



## OFFICE OF THE DISTRICT ATTORNEY

GEORGE H. BRAUCHLER, DISTRICT ATTORNEY  
18TH JUDICIAL DISTRICT  
SERVING ARAPAHOE, DOUGLAS, ELBERT AND LINCOLN COUNTIES

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July 12, 2018

Sheriff Tony Spurlock  
Douglas County Sheriff's Office  
4000 Justice Way  
Castle Rock, CO 80109

Sheriff David Walcher  
Arapahoe County Sheriff's Office  
13101 E. Broncos Parkway  
Centennial, CO 80112

Chief David King  
Parker Police Department  
18600 E. Lincoln Meadows Parkway  
Parker, CO 80134

Re: Officer-involved shooting of Matthew Riehl on December 31, 2017

Dear Sheriff Spurlock, Sheriff Walcher and Chief David King:

I have completed my review of the Officer-Involved Shooting of Matthew Riehl that occurred on December 31, 2017. Detective John Carr led the 18<sup>th</sup> Judicial Critical Response Team ("CRT") investigation under case number CRT 17-9. Detective Carr was assisted by numerous CRT members in conducting the investigation. Detective Carr completed an objective and thorough investigation into the shooting death of Matthew Riehl. Douglas County Sheriff's Office (DCSO) Detective Joel White has separately investigated the case. I have reviewed the CRT and DCSO investigations.

The CRT independently investigates and reviews officer-involved shootings which occur in Arapahoe, Douglas, Elbert, and Lincoln Counties. The protocols require an "investigation of incidents where any peace officer within said district uses, or may have used, or is the subject of the use of deadly force or potentially deadly force" to determine if a peace officer violated a criminal statute. Protocols, 1-1 (A) and (B). The CRT and Protocols comply with the statutory requirement for review of officer-involved shootings. C.R.S. § 16-2.5-301. While many law enforcement officers responded from the Douglas County Sheriff's Office and surrounding law enforcement agencies, my review is limited to the officers who discharged their firearms or used deadly force against Matthew Edward Riehl.

On December 31, 2017, Matthew Riehl called 911 at the Douglas County Sheriff's Office at 2:58 a.m. Mr. Riehl reported a disturbance and claimed he was the victim of a male who put a laser in his eye. Mr. Riehl reported that this person was having a mental breakdown. Deputy Zackari Parrish and Corporal Aaron Coleman responded to 3404 E. County Line Road #24 around 3:00 a.m. Deputy Taylor Davis also responded a short time later. The Sheriff's Computer Aided Dispatch ("CAD") provided the following information for Deputies responding to Mr. Riehl's residence:

**\*\*MINIMUM 2 CAR RESPONSE\*\* RIEHL,  
MATTHEW @ 3404 E COUNTY LINE RD #24 -  
SUBJECT IS CRT CLIENT - IS VETERAN  
SUFFERING FROM PTSD PER LTPD - HAS ACCESS  
TO WEAPONS - IS HOSTILE TOWARDS LAW  
ENFORCEMENT - LTPD HAS A 2 OFFICER  
RESPONSE FOR SUBJECT AT HIS MOTHERS  
ADDRESS - PER CHIEF  
JOHNSON 98C45**

Mr. Riehl lived in apartment 24, located on the second floor of the Copper Canyon Apartments. Corporal Coleman contacted Mr. Riehl at his apartment and interviewed him outside on the ground level. Mr. Riehl initially claimed that nothing was going on and he was just hanging out. He later explained that he called the Sheriff's Office because his roommate, [redacted] came at him and that he, Matthew Riehl, shined a laser in his face. Mr. Riehl claimed his roommate needed an ambulance. During the interview Cpl. Coleman asked Mr. Riehl for identification. Mr. Riehl attempted to return to his apartment, claiming his identification was inside. Corporal Coleman stopped Mr. Riehl by placing a hand on his chest and Mr. Riehl yelled "assault" and "rape." Mr. Riehl eventually provided his name and date of birth. At one point, Mr. Riehl claimed that Cpl. Coleman put his hands on his neck. Deputy Coleman's body worn camera shows no such contact. Initially, Deputy Parrish spoke with [redacted] inside the apartment. After interviewing [redacted] Deputy Parrish spoke with Mr. Riehl outside the apartment while Corporal Coleman interviewed [redacted] inside the apartment. [redacted] reported that the apartment complex previously notified him of a noise complaint and he was concerned about the noise Mr. Riehl was making that evening. Mr. Riehl responded by shining a flashlight in [redacted] face and asked if he knew the year. [redacted] reported that Mr. Riehl slept odd hours and he had not seen Mr. Riehl sleep for three days. [redacted] left for work after speaking with Corporal Coleman. The deputies determined that no crime had been committed after speaking with Mr. Riehl and [redacted]. It was apparent that Mr. Riehl was experiencing mental health issues, however his behavior did not meet the requirements to be placed on a mental health hold under Colorado law. The deputies left the apartment around 3:42 a.m. Body worn cameras recorded the contact and investigation by the deputies. The deputies did not use force against Mr. Riehl during this contact.

At 5:12 a.m., Mr. Riehl called 911 again, stating that he needed to file an emergency Restraining Order against [redacted]. Mr. Riehl told the 911 operator that he had weapons in his apartment, but they were secured and he would not hurt anyone. Mr. Riehl advised that deputies had been to his apartment earlier and they had been physically aggressive with him. Deputies Parrish and Davis responded to the call and arrived around 5:17 a.m. Upon arriving outside the apartment, Deputy Parrish heard loud noises coming from inside. Deputy Parrish called to Mr.

Riehl who stepped out of his apartment and claimed he was cleaning up. Deputy Parrish walked up the stairs toward the apartment and asked to speak with Mr. Riehl. Mr. Riehl said no and retreated into his apartment, stating they could not come in. Deputy Parrish knocked on the apartment door and spoke with Mr. Riehl through the door. Mr. Riehl asked several times who was there despite Deputy Parrish identifying himself. Deputy Parrish requested that Mr. Riehl come out of the apartment. Mr. Riehl partially opened the door and told Deputy Parrish that he wanted to file a "domestic restraining order" against [redacted]. Mr. Riehl was holding a cell phone and recorded the conversation. After a short conversation, Mr. Riehl slammed the door and began yelling. Deputy Parrish told the other deputies that Mr. Riehl was having a manic episode and that he, Deputy Parrish, was going to place him on a mental health hold. Deputy Parrish knocked several times and requested Mr. Riehl open the door. Mr. Riehl repeatedly asked who was there and if they had a warrant. Deputy Michael Doyle arrived outside the apartment while Deputy Parrish was speaking with Mr. Riehl.

After several minutes, the deputies gathered at the bottom of the stairs and formed a plan to place Mr. Riehl on a mental health hold. During this time, Deputy Jeff Pelle and Sergeant Dave Beyer arrived on scene. Deputy Parrish called [redacted] at work. [redacted] left work and returned to the Copper Canyon Apartments and gave the deputies permission to enter the apartment and provided his apartment keys. During the short conversation, [redacted] warned that Mr. Riehl had rifles in the apartment.

Deputy Davis led the team to the apartment carrying a ballistic shield. The team unlocked the front door with [redacted] keys. Prior to entering the apartment, Deputy Doyle yelled "Sheriff's Office." Mr. Riehl had blocked the front door so the deputies had to shove and kick the door to enter the apartment. Upon entering the apartment, Deputy Davis yelled for Mr. Riehl to come out. Deputy Parrish identified Mr. Riehl's bedroom door and yelled for him to open the door. Deputy Davis kicked the bedroom door, when Mr. Riehl did not come out, but the door did not open. Mr. Riehl was inside the bedroom yelling that he warned them and demanded they identify themselves.

Deputy Parrish moved around Deputy Davis and kicked the bedroom door, creating a hole below the door knob. Mr. Riehl immediately fired numerous rounds through the door striking Deputy Parrish and Deputy Davis. Deputy Parrish fell to the ground and yelled that he was shot and bleeding out. Deputy Davis was shot in the wrist through the ballistic shield; she retreated into the apartment and escaped by breaking a window and jumping to the ground level. Deputies Pelle and Doyle initially backed up to avoid being shot, but returned to rescue Deputy Parrish. Both were shot by Mr. Riehl through his bedroom door during the rescue attempt. The deputies were forced to retreat after Deputy Pelle was shot in the chest and Deputy Doyle was shot in the arm. Sergeant Beyer covered their retreat and immediately radioed "300 Adam, we've got three officers hit, one down, two injured minor, person was shot with a gun inside the apartment still... I need SWAT right now, I need medical." Sgt. Beyer called for help at 5:56 a.m. Deputies Doyle, Pelle, Davis and Sergeant Beyer gathered outside the apartment and the injured deputies were eventually transported to the hospital.

Law enforcement immediately responded to Sergeant Beyer's call for help. Officers with Douglas County Sheriff's Office, Arapahoe County Sheriff's Office, Parker Police Department, Lone Tree

Police Department, Castle Rock Police Department, Greenwood Village Police Department and Colorado State Patrol responded to the apartment complex. Officers established a perimeter while rescue teams were assembled to save Deputy Parrish. During the standoff, Mr. Riehl fired numerous shots out of his apartment until he was neutralized by SWAT. Several officers reported shots being fired at them and almost being struck.

Douglas County Sheriff's Deputies George Lekander, Nicole Holiday and Jonathan Stauffer responded to Sgt. Beyer's call of "shots fired" and positioned themselves on the ground level outside Mr. Riehl's apartment. Deputy Lekander and Stauffer moved to the bottom of the stairs and yelled to Deputy Parrish. Mr. Riehl fired a semi-automatic rifle at the deputies. All three deputies returned fire, because they were being shot at and feared for their safety. Deputy Lekander fired his Glock model 35 semi-automatic .40 caliber pistol. Deputies Holiday and Stauffer fired their AR-15 style rifles. The deputies then backed up to a safe position. Deputies Lekander and Stauffer again yelled to Deputy Parrish and the suspect fired additional rounds. Deputy Lekander reported that several rounds struck near him. Mr. Riehl continued firing his weapon while the deputies waited for SWAT. Later, Deputy Lekander fired additional rounds at Mr. Riehl's bedroom window when Mr. Riehl was firing at Sgt. Beyer, who was positioned outside the apartment. Shots fired by Deputies Lekander, Holiday, and Stauffer did not strike Mr. Riehl.

Shortly before 6 a.m., Deputy Doremus, a sniper with Arapahoe County Sheriff's Office SWAT, responded to the Copper Canyon Apartments after learning that shots had been fired and officers were injured. Upon arrival, Deputy Doremus heard Mr. Riehl firing a semi-automatic rifle. Deputy Doremus took a position to watch the suspect's apartment and later moved to a better vantage point. Deputy Doremus reported hearing a snap behind him and believed a round almost struck him during a burst of gunfire by Mr. Riehl. Deputy Doremus shot one time at Mr. Riehl through the apartment wall when Mr. Riehl was firing his rifle at law enforcement. Deputy Doremus only took the one shot because the SWAT team was preparing to send a team into the apartment. Deputy Doremus's shot did not hit Mr. Riehl.

Sergeant Jeff Engel was one of the first Douglas County Sheriff's Office SWAT Operators on scene. Initially, Sgt. Engel drove Deputy Davis to nearby emergency medical personnel. He returned to the apartment complex and joined deputies outside the suspect's apartment. While outside the apartment, Sgt. Engel heard Mr. Riehl fire multiple rounds. Sgt. Engel's primary concern was rescuing Deputy Parrish. Additional SWAT Operators arrived including Sergeant Darren Trujillo, Officer Cleveland Holmes, Deputy Jason Friesen, Officer Ronnie Dorrell, Sergeant Jacob Schuster, and Officer Tom O'Donnell. At 6:59 a.m. Sgt. Trujillo ordered a ferret round be shot into the apartment. A ferret round is designed to penetrate windows and walls and release a chemical irritant powder that causes tears, coughing, and burning eyes, nose and throat. The investigation determined that a ferret round was never fired in the apartment. During the standoff, Sgt. Trujillo threw a "nine-bang" flash bang toward the bottom of the stairs of the suspect's apartment in an effort to determine the suspect's location and to communicate to Deputy Parrish that a rescue team was on the way. A flash bang emits a bright light and loud bangs designed to distract a suspect. Mr. Riehl screamed and fired his rifle at the SWAT team.

Mr. Riehl had a surveillance camera mounted outside his apartment door. SWAT operators were concerned about the camera so Officer Cleveland Holmes fired two shots at the camera but missed. The suspect shot out of his apartment after Officer Holmes shot at the camera.

SWAT operators were notified that an injured civilian may be in nearby apartments. SWAT Team Leader Holmes, Officer Dorrell, Officer O'Donnell, Deputy Friesen, Sgt. Schuster and Medic Richter accessed apartment 23 by ladder and determined the apartment was vacant. Apartment 23 was located on the second story across the stairway landing from Mr. Riehl's apartment. The SWAT operators observed numerous bullet holes in the apartment wall. Officer Holmes looked out the apartment door's peephole and observed Deputy Parrish laying inside the open door to apartment 24.

SWAT quickly developed a plan to enter the apartment and rescue Deputy Parrish. The Douglas County Sheriff's Bearcat (armored rescue vehicle) was parked in front of the apartment to protect officers and distract the shooter. Sergeants Trujillo and Engel directed fire at the outside of the apartment to distract the shooter. Deputy Nathan West fired five bean bag rounds from a shotgun at a blanket covering Mr. Riehl's bedroom window to distract Mr. Riehl and to allow snipers to see into the bedroom.

Officer Holmes, Officer Dorrell, Officer O'Donnell, Deputy Friesen, Sgt. Schuster and Medic Richter entered apartment 24 while the SWAT operators fired at the outside of the apartment. Officer Dorrell and Sergeant Schuster carried the ballistic shields during the entry. Once the SWAT operators were inside the apartment, the suspect fired at the team through his bedroom door and struck Officer O'Donnell in the thigh. Officer Dorrell, Deputy Friesen, Officer Holmes and Sergeant Schuster returned fire through the bedroom door and wall. Sgt. Trujillo and Sgt. Engel stopped shooting at the outside of the apartment when they observed shots coming out of the apartment wall. Sgt. Trujillo, Sgt. Engel and Arapahoe County Sgt. Nick Rodriguez quickly ascended the stairs and joined the rescue team in the apartment. Sgt. Trujillo fired into the ceiling to stop the suspect from shooting at the SWAT team. Sgt. Engel, Sgt. Rodriguez and Medic Richter dragged Deputy Parrish out of the apartment while Officer O'Donnell provided cover with a ballistic shield. Deputy Parrish was transported to Littleton Hospital, where he was pronounced dead.

Officer Holmes kicked the bedroom door, creating a big hole. Officer Holmes observed movement behind the bedroom door and fired his weapon and heard the suspect fall to the ground. Officer Holmes observed Mr. Riehl reach for a shotgun and ordered him not to move. Officer Holmes fired at Mr. Riehl when he continued reaching toward the shotgun. Officer Dorrell also fired at Mr. Riehl, believing that he was a threat. Deputies broke the bedroom door to enter the bedroom. Mr. Riehl was wearing a gas mask and laying on the ground near a rifle with his left hand under his body. Sgt. Schuster believed Mr. Riehl had a gun and posed an ongoing danger to the SWAT team. Deputy Holmes and Sgt. Schuster attempted to restrain Mr. Riehl with handcuffs but he resisted. Sgt. Schuster had to strike Mr. Riehl in order to place him in handcuffs. Medic Richter examined Mr. Riehl, who was having trouble breathing. Mr. Riehl was moved outside the apartment and treated by medics but he died on scene. A handgun was found underneath Mr. Riehl when he was moved.

Mr. Riehl shot two neighbors during the course of his shooting rampage. [redacted] and [redacted] lived in apartment [redacted] which was an adjoining apartment with Mr. Riehl's. At 5:57 a.m., [redacted] called 911 and reported that her husband, [redacted], had been shot in the elbow. [redacted] reported that the shot came through the wall. [redacted] was told to take cover in the apartment until the situation was safe. [redacted] reported hearing additional shots during the phone call. Later, the [redacted] were interviewed at the Littleton Adventist Hospital. They reported hearing noises from the apartment as if there was a fight and then they heard a gunshot when [redacted] was struck in the left arm. [redacted] heard several shots inside the neighbor's apartment for approximately thirty minutes. She also observed holes in her apartment wall.

[redacted] and his wife lived in the apartment building across from Mr. Riehl's apartment. [redacted] called 911 around 7:00 a.m. and reported he had been shot in his left arm. Dispatch told [redacted] to remain in his apartment until help arrived. [redacted] reported hearing additional shots while speaking with 911. [redacted] was safely removed from his apartment and transported to Sky Ridge Medical Center where he was later interviewed by Douglas County Sheriff's Detective Melissa Williamson. [redacted] reported hearing loud banging coming from a nearby apartment around 2:00 or 3:00 a.m. Around 5:30 a.m., [redacted] observed officers outside his apartment who appeared to be providing CPR to someone on the ground. Other officers were "stacked up" near the apartment where the noises were coming from. [redacted] heard gunshots and told his wife to lay on the ground. A bullet struck [redacted] in the left shoulder. The bullet was observed on x-ray but not removed at the hospital.

Matthew Riehl livestreamed some of the events surrounding the shooting using his phone and the Periscope application. The Douglas County Sheriff's Office obtained the recording during the investigation. Most of the video is blacked out. However, 47 minutes of audio were recorded inside Mr. Riehl's bedroom. The recording started shortly before the shooting when the deputies were kicking the bedroom door. The recording includes Mr. Riehl shooting through the door and subsequent shooting of Deputy Parrish. On the video, Mr. Riehl appeared angry and talked about the deputies breaking his door and entering his apartment without a warrant. At one point, Mr. Riehl can be seen wearing a gas mask. Mr. Riehl continued shooting his firearms during the recording.

On December 31, 2017, Dr. Dawn Holmes performed an autopsy on Deputy Parrish. She determined that Deputy Parrish died as a result of multiple gunshot wounds. Bullets and bullet fragments recovered from Deputy Parrish's body were sent to the Colorado Bureau of Investigation ("CBI") and marked as CBI Items 7.1 to 7.7. A bullet (CBI Item 7.2) and bullet fragment (CBI Item 7.3) were identified as being fired from Mr. Riehl's Windham Weaponry AR15. One bullet (CBI Item 7.1) has not been identified to any weapon yet. That bullet (CBI Item 7.1) has been identified as a .223, 55 grain, solid copper round likely manufactured by Hornady. Identical rounds were located in Matthew Riehl's possession. Law enforcement agencies responding to the scene did not fire solid copper .223 rounds. ATF is conducting further analysis on this bullet. The other bullet fragments (CBI Items 7.4-7.7) were insufficient for comparison.

The autopsy of Matthew Riehl occurred on January 3, 2018. Mr. Riehl had four gunshot wounds. The Coroner's report described the gunshot wounds as:

1. Penetrating indeterminate-range gunshot wound to the left back. The wound course is back to front, left to right, and slightly downward. The wound involved the right lung and liver. A deformed large-caliber copper jacketed lead bullet is recovered.
2. Through-and-through indeterminate-range gunshot wound to the left upper arm. The wound is back to front, left to right, and slightly downward. The wound involves the right lung and liver.
3. Through-and-through indeterminate-range gunshot wound to the left upper arm. The wound course is front to back, left to right, and downward. No major vessels are involved.
4. Through-and-through indeterminate-range gunshot wound to the right hand. The wound course is back to front, right to left, and downward. No major vessels are involved.

Mr. Riehl's death was caused by multiple gunshot wounds. Bullets were collected at autopsy from Mr. Riehl's left elbow, back, and chest. CBI examined the bullets and determined the bullets recovered from Mr. Riehl's chest (CBI Item 15) and elbow (CBI Item 13) were fired from Officer Dorrell's Glock 22. CBI reached no conclusion for the bullet fragment found in Mr. Riehl's back (CBI Item 14).

Crime Scene Investigators examined and documented Mr. Riehl's apartment. See attached Apartment #24 Diagram. Mr. Riehl had the following firearms inside his bedroom: Springfield Armory XD45, Smith and Wesson .44 Magnum Revolver, Smith and Wesson .357 Magnum Revolver, Smith and Wesson M&P Shield, Ruger 10/22, Windham Weaponry AR15 rifle, Palmetto Arms PA-15, Wolf Muzzleloader, Coonan MCI-LAR-3, Henry Survival Rifle, Ruger Mark III, Springfield Armory M1, Hipoint rifle. Two additional rifles were located in a rifle case: a Savage A17 and a Ruger M77 Hawkeye.

Investigator Delve counted 185 spent casings, 1067 live cartridges and 22 magazines inside the bedroom. The Investigators identified approximately 180 projectile holes in the bedroom walls, ceiling and floor. Deputy Parrish's body worn camera and Mr. Riehl's bloody gas mask were also located in the bedroom. A bloody Beretta 1301 Tactical shotgun was in the bathroom located outside the bedroom.

Crime Scene Investigators also examined nearby apartments damaged by gunfire. In Apartment \_\_\_\_\_ apartment, there were eight bullet holes in the east wall of the bedroom. Apartment 14, located below Mr. Riehl's apartment, had nineteen projectile holes in the hallway, bathroom, and office. Apartment 23, the second story apartment located across the stairway landing from Mr. Riehl's apartment, had eighteen projectile holes in the unit. Apartment \_\_\_\_\_ apartment, located in the building east of Mr. Riehl's apartment building, had two bullets that entered into the apartment and one that was stopped by the window.

Any person, including law enforcement, may use deadly physical force against a person if they reasonably believe the person poses an imminent danger of death or great bodily injury to another and a lesser degree of force is inadequate. C.R.S. 18-1-704. Colorado law also allows peace officers to use deadly physical force when they believe it is reasonably necessary to defend against

imminent use of deadly physical force or to make an arrest when the suspect has committed a felony involving the use of a deadly weapon. C.R.S. 18-1-707(2), C.R.S. Both statutes apply in this case.

Deputies Parrish, Doyle, Pelle, Davis, and Sergeant Beyer did not discharge their firearms or use deadly force against Mr. Riehl. Mr. Riehl shot Deputies Parrish, Doyle, Pelle, and Davis without legal right or justification while they were attempting to place him on a mental health hold. The deputies were shot while attempting to help Mr. Riehl. Mr. Riehl committed a felony involving the use of a deadly weapon before any law enforcement officer shot at him. All officers who responded to the scene were aware that Mr. Riehl had used deadly force against law enforcement.

Deputies George Lekander, Nicole Holiday, and Jonathan Stauffer only fired at Mr. Riehl after he shot at them. Mr. Riehl posed an imminent danger to these deputies and to residents in nearby apartments, and the deputies reasonably feared for their lives when they fired at Mr. Riehl. Their shots did not strike Mr. Riehl but they were legally justified in shooting at Mr. Riehl.

Deputy Doremus fired one shot when Mr. Riehl was firing at law enforcement. Deputy Doremus' attempt to end Mr. Riehl's threat to law enforcement was legal and appropriate. Deputy Doremus' one shot did not hit Mr. Riehl.

Deputy Nathan West and Sergeants Jeff Engel and Darren Trujillo discharged their firearms to distract the suspect while Sergeant Holmes' team entered the apartment to rescue Deputy Parrish. The directed fire did not strike Mr. Riehl. Once inside the apartment, Sgt. Trujillo discharged his rifle into the ceiling in an attempt to make Mr. Riehl stop shooting. Sgt. Engel stated that he was afraid for his life and the lives of citizens in the area. Sgt. Trujillo believed the suspect was trying to kill as many people as possible. Their opinions, beliefs, and actions were reasonable and appropriate based on the circumstances. Deputy West lawfully fired bean bag rounds during the rescue operation. Likewise, Sergeants Engel and Trujillo lawfully used deadly force to distract the suspect to protect the SWAT operators.

Officer Dorrell, Deputy Friesen, Officer Holmes and Sergeant Schuster entered Apartment 24 to rescue Deputy Parrish. Mr. Riehl fired at them and they returned fire until they ended the deadly threat posed by Mr. Riehl.

After reviewing all the evidence and reports, I find that all officers acted completely lawfully in using deadly force against Matthew Riehl. Mr. Riehl posed a continuing deadly threat to law enforcement and the community. All officers acted in self-defense or defense of others. They were legally justified in shooting and killing Mr. Riehl. The officers did not violate a criminal statute. No criminal charges will be filed against any officer involved the death of Mr. Riehl.

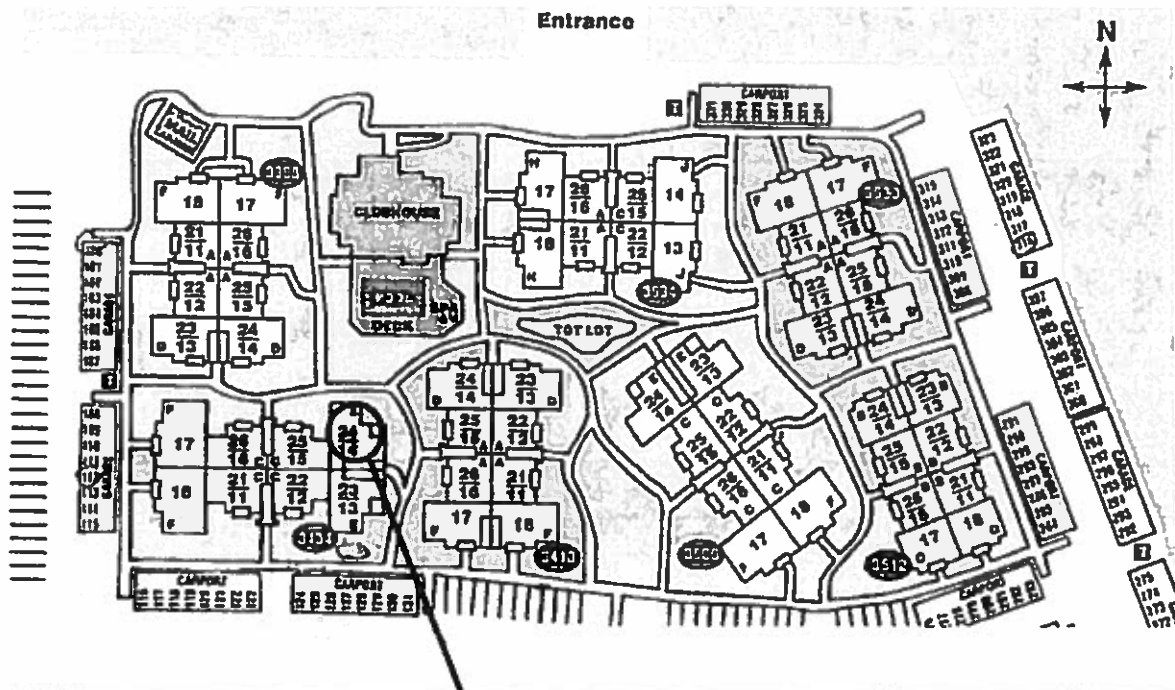
Sincerely,



Jason Siers  
Senior Chief Deputy District Attorney  
18<sup>th</sup> Judicial District Attorney's Office



# Copper Canyon Apartments



## Apartment #24 Diagram

Eric camera mounted on wall at top of staircase

Rescue team

