



OFFICE OF THE DISTRICT ATTORNEY

Kala Beauvais, District Attorney
10th Judicial District, Colorado

April 20, 2026

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

Sheriff David Lucero
Pueblo County Sheriff's Office
909 Court Street
Pueblo, CO 81003

Re: District Attorney CIT Decision Letter
Officer Involved Incident on June 19, 2024
Location: 1301 W US HWY 50, Pueblo CO
Deceased: Ronald Valdez (DOB 12/16/1989)
Officers Involved: Cody Metcalfe, David Sanchez, Julian Aragon, Austin MacDonald, Kalob Johannsen

Dear Chief Noeller and Sheriff Lucero:

The 10th Judicial District Critical Incident Team (CIT) was activated on June 19th, 2024, to investigate an Officer Involved Shooting (OIS) Incident which resulted the death of Ronald Valdez (DOB 12/16/1989). The Pueblo County Sheriff's Office (PCSO) was designated as the lead investigative agency and other CIT participants included the Pueblo Police Department (PPD), and the 10th Judicial District Attorney's Office (DA). After the investigation, the CIT prepared and submitted an executive summary and its 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 June 19th, 2024, at approximately 7:47 p.m., Pueblo Police were dispatched to a man with a weapon call at 1425 W US Highway 50 (McAlister's Deli). A female called "9-1-1" to report the incident stating there were three males in a black Dodge sedan pointing a black and white gun out

of the driver's side door. The female caller provided the license plate number of the vehicle, which was listed to Ronald Valdez. The vehicle was parked at McAlister's, and the males went inside the restaurant. It was unknown at that time if they took the gun inside the restaurant.

Upon arrival, responding officers did not immediately locate the vehicle. It was then located at 1301 W US Highway 50 in Popeye's parking lot and was surrounded by officers. There was one male in the vehicle, at the time of police contact, who was seated in the driver's seat. Two males and one female had exited the vehicle and were inside Popeye's. They were later identified as Jordan Aldaz, Monique Delacruz, and Ronald Valdez, Jr.

Once officers contacted the individual inside the vehicle on the driver's side, Officer Cody Metcalfe was in front of the vehicle giving verbal commands to the individual. The male was not complying with the officer's commands and fired his gun through the front windshield of his vehicle toward Officer Metcalfe, striking the patrol vehicle behind him. Officer Metcalfe and several other officers returned fire. Medical was called to the scene and the driver, who was later identified as Ronald Valdez, was determined to be deceased. None of the Pueblo Police Officers were hurt during this incident.

Interview: Officer Cody Metcalfe

Officer Metcalfe was interviewed by PCSO Detectives on June 27th, 2024. Officer Metcalfe stated he was on-duty and in the area when he heard the call dispatched of a "man with a weapon". He believed Officers Sanchez, Johanssen, and MacDonald were dispatched to the call. He stated he knew Officer Sanchez was responding to the man with a weapon call at McAlister's Deli.

Officer Metcalfe stated the reporting party had indicated the vehicle was a blue or black Dodge Dart, and they were flashing a gun out of the driver's side of the vehicle. He stated he recalled that the gun was reported to be black and white. Officer Metcalfe stated that Officer Sanchez had arrived at the scene first, and his cover had not arrived yet, so Officer Metcalfe jumped on the call to help Officer Sanchez since he was already in the area. He stated once he arrived at McAlister's, there was no one there that fit the description, so they continued to look for the vehicle. Officer Sanchez found the suspect's vehicle parked at Popeye's, and they went to cover him (Officer Metcalfe was riding in a two-officer capacity in one vehicle with Detective Marsh at the time).

Officer Metcalfe stated that when he arrived at the location of the suspect's vehicle, he observed Officer Sanchez park his vehicle with the front end facing toward the driver's side of the suspect's vehicle and had his overhead takedown lights illuminated. Officer Metcalfe positioned his vehicle facing the front end of the suspect vehicle on the other side of a grass median that separated his vehicle from the suspect's vehicle by approximately six feet. Officer Metcalfe stated he and Detective Marsh began exiting their vehicle. At that time, Officer Sanchez was giving verbal commands to a male in the driver's seat.

Officer Metcalfe stated, at that time, the male was being relatively compliant, asking “what he had done?” and stating, “he didn’t do anything”. Officer Metcalfe began giving commands with his gun drawn, instructing the male to show his hands, which he did. Officer Metcalfe stated he then called out to Officer Sanchez, informing him where he was so there was not a crossfire issue. Captain Maldonado then arrived on-scene, and Sergeant Egan arrived shortly after. Officer Metcalfe stated somewhere around that time Officers Johanssen and MacDonald arrived, but he did not specifically see them pull up, he just knew they were there.

Officer Metcalfe stated Captain Maldonado walked up behind him and they were conversing while the male was being relatively compliant. He stated, at that time, the driver had his hands up and was complying, so he thought things were slowing down and the situation was going to be fine. He stated they were planning on getting the male out of the vehicle and there were no other threats in the area. Captain Maldonado began walking toward Popeye’s and Sergeant Egan, where three other people were walking toward the vehicle. He stated the reporting party believed there were multiple occupants of the vehicle, so when he observed them walking toward the vehicle he believed they were probably related to the incident, as there were no other vehicles in the immediate area and no other reason for them to walk in that direction.

Officer Metcalfe stated Captain Maldonado and Sergeant Egan intercepted the individuals walking toward the suspect’s vehicle to keep them out of the way. At that time, the male in the vehicle was shaking his head, continuing to yell that he didn’t do anything wrong. Officer Metcalfe stated the male in the vehicle then put his hands down and stopped showing his hands.

Officer Metcalfe continued to give the male commands, saying “show me your hands,” and “put your hands up.” He stated the male then said “no, I’m not going to do that,” while shaking his head back and forth to indicate “no”. Officer Metcalfe observed the driver lean forward against the steering wheel, and he believed the male was reaching for something down by his feet. Officer Metcalfe stated he could not see what the male’s hands were doing. He explained that as the male leaned over, that put him in fear that the male was either trying to get a weapon or hide something in the car.

Officer Metcalfe called out to Captain Maldonado and Sergeant Egan to let them know they were in a crossfire position while they were contacting the other individuals, and that the suspect was no longer complying. He stated they began to move over farther out of the way, and that as a few more seconds went by the suspect was still not complying. At that time, Officer Metcalfe was worried about where the other officers were and potential crossfire.

Officer Metcalfe stated he took his attention off the suspect briefly then heard a gunshot and saw glass coming toward his face. He heard at least two gunshots and then ran to his left toward an area of trees that were his only available concealment. He believed he ran about fifteen feet, off the curb and out of the eyesight of the suspect. As soon as he felt like he was in a safe spot, he

turned around and was able to see the male and fired his weapon at the male. He stated there was also gunfire coming from other officers, and at that time he was not sure who had been shot.

After the shooting was over, Officer Metcalfe stated they approached the vehicle and could see the male was deceased. There were multiple gunshot wounds, and there were no signs of life and nothing any of the officers could do to render medical aid. At that time, a female came running toward the vehicle trying to get to the male. Officer Metcalfe stated he didn't know if she had weapons or what her involvement was at that time, so he and Officer Aragon detained her in handcuffs until they could get the scene settled.

Officer Metcalfe stated he then went back toward his patrol car, and he thought he almost passed out from the adrenaline of the situation. He had to check himself to ensure he wasn't injured, then he began taking cones and blocking off the scene to prevent others from entering the area or disturbing shell casings. Shortly after, other officers arrived, and Officer Metcalfe was removed from the scene.

Interview: Officer David Sanchez

Officer Sanchez was interviewed by PCSO Detectives on June 27th, 2024. Officer Sanchez stated he was on duty with Officer Aragon, they had just cleared a call when a "man with a weapon" call came out, and they were dispatched to it. He stated dispatch informed them a reporting party called in to report a guy driving a dark colored vehicle and sticking a gun out of the window and parked at McAlister's.

Officer Sanchez stated they began heading toward the area and learned there was a description of a male with a black hoodie and a chain necklace, and they believed there were three people in the vehicle who had parked at McAlister's and went inside the restaurant. He stated Officer Johanssen and Officer MacDonald arrived in the area first and believed it could possibly be a robbery, so they went into McAlister's to look for the people described by the reporting party.

Officer Sanchez stated as they were going toward McAlister's, they were on Highway 50 between Lowe's and Popeye's and observed the suspect's vehicle matching the description and license plate provided to dispatch by the reporting party. Officer Sanchez explained he believed they were casing the area as they had first been at McAlister's and now were located at Popeye's. He also believed it was the correct vehicle because he observed a male juvenile wearing a black hoodie and chain necklace running out of Popeye's to the passenger side of the vehicle.

Officer Sanchez stated he pulled into the Popeye's parking lot to contact the vehicle and came to the driver's side of the vehicle. He stated the window tint was dark, so he turned on his takedown lights on his patrol vehicle, exited his vehicle, and drew his firearm. At that time, he observed Officer Metcalfe located in front of the suspect's vehicle with his firearm out, giving commands to the male in the vehicle to show his hands. Officer Sanchez stated he re-positioned himself on

the passenger side of his patrol vehicle and could see through the windshield of the suspect's vehicle that the male in the driver's seat was wearing a white shirt and moving around in the vehicle, but he was not able to see details of what the male was doing.

Officer Sanchez stated during this time he could hear Officer Metcalfe yelling for the male to show his hands and warning him that if he came up with anything in his hands he would be shot. Officer Sanchez observed the juvenile he previously saw was now standing at the entrance to Popeye's, so he aired over the radio to other officers that the juvenile was involved, and Sergeant Egan began to approach the juvenile.

Officer Sanchez stated, at that point, he realized Officers Johanssen, Aragon, and MacDonald were around the suspect's vehicle. He was trying to come up with a plan utilizing patrol vehicles with push bumpers to pin the suspect's vehicle in and potentially use their pepper ball gun, if needed, to gain compliance from the suspect. He started to turn around then heard gunfire and saw glass coming out of the front windshield of the driver's side of the suspect's vehicle, so he fired back. Officer Sanchez said he could see the suspect's white shirt through the window, so he fired at that. He stated once he could no longer see the white shirt he stopped firing.

Officer Sanchez was asked whether he could have used any less lethal weapons, such as his asp, taser, or OC spray. He stated the taser and the OC spray would not have been effective as the suspect was inside the vehicle with the doors closed and the windows up, and he felt if he had approached the vehicle with his asp that would have forced a situation of jeopardy. He stated that was why he was trying to formulate a plan to use the pepper ball gun, but then the male started shooting.

Officer Sanchez stated they returned fire because the male began shooting, and once Officer Sanchez could no longer see the male's white shirt he told everyone, and they stopped firing at the male. He and Captain Maldonado then went up to the vehicle and opened the driver's door and observed the suspect in the driver's seat and called for medical. At that time, he observed gunshot wounds to the male. A female then came running toward the vehicle screaming, and other officers detained her. After that Officer Sanchez had no further involvement at the scene.

Interview: Officer Julian Aragon

Officer Aragon was interviewed by PCSO Detectives on June 27th, 2024. He stated he was on duty and had just cleared a call he responded to with Officer Sanchez when they were dispatched to a "man with a weapon" call. He stated the reporting party witnessed three males waving a gun around at McAlister's restaurant. They were reported to be in a blue Dodge Dart, and dispatch provided the license plate to the suspect's vehicle. As they were responding, dispatch aired the parties were walking into McAlister's.

Officer Aragon stated he was on Highway 50 going westbound when Officers Johannsen and MacDonald arrived on scene. They aired over the radio that they did not see the suspect's vehicle in McAlister's parking lot. When he arrived, those officers were going into McAlister's to check inside, and he briefly stopped there as well. He stated it appeared everything was fine at that location, so he got back in his patrol vehicle and began checking the area. At that time, Officer Sanchez aired he had located the vehicle in Popeye's parking lot. Officer Aragon stated he followed Officer Sanchez into the parking lot where they contacted the vehicle.

Officer Aragon stated Officer Sanchez began giving commands to the driver of the vehicle to show his hands. Officer Aragon was able to see into the vehicle and did not observe any occupants other than the driver. He stated the driver looked briefly at the officers and was making movements inside the vehicle. He stated the suspect showed his hands for a second, then put them back down and began making movements inside the vehicle again.

Officer Aragon stated Officer Metcalfe had arrived on scene and was positioned in front of the vehicle, so he was able to see into the vehicle better as the windows were tinted. He stated Officer Metcalfe began giving commands to the suspect to show his hands and warning him that if he came up with a weapon in his hands he would be shot. Officer Aragon positioned himself behind his opened door on his patrol vehicle with his firearm drawn.

Officer Aragon stated while Officer Metcalfe was giving commands, he suddenly heard gunshots and felt air rushing past his face. He immediately thought he was being shot at and took cover behind his driver's side door. He stated he "could hear gunshots being fired and knew the driver was shooting at officers, trying to kill them".

Officer Aragon stated, "he popped up and was able to take a few shots at the suspect", then he heard the gunshots stop and he stopped firing. He stated he observed a few officers approach the driver to try and render aid to the suspect. Officer Aragon stated he held cover on the driver's door until the other officers opened the suspect's door. He stated a female came out of Popeye's and started running toward the vehicle, so he and Officer Metcalfe detained her, as they did not know if she had any weapons or what she was trying to do when running at them.

Officer Aragon was asked if he was aware of what his backdrop was when he was shooting, and he stated it was the embankment leading up to the raised highway, so there was no one there. He was asked if he could have used any less lethal options, and he stated, "those would not have been effective as the suspect was inside the vehicle". Officer Aragon stated if they had been able to get the suspect to exit the vehicle, he would have transferred to a less lethal option.

Interview: Officer Kalob Johannsen

Officer Johannsen was interviewed by PCSO Detectives on June 27th, 2024. Officer Johannsen stated he was on duty and on his way to a different call when “the man with a weapon” call came out in his sector. He stated due to the nature of the “man with a weapon” call, he held the other call and immediately began to respond to “the man with a weapon” call. He stated while on his way to the call he heard from dispatch that the reporting party stated there was a man pointing a gun out the driver’s side of a vehicle. Dispatch also informed him the suspect’s vehicle was a blue Dodge Dart and provided a license plate number.

Officer Johannsen stated once he arrived in the McAlister’s parking lot, they did not see the suspect’s vehicle and believed the parties had gone into the restaurant. Officer Johannsen and Officer MacDonald went into McAlister’s to see if they could locate someone who matched the description they had been given. They spoke with an employee who stated a mom and two boys had been in line and were arguing and bickering then left the store.

Officer Johannsen stated they exited McAlister’s and were going to continue searching the area when Officer Sanchez aired he “had the car”. Officer Metcalfe then aired he was with the vehicle and began giving a description of three people who were approaching the suspect’s vehicle. At that point, Officer Johannsen believed they were the same parties who had been arguing in McAlister’s earlier. Officer Johannsen stated he arrived at Popeye’s, where the other officers on scene already had the vehicle stopped with their weapons drawn, which is standard procedure for this type of call.

Officer Johannsen stated he exited his vehicle and heard Officer Metcalfe giving commands to the driver, and he drew his department issued handgun. He heard two gunshots that sounded muffled, and he saw two bullet holes in the windshield from the position of where the driver was sitting, and he could see the glass from the windshield blowing outward away from the car. Officer Johannsen also stated he believed he observed two muzzle flashes inside the vehicle.

Officer Johannsen stated he believed the driver was shooting at Officer Metcalfe and that Officer Metcalfe’s life was in immediate danger. That was when Officer Johannsen engaged the suspect. Officer Johannsen stated Officer Aragon was standing near him during the incident, and when he got down behind the car quickly, that made Officer Johannsen believe the driver was shooting in his direction and that Officer Aragon had been shot. Officer Johannsen got behind cover to assess the situation and observed that he didn’t see any injury on Officer Aragon. Officer Johannsen stated that he believed they were also being shot at, and that every round they had fired up to that point had not been effective.

Officer Johannsen got back up on target and started firing again. He stated his firearm ran out of ammunition, so he got behind cover and did a combat reload, then assessed the situation again to see if there was any more shooting when other officers began saying to “stop shooting”.

Officer Johannsen stated they got a team together to approach the vehicle and ensure that the threat was no longer active. They approached the vehicle and Officer Johannsen opened the back door and cleared the vehicle. He stated Captain Maldonado directed him to go speak with the kids that had been in the vehicle and went to the Popeye's. He stayed with the children and the female for a little while before another officer came and relieved him so he could leave the scene and go to the department.

Interview: Officer Austin MacDonald

Officer MacDonald was interviewed by PCSO detectives on June 27th, 2024. Officer MacDonald stated he was with his partner on the way to a domestic dispute call when the "man with a weapon" call was aired. Because of the high priority of the call and it being in their patrol area, they re-routed to the call. Officer MacDonald stated they initially began driving to the call without lights and sirens, but as dispatch aired more information including that the reporting party was observing the suspect, they began to approach with lights and sirens to get to the scene faster.

Officer MacDonald stated when they arrived on scene at McAlister's deli, they did not see the suspect's vehicle, which had been described to them as a dark colored Dodge sedan. He stated that approximately two minutes prior to their arrival, dispatch aired the reporting party had observed the suspects walking into the restaurant, so they went inside to see if there was anyone there who matched the description. Officer MacDonald stated they spoke with an employee who told them just a few minutes prior there were two males and a female party who walked in, looked around, and left.

Officer MacDonald stated he and his partner then left McAlister's and were discussing where to search next when other officers began to air that they were with the suspect's vehicle at Popeye's. They then responded to the Popeye's parking lot. When they arrived, he observed the dark colored Dodge sedan parked with its trunk facing toward the door of Popeye's, and there was another marked patrol vehicle parked directly in front of it separated by some landscaping. Officer MacDonald also observed two other marked patrol vehicles facing toward the driver's side of the suspect's vehicle and officers outside their vehicles with their guns drawn on the suspect's vehicle. He stated he also observed two other officers he believed to be Captain Maldonado and Sergeant Egan conducting a pat down of two males off to the side.

Officer MacDonald stated from his position he could see the outline of the silhouette of the driver in the vehicle, and he could hear other officers giving commands to the suspect to "show his hands". Officer MacDonald stated he asked Officer Sanchez if this was the suspect in the driver's seat of the vehicle and Officer Sanchez responded with an affirmative nod. He then drew his weapon and took cover behind the rear bumper of Officer Aragon's vehicle.

Officer MacDonald stated he could only see the suspect's shoulders and head sitting inside the vehicle and could not, at that time, see him doing anything due to the dark tint of the windows and

his position with the sun setting. He stated he heard two muffled thumps that sounded like gunshots coming from the vehicle, then he observed the windshield glass blowing outward twice in the direction of Officer Metcalfe.

Officer MacDonald stated Officer Metcalfe was directly in front of the vehicle, standing directly in front of the windshield. Officer MacDonald stated when he witnessed the glass blow out toward Officer Metcalfe, he believed the shots were aimed directly at Officer Metcalfe. Officer MacDonald stated he observed Officer Metcalfe double over and started maneuvering back toward his vehicle, and Officer MacDonald believed Officer Metcalfe had been shot.

Officer MacDonald stated when the initial shots came out, he paused for a second as it caught him off guard and he wasn't expecting that to happen. He stated based on his belief that Officer Metcalfe had just been shot he began firing into the driver's side window. He stated, when he was about halfway through his magazine, he observed Officer Johannsen and Officer Aragon drop down quickly in his peripheral visions and believed they had either been shot or were taking gunfire.

Officer MacDonald stated with the sun setting it made the suspect's silhouette obvious in the vehicle, and he was confident there were not other people in the vehicle. He stated on the opposite side of the vehicle from him there was a berm, so that any shots he fired that missed would have just impacted dirt or rocks.

Officer MacDonald stated as the shooting stopped, he began checking with the other officers to make sure they were okay. He then observed a female party start running toward the vehicle, so he moved around and stopped her and moved her away from the scene while other officers approached the vehicle.

Officer MacDonald stated he did not use any less lethal tools because they would not have been effective due to the suspect's position inside the vehicle with the windows rolled up. He stated his OC spray and taser would not have gone through the window and, therefore, they would not have been effective in the situation.

Summary of Report: Officer Danielle Marsh

Officer Marsh reported that she was working in a two-man capacity with Detective Metcalfe on June 19th, 2024, when officers were dispatched to a report of a man with a weapon at McAlister's. She reported officers arrived in the area and were unable to locate the suspect's vehicle at McAlister's. Officer Marsh and Detective Metcalfe began to drive through the businesses on Highway 50 to look for the vehicle when Officer Sanchez aired, he located the vehicle at Popeye's.

Officer Marsh reported they observed Officer Sanchez pulling his marked patrol unit up to the suspect's vehicle on the driver's side as they were approaching westbound. They parked their

marked patrol vehicle in front of the vehicle on the other side of a median that was directly in front of the vehicle. Officer Marsh exited the patrol vehicle and was initially unable to see into the vehicle due to the trees and foliage in the median. She reported she moved behind a tree in front of the driver side of the vehicle and was able to see the sole occupant in the driver's seat. She reported that due to the nature of the call, she drew her department issued firearm and held it in a low ready position toward the suspect.

Officer Marsh reported that Detective Metcalfe began giving loud, concise verbal commands such as "hands up" and "do not reach" multiple times. She reported she was able to see the suspect's face but could not see his hands, and he appeared to be yelling at officers. She reported as Detective Metcalfe kept giving commands, she observed three individuals walk out of Popeye's and try to approach the vehicle before they were contacted by Sergeant Egan and Captain Maldonado. She observed them to be in her line of fire.

Officer Marsh reported she continued to hear Detective Metcalfe giving commands to the suspect to stop reaching and show his hands, and she never observed him put his hands up or follow the commands. She reported she heard two loud gunshots that sounded semi muffled, and she immediately felt shrapnel hitting her hands and face. She began to back away from the tree as it did not provide sufficient cover. She reported as she was backing away, she heard a barrage of gunshots and fell backwards onto Captain Maldonado's vehicle. She reported that she ran to the back of her marked patrol unit as she was unable to see other officers through the foliage and did not know if she was in their line of fire.

Officer Marsh reported as she got to the back of her marked patrol unit, she observed Detective Metcalfe firing toward the vehicle, backing away. She placed her department issued firearm back in her holster and heard all the gunshots stop. She reported she heard other officers checking to make sure they were all okay, and she walked up to Detective Metcalfe to make sure he was okay.

Officer Marsh reported other officers then approached the suspect's vehicle and opened the door. She aired to dispatch to send fire and rescue and heard a female screaming. She observed Officer Aragon had a female handcuffed laying on her stomach, and she assisted him in rolling the female to a seated position and moving her away from the vehicle to sit on the curb.

Summary of Report: Captain Gabriel Maldonado

Captain Maldonado reported that he responded to the "man with a weapon" call that began at McAlister's on June 19th, 2024. He reported that when other officers first arrived, they did not locate the suspect's vehicle at McAlister's. As officers continued their investigation they located the vehicle at Popeye's. Captain Maldonado reported that when he arrived on scene, the vehicle was parked on the east side of the building, facing east. There were officers to the north of the suspect's vehicle and Officers Metcalfe and Marsh were to the east of the vehicle.

Captain Maldonado reported he parked his unmarked patrol car next to Officer Metcalfe's marked patrol car and approached Officer Metcalfe. Captain Maldonado observed one person in the driver's seat of the vehicle, and Officer Metcalfe confirmed there were no other occupants of the vehicle. Then two males and a female exited the restaurant from the door on the east side of the building, and Captain Maldonado asked Officer Sanchez to contact them.

Captain Maldonado reported the males who exited the restaurant matched the description provided of the suspects. One of the males was wearing a cross-body bag that he knew were commonly worn to carry handguns. Captain Maldonado stated he walked around the scene to contact the males along with Sergeant Egan.

Captain Maldonado reported as they contacted the males, they began to pat them down, then decided to move to the south end of the building to avoid any potential crossfire. He reported as he continued to pat the male down, he heard shots fired. Captain Maldonado grabbed the juvenile male and pulled him to the ground and attempted to cover him with his body. He reported that as he waited for the shots to stop, he looked up and observed Sergeant Egan bending at the waist and limping. Once the shots stopped, he observed Sergeant Egan stand up and begin to walk normally and realized he was not shot. Captain Maldonado then asked Sergeant Egan to take the juvenile males while Captain Maldonado assessed the scene.

Captain Maldonado reported he observed all officers in the same position with their weapons drawn. He approached Officer Sanchez and asked if he could see anything inside the vehicle, which he could not. Captain Maldonado then approached the vehicle to contact the suspect. He opened the driver's door and observed the suspect had several injuries and did not appear to be breathing. Captain Maldonado began to secure the scene and allowed fire rescue to come in and attempt life saving measures. Fire rescue informed Captain Maldonado that the suspect did not survive his injuries and was deceased.

Summary of Report: Sergeant Greg Egan

Sergeant Egan reported that he responded to the "man with a weapon" call on June 19th, 2024. He reported that as he was approaching the area, he heard Officers Johannsen and MacDonald air over the radio that the suspect's vehicle was not at McAlister's, then he heard Officer Sanchez radio that he had located the suspect vehicle at Popeye's. He reported that as he drove into the area he observed marked patrol vehicles around the suspect's vehicle and observed officers outside their vehicles with their weapons drawn.

Sergeant Egan reported he drove past the vehicle, as he was in an unmarked police vehicle and believed he could get to a position to block the vehicle in more from the other side without being detected by the suspect. Sergeant Egan was able to do so and activated his red and blue lights before exiting his vehicle and moving himself to a safer location in case gunfire were to take place.

Sergeant Egan reported he observed two young males exit Popeye's and he approached them with Captain Maldonado. He reported from the moment he exited his vehicle and throughout the time he was in contact with the males he could hear Officer Metcalfe giving the suspect loud verbal commands to "show his hands".

Sergeant Egan reported he and Captain Maldonado began to move the males around to the other side of the building when he heard two or three rapid gunshots followed by a "barrage of gunfire". The male he was with took cover behind a trash can and Sergeant Egan reported he ran behind his vehicle to place it in between himself and the gunfire and bent over at the waist and tucked his chin down to try to protect his head.

Sergeant Egan reported once the shots stopped being fired, he immediately called for fire rescue to come in and observed Captain Maldonado shielding the other juvenile male with his body. He kept the two males from entering the scene until other officers were able to assist with them and began coordinating efforts to secure the scene.

Summary of Body Worn Camera Footage: Officer Cody Metcalfe

Officer Metcalfe's body worn camera (BWC) footage showed the Dodge Dart parked on the east side of Popeye's in the fourth parking space from the south. Officer Metcalfe was standing in front of the suspect's vehicle with his duty weapon drawn. Officer Metcalfe was heard giving commands to the suspect to keep his hands up where he can see them and to stop reaching. Those commands were given multiple times before the suspect fired multiple rounds from inside the vehicle, toward Officer Metcalfe. In the video, there was glass flying outward from the windshield toward Officer Metcalfe that could be observed when the suspect fired the shots. The Officers then returned fire to the suspect.

Summary of Dash Camera Footage: Officer Metcalfe and Officer Marsh

The dash camera footage from the marked patrol unit driven by Officer Metcalfe showed him standing directly in front of his vehicle and the suspect's vehicle, as the two vehicles were pointed at each other. On the video, the front windshield of the suspect's vehicle began exploding outward before any officers discharged their firearm. Officer Metcalfe immediately ducked down and started to move to the left.

On the video, a copper-colored streak was visible in the air just to the right and slightly behind Officer Metcalfe's right side of his lower back below the level of his body armor. The copper-colored streak appeared to have a downward trajectory heading toward the location where the bullet defect was later observed in the patrol vehicle, and then discoloration on that spot was immediately apparent.

In the dash camera footage, six separate shots can be observed being fired through the front windshield by the suspect. The glass of the front windshield exploding outward and muzzle flashes from the gun in the suspect's hand were also visible.

Witness Interview: Reporting Party Joey Ogburn

The initial reporting party for the incident was interviewed by Detectives from PCSO and PPD on June 19th, 2024. Ms. Ogburn stated she and her sister were walking out of McAlister's Deli, when they noticed a male standing near a car in the parking lot. She stated she saw a gun in the vehicle that a passenger was holding, and she heard the male say something about a gun. She stated they were not threatened, but they were concerned as they saw the barrel of the gun pointed toward the driver's side door. Ms. Ogburn made a remark, "I hope that's a toy gun," and they were concerned the male heard her.

Ms. Ogburn could not describe the person holding the gun, but she did believe the person was female. She stated the male who said something about the gun was bent over talking to someone in the back seat, and he was an adult who was wearing black and had chains hanging from his pants. They took a picture of the vehicle and provided it to Detectives. The picture was of a black Dodge Dart.

Ms. Ogburn and her sister stated the male appeared to be nervous as he was pulling up his pants saying something about the gun. She stated as they were leaving, they observed two young males wearing black and a female get out of the car and believed they were going into McAlister's. She stated they left the area and called the non-emergency line to report the incident.

Officer Involved Processing

All officers involved were processed by PCSO Detectives on June 19th, 2024. All officers were photographed to show any type of wounds, biological evidence, physical evidence, and placement of their duty gear. Then officers were placed in a dark room and examined using an alternative light source to identify any biological evidence. No uniforms appeared to have biological evidence on them. Then the officers' duty weapons and spare magazines were removed from their holsters, photographed, and downloaded.

Officer MacDonald had a total of 34 live cartridges out of a possible 52, with three 17-round magazines and one round in the chamber. This would mean that Officer MacDonald discharged his firearm 18 times.

Officer Johanssen had a total of 34 live cartridges out of a possible 52, with three 17-round magazines and one round in the chamber. This would mean that Officer Johanssen discharged his firearm 18 times.

Officer Aragon had a total of 45 live cartridges out of a possible 52, with three 17-round magazines and one round in the chamber. This would mean that Officer Aragon discharged his firearm seven times.

Officer Sanchez had a total of 47 live cartridges out of a possible 52, with three 17-round magazines and one round in the chamber. This would mean that Officer Sanchez discharged his firearm five times.

Officer Metcalfe had a total of 43 live cartridges out of a possible 52, with three 17-round magazines and one round in the chamber. This would mean that Officer Metcalfe discharged his firearm nine times.

Officer Marsh had a total of 52 live cartridges out of a possible 52, with three 17-round magazines and one round in the chamber. This would verify that Officer Marsh did not discharge her firearm.

Scene Processing

The scene was processed by PCSO Detectives on June 19th, 2024. There were several fully marked Pueblo Police Department vehicles in and around the parking lot. One marked unit, (Number 2027), was parked on the opposite side of a median faced west toward Popeye's, with eight spent shell casings on the ground around the vehicle. That patrol vehicle also had defects from a bullet on the hood and the roof. There were three marked patrol vehicles facing the driver's side door of the suspect's vehicle with several spent shell casings around the vehicles and two empty firearm magazines. One of the patrol vehicles had a broken passenger side mirror. There was one unmarked police vehicle driven by the Sergeant who responded to the call, that had a defect from a bullet on the passenger side rear fender and behind the passenger door.

The suspect's vehicle was a Dodge Dart. Detectives observed a black handgun on the center console next to the shifter inside the vehicle. The firearm was a Taurus that had been reported as stolen. The suspect's vehicle had several defects in it. Detectives located seven fake guns and one bb gun in the vehicle. There were two bullet defects on the passenger side in the front fender, a broken passenger side mirror and shattered glass in the front passenger door. The front windshield had several defects in the middle of it.

Detectives recovered a small bag from the suspect's pocket with a crystal-like substance that was field tested and showed a presumptive positive result for methamphetamine, and fentanyl pills recovered from inside the suspect's vehicle.

Autopsy Results

An autopsy on the suspect was conducted by Dr. Daniel Lingamfelter at St. Mary Corwin Hospital in Pueblo on June 21st, 2024. Dr. Lingamfelter recovered multiple projectiles from the suspect's body and determined the cause of death was from multiple gunshot wounds. One of the gunshot

wounds perforated the ascending aorta and the lungs, resulting in massive blood loss and his subsequent death. The remaining gunshot wounds variably resulted in multiple fractures and blood loss.

Toxicology was performed on the suspect's blood taken at the autopsy, and the results determined that, at the time of his death, the suspect had 0.85ng/mL of Delta-9 THC, 98 ng/mL of fentanyl, 28 ng/mL of nor fentanyl, 74 ng/mL of amphetamine, and 820 ng/mL of methamphetamine in his system.

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 Officers was justified based on the fear and threat of serious bodily injury or death posed as a result

of Ronald Valdez refusing to comply with Officer Metcalfe and other Officers' instructions and retrieving a firearm from within the vehicle he was occupying and firing that weapon directly at the officers. The involved officers all reasonably believed when Valdez discharged a firearm multiple times directly at the officers that they were all in danger of imminent serious bodily injury or death. This conclusion is based on the interview of the involved officers, the report of the other officers' present at the time, body worn camera videos, dash camera videos, surveillance video, and crime scene and evidence processing. The statements provided by all officers are consistent with each other, consistent with the evidence from the scene, and consistent with the footage of the incident.

There was no evidence or facts collected to support any criminal wrongdoing by the officers involved during the incident. The actions taken by the officers during the incident were conducted with the justified belief that their own lives, the lives of their fellow officers, and the lives of the civilians in the area were in jeopardy.

It is my conclusion based on the circumstances that Officer Julian Aragon, Officer Cody Metcalfe, Officer David Sanchez, Officer Austin MacDonald, and Officer Kalob Johannsen were justified by the Defense of Self and Defense of Others provisions of the laws of the State of Colorado in using the actions they employed to defend both themselves, fellow officers, and nearby civilians from what they reasonably believed to be the imminent use of unlawful physical and deadly force by Ronald Valdez, and they reasonably believed that a lesser degree of force would be inadequate. Officers Aragon, Metcalfe, Sanchez, MacDonald, and Johannsen had reasonable grounds to believe, and did believe, that they and their fellow officers were in imminent danger of being killed or receiving great bodily injury. The actions of the officers were based on their own observations and perceptions, and their actions were reasonable.

Given the facts and circumstances of the situation and the governing law, criminal charges against Officer Julian Aragon, Officer Cody Metcalfe, Officer David Sanchez, Officer Austin MacDonald, and Officer Kalob Johannsen would not be appropriate, and therefore no criminal charges will be filed.

Dated this 20th day of April, 2026.



Kala Beauvais, District Attorney