained his hold on Courtney's arm as both officers stated they were not going to do that (step back). Courtney said he needed to go into the camper to shut the air conditioning off, and Corporal DeCesaro replied, "OK".

At 2:20:15 p.m., Courtney released his hold on the dog, pulled his arm away from Corporal DeCesaro, and began quickly moving toward the back of the camper. At 2:20:17 p.m., Courtney

was seen on BWC walking toward the back of the camper away from Corporal DeCesaro and put his right hand in his front right pants pocket. At 2:20:18 p.m., Courtney turned around, faced toward Corporal DeCesaro, and appeared to be pulling his hand out of his pocket. At 2:20:19 p.m., Courtney was observed on BWC with a black object in his hand that appeared to be a firearm as he was raising his hand toward Corporal DeCesaro. Corporal DeCesaro pulled out his service weapon and turned on the light on the weapon, which illuminated Courtney's hands. Corporal DeCesaro began to retreat backward out of the camper, causing Courtney to go out of frame of the BWC behind the wall of the camper, due to the placement of Corporal DeCesaro's BWC in the middle of his chest. At 2:20:20 p.m., one shot can be heard, and both officers retreated away from the camper while Corporal DeCesaro aired "shots fired" to dispatch.

Both officers took cover behind the trailer next door to Lot #72 and requested backup and medical to be sent. At 2:21:32 p.m., they began to approach the open door to Courtney's camper, saw his legs on the floor of the camper, and then entered the camper. Officer Maestas entered the camper ahead of Corporal DeCesaro and was observed kicking an item on the ground away from Courtney. Officer Maestas began administering CPR to Courtney and shortly after asked Corporal DeCesaro for a chest seal. Corporal DeCesaro ran to his patrol vehicle and looked for a first aid kit, which he brought to the camper, where Officer Maestas was still administering CPR. Fire Rescue entered the camper and took over medical treatment at 2:24:59 p.m. Corporal DeCesaro advised one member of the rescue team that there was a gun (referring to Courtney's gun) right by his feet as he began to treat Courtney.

Other PPD officers began to arrive at the camper's door at 2:25:48 p.m., at which time, Corporal DeCesaro and Officer Maestas exited the camper. After Corporal DeCesaro fired the single shot, he did not fire his weapon again, and he was not observed to be manipulating the firearm in any way afterward. A PPD Corporal checked that Corporal DeCesaro's service weapon was secured, then Corporal DeCesaro went to another Officer's patrol vehicle. Corporal DeCesaro began to leave the scene in the front passenger seat of the patrol vehicle and turned off his BWC at 2:34 p.m.

Summary of Report: Officer Shae Maestas

Officer Maestas reported that she was dispatched to Unit #72 at the RV park at approximately 2:00 p.m. on a report that Courtney was outside causing a disturbance and possibly abusing his dog. Officer Maestas responded to the front office and was directed to the back of the RV lot by the employee there. The employee showed Officer Maestas a red truck and camper and indicated they belonged to the resident she needed to contact. The employee told Officer Maestas that she believed he may have been drinking and was off his meds, but she did not know for sure, and told Officer Maestas the occupant's name was Ron.

Officer Maestas reported that she knocked on the door of the camper, and no one answered. She reported that although the occupant refused to answer the door, she could hear movement inside. Officer Maestas had dispatch clear the license plate on the truck that was parked near the camper to confirm she was at the right unit, and the plate listed to Ronald and Dustyn Courtney, which confirmed she was at the right unit. Officer Maestas reported that she knocked again on the door and yelled for Ron a few more times and yelled "Police" as she knew he was in the residence. Officer Maestas heard commotion and noise inside the camper, getting closer to the door. Officer Maestas reported that when she knocked on the camper wall closer to where the hitch is located, she then heard what sounded like a dog inside, and then Courtney finally opened the front door.

Officer Maestas reported that she instructed Courtney to leave his dog inside for officer safety, as she was unaware of the dog's temperament. When Courtney peeked his head out the door and asked what he could do for her, Officer Maestas instructed him to step outside and speak with her. Courtney declined to step outside and stated he would sit on the step in the doorway to his camper.

Officer Maestas reported that she confirmed Courtney's identity and then asked him what was going on, and that he replied that he was just having a bad day. Courtney indicated to Officer Maestas that he was frustrated and had a little temper tantrum earlier. Officer Maestas reported that she redirected the conversation to get more information about Courtney while she waited for dispatch to run his name to clear him for any wants or warrants.

Officer Maestas reported that she informed Courtney that some neighbors had called police about what they observed happening and asked him to tell her what had happened. Courtney informed her that he was a little loud, and his dog got excited and knocked over a table, destroying his starter plants for the third time. Courtney stated he did not hit the dog, that he was just frustrated about money and health situations, and just needed to chill out.

Officer Maestas reported that Courtney told her it was just him and the dog living in the trailer. Around that point, Corporal DeCesaro arrived, and she filled him in on the conversation. Around that time, Dispatch stated Courtney was possibly wanted on a warrant out of another jurisdiction and agency, so Officer Maestas asked Courtney questions about whether he had a way to tie the dog up to attempt to get him away from the dog who was with him in the doorway to the camper. Officer Maestas reported that Courtney responded that he would rather not.

Officer Maestas reported that she started asking about whether Courtney had any family in town, to which Courtney replied that he had a son. Courtney then began talking about his recent attempts to give up smoking and drinking, and the associated issues with his health. Officer Maestas reported that Corporal DeCesaro asked Courtney whether the dog was ever left alone, and Courtney responded that the dog was his emotional support animal and went everywhere with him. Courtney continued to make small talk about his recent health issues and his past work.

Officer Maestas reported that she told Courtney it looked like the dog wanted to come out and play, in another attempt to get Courtney to release his grip on the dog. Courtney then pointed out a rope tied to the RV step handlebar that he stated he normally ties the dog to when he is outside. Courtney stated that is why he got frustrated earlier, because the rope was long enough that it allowed the dog to knock over the table with the plants.

Officer Maestas reported that after some more small talk, they learned from Dispatch that Courtney's warrant was extraditable and that they would have to take Courtney into custody. She reported that Corporal DeCesaro asked about how to contact Courtney's son so arrangements could be made for the dog's care. Courtney provided his son's phone number, at which point Corporal DeCesaro informed Courtney of his warrant.

Officer Maestas reported that after hearing of the warrant, Courtney continued to sit on the step of his camper and acted as though he was confused about the warrant. Courtney then grabbed his keys and acted like he was going to give the keys to the RV to the officers. Officer Maestas reported that Courtney then began to slowly stand up and stated that he was not going to do anything, but that he needed to go back into his camper to shut off the air conditioner. She reported that as he got to his feet, he was grumbling and said something to the effect of, "This is getting difficult."

Officer Maestas reported that, as with any situation for officer safety, she and Corporal DeCesaro both took steps to follow Courtney into the camper as they did not know what weapons he had inside the camper, if any. The dog then made a quick move as if he were going to run out of the camper, and Courtney grabbed hold of the dog and sat on the bed, which was at the entryway of the camper. Officer Maestas reported that she informed Courtney she would hold the dog and prevent him from getting loose. Corporal DeCesaro then stepped up onto the steps, and Courtney told him to step back while making a motion to push them out of the doorway. Officer Maestas reported that both she and Corporal DeCesaro responded that they were not going to do that, then Corporal DeCesaro grabbed the dog and passed him off to her while Courtney made a quick motion to get further back inside his camper.

Officer Maestas reported that at that point, Corporal DeCesaro followed Courtney to keep an eye on him, and she briefly saw Courtney reach into his pant pocket with his right hand before losing visual of him as he stepped back into the camper. She then reported hearing a loud pop and simultaneously seeing Corporal DeCesaro retreating from the camper in a backward stepping motion. She reported she immediately drew her service weapon as she heard Corporal DeCesaro stating that shots were fired, and they retreated.

Officer Maestas reported that as she was retreating and getting to cover, she was not aware of whether Courtney or Corporal DeCesaro had fired. It was not until she asked Corporal DeCesaro whether he was injured, and he responded that he was not, and then he informed dispatch that the suspect was down, that Officer Maestas knew it was Corporal DeCesaro who had fired the shot.

Officer Maestas reported that after several seconds, they decided to approach the trailer again to get eyes on Courtney. She was able to see his legs on the ground and knew that he was down, so she entered the camper and began performing CPR until paramedics arrived.

Officer Maestas reported that it quickly became evident that Courtney wanted them to believe he was confused about having a warrant. She reported that the totality of his behavior, the refusal to release the dog, and his mannerisms and response to learning about his warrant quickly led her to believe that he would do anything, including taking the life of an officer, to avoid being arrested.

Interview: Denise Seilheimer

PCSO Detective Amy Colvin, along with PPD Detective Ryan Torres and CBI Investigator Chris Adams, interviewed the owner of the RV park, who was the initial reporting party in this incident. Ms. Seilheimer stated she was out pulling weeds near the back of the trailer park when she heard someone saying, "fuck this, fuck that" and a general commotion which she described as a slam and a bang and someone yelling at their dog. Ms. Seilheimer went to see who it was and was directed to Lot #72. She stated she saw Courtney slamming things around and jerking his dog around.

Ms. Seilheimer stated she approached Courtney and told him he needed to calm down. She stated that Courtney pointed his finger in her face and told her to mind her own business. Ms. Seilheimer stated she informed Courtney this was her business and that he could leave if he did not like it. She then went back to the office and made the call to the police department, as she was concerned about Courtney and the dog. She also stated she later heard from other tenants that Courtney had been acting in a similar manner the previous two days and that he had recently been kicked out of the KOA campground.

Ms. Seilheimer admitted that she normally runs her mouth, but she had a flashback of the KOA, so she did not (referring to the KOA in Pueblo West, where the owner of the campground was recently shot by a tenant with a shotgun). She stated that Courtney had been there about six weeks and that she had no other problems with him other than being argumentative.

Interview: Dustyn Courtney and Julianne Pagano

PCSO Detective Amy Colvin and Coroner Investigator Felicia McQueen notified Courtney's son, Dustyn Courtney, of what occurred and interviewed him about his father. Dustyn Courtney's mother, who is also Courtney's ex-wife, Julianne Pagano, was present as well. Dustyn Courtney stated he had last talked to his father the day prior and that he had been pretty upset and was drinking. Dustyn Courtney stated his father's demeanor would completely change when he was drinking, including drinking to the point of having no recollection of what occurred.

Dustyn Courtney and Ms. Pagano stated they had heard on the news that Courtney had been reported for cruelty to animals, which they stated did not sound like him. Detective Colvin informed them that it was the nature of the original call, but it was more for yelling and being aggressive, and was not actually for allegations of physical abuse. The two acknowledged that type of behavior made sense to them.

Detective Colvin explained that PPD ran Courtney's name for warrants when they contacted him, and that they were going to take him into custody. Dustyn Courtney interjected and stated, "he pulled his firearm." Detective Colvin confirmed that it was correct, and both Dustyn Courtney and Ms. Pagano stated that Courtney had said in the past that if that ever happened, that is what he was going to do. They indicated Courtney had been on the run with that warrant for approximately three (3) years. They stated it was a warrant for failure to appear on a Driving Under the Influence charge out of Alamosa. Dustyn Courtney stated at one point he was going to take Courtney to Alamosa to deal with it, and Courtney refused, stating that he would not go and that this (a shootout with police) was how he was going to go. They stated that Courtney was "very suicidal," but had not received any treatment for it.

Investigator McQueen asked the two if they knew Courtney had firearms. Dustyn Courtney stated he had them all except for one that Courtney would not let him take. Dustyn Courtney stated that one was a .380 that he kept in his pocket, and tapped his right front pocket to indicate where Courtney carried that firearm.

Officer Involved Processing

Corporal DeCesaro and Officer Maestas were processed separately by PCSO Lieutenant Bethany Solano. Lieutenant Solano took full body photographs to show any type of wounds, biological evidence, physical evidence, and placement of duty gear. Lieutenant Solano placed the officers in a dark room and used an alternative light source to identify any biological evidence. Neither uniform appeared to have any biological evidence on it.

Officer Maestas had her duty weapon with one magazine and two spare magazines. She reported that she tops off her magazines and keeps a round in the chamber of her duty weapon. Officer Maestas had a total of 50 live cartridges out of a possible 52 cartridges, however, the other evidence, including body-worn camera footage, shows that she did not fire her weapon.

Corporal DeCesaro had his duty weapon with one magazine and three spare magazines. Corporal DeCesaro reported that he typically tops off his magazines and keeps one round in the chamber, and stated that on this date, his third spare magazine was down two rounds. Corporal DeCesaro had a total of 66 live cartridges out of a possible 69 cartridges. The evidence showed that Corporal DeCesaro fired his weapon one time.

Scene Processing

The scene was processed by PCSO Lieutenant Bethany Solano and Detective Dominic Montoya. Overall, photographs of the camper in Lot #72 were taken to document the scene. While standing on the outside of the camper and looking in the front door, Detective Montoya was able to see one spent 9mm cartridge casing that was gray in color and consistent with law enforcement-issued ammunition. Upon entering the camper, Lieutenant Solano and Detective Montoya located a black Ruger LCP Max 380 with what appeared to be a full magazine lying next to it. Upon inspection, they found there was a live .380 round in the chamber of the firearm, and the magazine was full, with eight live .380 rounds.

Autopsy Results

On April 19, 2024, an autopsy was conducted at St. Mary Corwin Medical Center by Dr. Daniel Lingamfelter, the forensic pathologist employed by the Pueblo County Coroner's Office. There was a single gunshot entrance wound on Courtney's upper left chest. The bullet perforated the skin, subcutaneous tissues, musculature, left clavicle, left first rib, left common carotid artery, left subclavian artery, aortic arch, left lung, left side of the fifth thoracic vertebra, and penetrated the subcutaneous tissues and musculature of the upper left back. There was no exit wound present, and the deformed bullet was recovered. The direction of the bullet was from front to back and slightly downward. There was no evidence of close or contact range of gunfire. After the autopsy, Dr. Lingamfelter reported the manner of death as homicide, and the immediate cause was a gunshot wound to the chest.

Courtney's blood was analyzed by a forensic toxicologist, and the analysis was reported as part of the autopsy report. The analysis showed that Courtney had alcohol, nicotine, nicotine metabolites, metabolites of sertraline (an antidepressant), and tetrahydrocannabinol (THC, the psychoactive ingredient contained in marijuana). His blood alcohol content was determined to be 0.069g/100mL.

Based on the evidence, it is determined that Corporal DeCesaro discharged his weapon, killing Courtney. These findings are consistent with the injury, the evidence from the scene, and witness interviews.

Legal Guidelines

A person is justified in using physical force upon another person in order to defend himself or a third person from what he reasonably believes to be the use or imminent use of unlawful physical

force by that other person. Furthermore, he may use a degree of force which he reasonably believes to be necessary for that purpose. §18-1-704(1), C.R.S.

A person is justified in using deadly physical force upon another person in order to defend himself or a third person if he reasonably believes a lesser degree of force is inadequate and he has reasonable grounds to believe, and does so believe, that he or another person is in imminent danger of being killed or receiving great bodily injury. §18-1-704(2)(a), C.R.S.

In evaluating whether a person is justified by self-defense, the person is entitled to act on appearances. People v. La Voie, 395 P.2d 1001 (Colo. 1964). The United States Supreme Court evaluated whether officers used excessive force under the Fourth and Fourteenth Amendments by approaching the issue of reasonableness from the perspective of a reasonable officer at the scene, rather than with the 20/20 vision of hindsight. Plumhoff v. Rickard, 143 S. Ct. 2012 (2014). In that case officers fired a total of 15 shots at a suspect in a fleeing car that was determined to constitute a grave public safety risk. In its ruling the Court said, “It stands to reason that, if police officers are justified in firing at a suspect in order to end a severe threat to public safety, the officers need not stop shooting until the threat has ended.” Further, the Court took into account that police officers are often forced to make split-second judgments about the amount of force necessary in a particular situation – in circumstances that are tense, uncertain, and rapidly evolving.

A peace officer is justified in using deadly force if the peace officer has an objectively reasonable belief that a lesser degree of force is inadequate and the peace officer has objectively reasonable grounds to believe, and does believe, that he or another person is in imminent danger of being killed or of receiving great bodily injury. §18-1-707(4.5)

Conclusion

Based on the facts of the investigation conducted by CIT investigators, the use of force by PPD Corporal Thomas DeCesaro is justified based on the fear and threat of serious bodily injury or death posed as a result of Courtney pulling a firearm from his pocket and raising it directly toward Corporal DeCesaro. Corporal Thomas DeCesaro reasonably believed when Courtney pulled his firearm and began to aim it at the officers that he was going to seriously injure or kill another officer, a civilian, or Corporal DeCesaro himself. This conclusion is based on the interview of the involved officer, the report of Officer Maestas, statements of Courtney’s son and ex-wife, body worn camera video, and crime scene and evidence processing. The statements provided by all officers and witnesses are consistent with each other, consistent with the evidence from the scene, and consistent with the footage of the incident.

There is no evidence or facts collected to support any criminal wrongdoing by Corporal DeCesaro during the OIS incident. The actions taken by Corporal DeCesaro during the OIS incident were conducted with the justified belief that his life, the life of his fellow officer, or the lives of the residents in the area were in jeopardy.

It is my conclusion based on the circumstances that Corporal Thomas DeCesaro was justified by the Defense of Self and Defense of Others provisions of the laws of the State of Colorado in using the actions he employed to defend both himself, his fellow officer, and nearby civilians from what he reasonably believed to be the imminent use of unlawful physical and deadly force by Ronald Courtney, and he reasonably believed that a lesser degree of force would be inadequate. Corporal DeCesaro had reasonable grounds to believe, and did believe, that he and his fellow officer were in imminent danger of being killed or receiving great bodily injury. The actions of Corporal DeCesaro were based on his observations and perceptions, and his actions were reasonable.

Given the facts and circumstances of the situation and the governing law, criminal charges against Corporal Thomas DeCesaro would not be appropriate, and therefore, no criminal charges will be filed.

Dated this 23rd day of April, 2025

Kala Beauvais

Kala Beauvais
District Attorney