



For Immediate Release:

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December 31, 2025

Decision Letter:

Attached is the decision letter issued by District Attorney Brian Mason related to an officer-involved shooting on November 30, 2024, involving the Adams County Sheriff's Office.

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District Attorney Mason assumed the oath of office on January 12, 2021. The 17th Judicial District Attorney's Office endeavors to seek justice on behalf of the citizens of Adams and Broomfield counties in felony and misdemeanor cases. DA Mason and his staff are dedicated to transforming the criminal justice system to better serve the citizens of the 17th Judicial District.

*AdamsBroomfieldDA.org, Facebook: [@da17colorado](https://www.facebook.com/da17colorado) Twitter: [@da17colorado](https://twitter.com/da17colorado)
Instagram: [@da17colorado](https://www.instagram.com/da17colorado) YouTube: [ColoradoDA17](https://www.youtube.com/ColoradoDA17)*



December 30, 2025

Sheriff Gene Claps
Adams County Sheriff
4430 S Adams County Pkwy 1st Floor, Suite W5400
Brighton, CO 80601

RE: The officer-involved shooting of Mr. Micah McCartney on November 30, 2024.

Dear Sheriff Claps:

This letter is a review of the 17th Judicial District Critical Incident Response Team (CIRT) investigation into the November 30, 2024, officer-involved shooting of Micah McCartney. The 17th Judicial District Critical Incident Response Team conducted the investigation, led by Westminster Police Department Detectives Jason Cirbo and Steve Sanders. The remaining investigators on the CIRT who worked on this investigation are associated with law enforcement agencies independent of the Adams County Sheriff's Department. The Office of the District Attorney concludes that the investigation was thorough and complete. This letter includes a summary of the facts and materials that the CIRT presented for review, along with my pertinent legal conclusions.

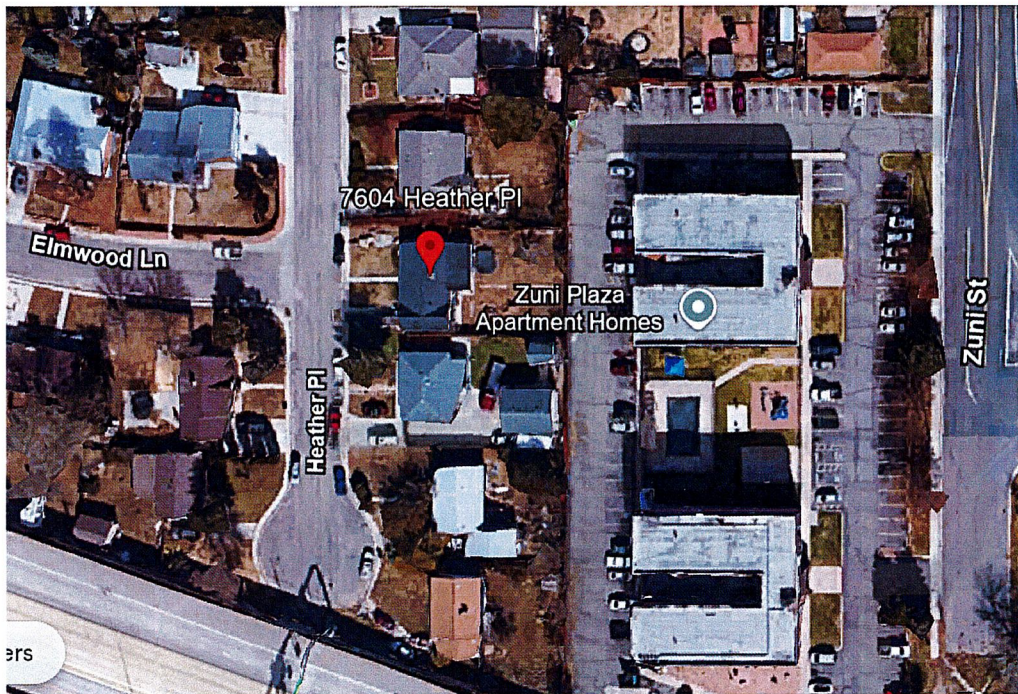
This review is limited to determining whether any criminal charges should be filed against the involved officers for a violation of Colorado law. The standard of proof for filing a criminal case is whether there is sufficient evidence to prove all the elements of a crime beyond a reasonable doubt. The prosecution also has the burden of proving beyond a reasonable doubt that the use of force was not legally justified. This independent investigation and review is not intended to take the place of an internal affairs investigation by your agency. The 17th Judicial District Attorney's review does not evaluate compliance with departmental policies, standards, or procedures.

After a review of the circumstances and the investigation into this incident, I find the actions of the involved officers to be justified. Furthermore, based on the evidence presented and applicable law, there is no reasonable likelihood of proving the elements of any crime beyond a reasonable doubt against the involved officers. Therefore, no criminal charges will be filed against the officers involved in this incident.

FACTUAL SUMMARY OF THE INCIDENT

On November 30, 2024, at approximately 4:42 p.m., Adams County Dispatch received a 911 call reference to a welfare check on Micah McCartney who was a resident of 7604 Heather Place, Denver,

Colorado. The reporting party was McCartney's roommate, T.T.¹. T.T. reported that McCartney was suicidal, attempting to put a plastic bag over his head, and described that McCartney had taken an excess number of pills and was attempting to gain access to a locked room containing firearms. T.T. advised dispatch that McCartney was agitated and would be aggressive towards first responders. Prior to the arrival of officers, T.T. left the residence and proceeded to sit in his car to await arrival of law enforcement. At approximately, 4:49 p.m., several Adams County Sheriff's Deputies responded in marked patrol vehicles, in full law enforcement uniforms, to assist.



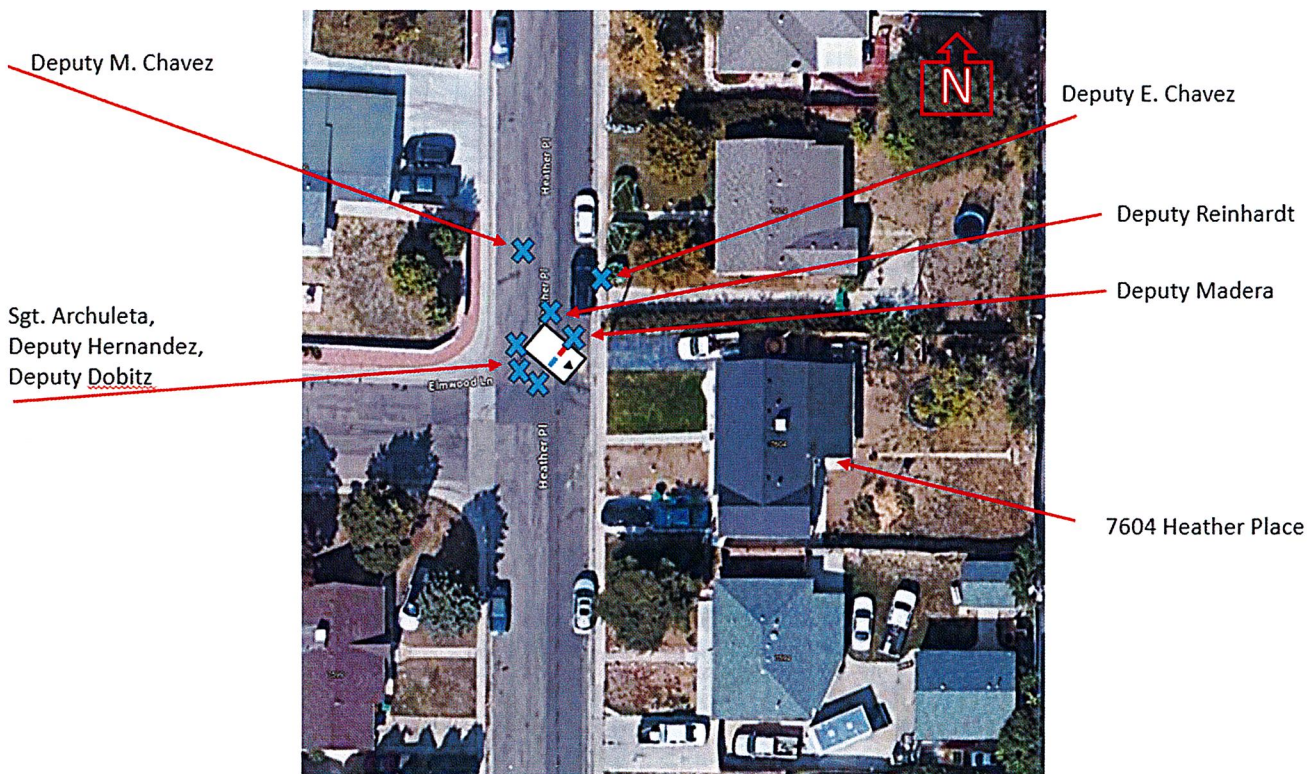
Aerial view of 7604 Heather Place, Denver, Colorado

The focus of the contact was to help McCartney and deescalate the situation. An ambulance was staged nearby to assist, as McCartney's medical condition was unknown. It was determined that both roommates, T.T and C.H., were no longer in the residence and McCartney was the sole occupant of the residence. Deputy C. Hernandez met with T.T and C.H., who described McCartney as being suicidal by putting a plastic bag over his head and taking an excess number of pills that day. T.T and C.H. advised there were firearms in the residence including two handguns, a rifle and a shotgun. T.T and C.H. noted that McCartney was likely to be combative with officers and that he had mentioned he might prefer to be involved in an officer-involved incident. T.T and C.H. advised that McCartney was unsatisfied that 911 had been called and would make it difficult for the officers responding. The roommates were removed from the scene for safety.

Deputy Reinhardt made phone contact with McCartney's mother, who resides out of state. McCartney's mother advised that McCartney had sent a text message that afternoon indicating he no longer wanted to live. Efforts were made to contact McCartney on his cellphone, but the phone was not connecting or was deactivated.

¹ Initials are used to maintain the privacy of citizen-witnesses.

The deputies were positioned outside of the residence alongside a marked Adams County Sheriff's Department Chevrolet Tahoe that was parked facing southeast in front of the driveway. Deputy Madera, Deputy Chavez, and Deputy Reinhardt were positioned outside on the driver side of the vehicle. Sergeant Archuleta, Deputy Hernandez and Deputy Dobitz were positioned outside on the passenger side of the vehicle. At approximately 5:14 p.m. Deputy Hernandez began providing announcements over the PA system to communicate with McCartney who remained inside the residence. Continuous efforts were made to have McCartney exit the residence peacefully.



Depiction of the location of the involved officers

Deputy Hernandez's announcements focused on McCartney's well-being; "Micah this is the police... We're concerned for you... We're here to help... You're not going to get in trouble... Please come out with your hands up." McCartney responded from inside the residence, but the deputies were unable to identify what he was saying. Deputy Hernandez advised over the PA system they could not hear him, and to answer his phone, or to call 911 to connect with the deputies. Deputy Dobitz was positioned behind Deputy Hernandez as he was making announcements and was armed with a rifle to provide cover if McCartney exited the residence with a firearm.

At approximately 5:20 p.m., McCartney opened the door and produced middle fingers on both hands extended towards the deputies, stating, "Get the fuck out of here." McCartney then quickly closed the door- retreating into the residence. Deputy Hernandez advised McCartney over the PA system that they were not leaving, as they needed to ensure he was safe. Moments later, McCartney exited the residence

with a hatchet in his hand, yelling at the officers to leave. Deputy Hernandez repeatedly commanded him to drop the weapon and stated that if he got closer, he would be shot. In response to the deputies' announcements to drop the weapon, McCartney stated, "fucking make me, you piece of shit." C.H., who was outside, observed McCartney come out the house screaming, with a hatchet raised. C.H. described that McCartney was threatening the officers as he approached them.

McCartney continued advancing towards the deputies with the hatchet raised, screaming. The deputies gave repeated commands to drop the hatchet. McCartney charged towards the deputies with the hatchet raised in a threatening manner. At this, Deputy Dobitz, Deputy Reinhardt and Deputy Hernandez fired at McCartney.

Deputy Reinhardt described drawing his duty weapon as McCartney approached the deputies with the hatchet raised. Deputy Reinhardt reported being in fear for his life and his partner's lives as McCartney was quickly approaching. Deputy Reinhardt perceived McCartney charging with a deadly weapon a grave risk of serious bodily injury or death. Deputy Reinhardt then fired his 9mm duty weapon as McCartney approached.

Deputy Hernandez observed McCartney with the hatchet approaching and drew his duty weapon. Deputy Hernandez described being in fear for his life and the other deputies' lives, as the hatchet could kill or seriously injure an officer. Deputy Hernandez fired his 9mm duty weapon as McCartney got closer- disregarding all commands.

Deputy Dobitz described being concerned for his safety and the safety of the other deputies as McCartney was closing the distance between himself and the deputies. McCartney was closing the gap quickly between himself and the officers and Deputy Dobitz was afraid, fearing he was going to be hit and killed by the hatchet. Deputy Dobitz then fired his rifle as McCartney approached.

Deputy Chavez was providing cover and feared for the officers' safety as McCartney approached, but did not fire as he had an unknown and obstructed backdrop. Deputy Madera observed McCartney walking towards the officers in an aggressive manner and feared for everyone's safety, prepared to discharge his firearm. However, Deputy Madera's firearm malfunctioned and did not discharge.

The deputies stopped firing when McCartney was on the ground and gave him commands not to reach for the weapon. The deputies approached to provide lifesaving measures, prior to the arrival of emergency medical services. Medial responded very quickly, as they had been staged nearby to assist. Deputy Chavez moved the hatchet away from McCartney's reach. Deputy Dobitz heard McCartney state "kill me" while they were providing him aid on scene. McCartney was transported to Mountain Ridge Medical Center where he succumbed to his injuries and was pronounced deceased.

All the deputies were outfitted with body-worn cameras which captured the incident as it unfolded. Due to the deputies positioning behind the vehicles for cover, the exchange with McCartney was mostly obstructed. Deputy Reinhardt's body-worn camera provides limited visibility of McCartney as he approaches the deputies with the hatchet.



Deputy Reinhardt Body-Worn Camera image as McCartney approaches deputies with hatchet raised.

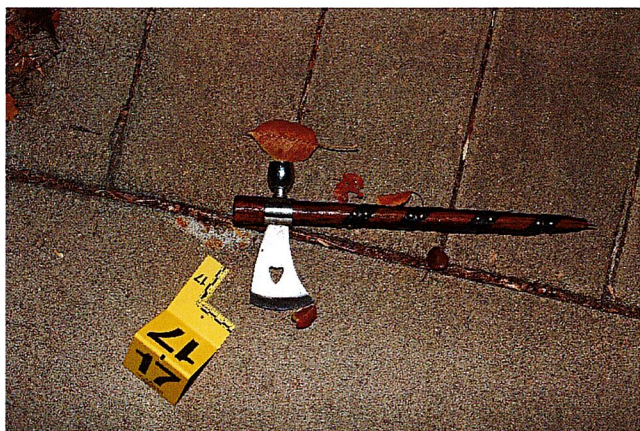


Deputy Reinhardt Body-Worn Camera image as McCartney approaches deputies with hatchet raised.

CRIME SCENE INVESTIGATION AND AUTOPSY

Criminalists assigned to the CIRT gathered evidence and processed the scene. Crime scene investigators examined the front yard and street outside of the residence located at 7604 Heather Place. A marked Adams County Sheriff's Department Chevrolet Tahoe was parked facing southeast in front of the driveway. Located on the pavement adjacent to the driver's side, rear and passenger side of the vehicle were multiple fired cartridge casings and an unfired cartridge.

Eight 9 mm cartridge casings were located around the Adams County Sheriff's Office vehicle, consistent with the rounds fired by Deputy Reinhardt and Deputy Hernandez. One unfired live 9mm cartridge was also located near the vehicle, which was consistent with Deputy Madera's effort to fire his duty weapon that malfunctioned. Seven fired .223 cartridge casings were located, consistent with the rifle rounds fired by Deputy Dobitz. The hatchet was located across the street after being tossed by Deputy Chavez for safety.



Hatchet located across the street after the incident.

On December 2, 2024, an autopsy was conducted by forensic pathologist, Dr. Stephen Cina, with the Adams County Coroner's Office. McCartney sustained multiple gunshot wounds. There was no evidence of close-range firing. Toxicology testing identified the presence of anti-depressants and THC. The cause of death was identified as multiple gunshot wounds, and the manner of death was homicide.

LEGAL ANALYSIS

As previously noted, this review is limited to a determination of whether criminal charges should be filed against the law enforcement officers involved in this incident. The decision to file criminal charges involves an assessment of all known facts and circumstances as well as an evaluation of whether there is a reasonable likelihood of conviction at trial under the applicable law. Criminal liability is established when the evidence is sufficient to prove all the elements of a crime beyond a reasonable doubt. In addition to proving the elements of a crime, the prosecution must also *disprove* any statutorily recognized justification or defense beyond a reasonable doubt. Consequently, in order to file a criminal charge, the District Attorney's Office must be able to prove beyond a reasonable doubt that the involved law enforcement officers' actions were *not* justified under the circumstances surrounding this incident and the applicable law.

Under Colorado law, a law enforcement officer may use an amount of force – including deadly physical force – that is necessary and reasonable. Additionally, under Colorado law, police officers, like any other individual, have the right to defend themselves or others from the use or imminent use of unlawful physical force. An officer's right to use reasonable force is an affirmative defense, meaning that the prosecution must prove beyond a reasonable doubt that the use of force was not justified. The affirmative defenses applicable to the officers' use of force at the time of this incident are found at §18-1-707, C.R.S. (2023), and the relevant portions of that subsection provide:

(1) Peace officers, in carrying out their duties, shall apply nonviolent means, when possible, before resorting to the use of physical force. A peace officer may use physical force only if nonviolent means would be ineffective in effecting an arrest, preventing an escape, or preventing an imminent threat of serious bodily injury or death to the peace officer or another person.

...

(2) When physical force is used, a peace officer shall:

(a) Not use deadly physical force to apprehend a person who is suspected of only a minor or nonviolent offense;

(b) Use only a degree of force consistent with the minimization of injury to others....

(3) A peace officer is justified in using deadly physical force to make an arrest only when all other means of apprehension are unreasonable given the circumstances and:

(a) The arrest is for a felony involving conduct including the use or threatened use of deadly physical force;

(b) The suspect poses an immediate threat to the peace officer or another person;

(c) The force employed does not create a substantial risk of injury to other persons.

(4) A peace officer shall identify himself or herself as a peace officer and give a clear verbal warning of his or her intent to use firearms or other deadly physical force, with sufficient time for the warning to be observed, unless to do so would unduly place peace officers at risk of injury or would create a risk of death or injury to other persons.

(4.5) Notwithstanding any other provisions in this section, a peace officer is justified in using deadly physical force if the peace officers 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 serious bodily injury.

The U.S. Supreme Court seminal case of *Graham v. Connor*, 490 U.S. 386 (1989), the Court has forth a standard of “objective reasonableness” in evaluating the use of force by a police officer. Under this standard, the inquiry into the appropriateness of an officer’s use of force must (1) take into consideration the totality of the circumstances, including factors such as the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether the suspect is actively resisting arrest or attempting to evade arrest by flight; and (2) be judged from the perspective of an objectively reasonable officer on the scene “in light of the facts and circumstances confronting them, without regard to [his] underlying intent or motivation.” Further, the United States Supreme Court notes, “[t]he calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation.” *Graham v. Connor*, 490 U.S. at 396-97.

Accordingly, applying the proper legal standard in this case, the critical inquiry is whether an objectively reasonable officer, confronted with the same facts and circumstances, would have concluded that Mr. Micah McCartney posed an immediate threat to the safety of the officers or other persons, such that the use of force, including deadly physical force, was necessary. Here, under the totality of circumstances present, the involved deputies responded to a call for assist on a suicidal party. The deputies learned from Mr. McCartney’s roommates that he was suicidal and had access to firearms. The deputies made efforts to communicate with Mr. McCartney via phone, and then through a PA system. Deputy Hernandez communicated via the PA system making it clear to Mr. McCartney they were outside of the residence to provide assistance and ensure his wellbeing.

The evidence supports a conclusion that the law enforcement officers used every effort to avoid using force upon Mr. McCartney. The deputies did not approach the residence but kept a safe distance as they worked to communicate with Mr. McCartney. When Mr. McCartney exited the residence and produced a hatchet charging towards the deputies, he was given repeated commands to drop the weapon. Deputy Dobitz, Deputy Reinhardt and Deputy Hernandez expressed their belief that, based on McCartney’s actions with the hatchet, someone could have been killed or seriously injured if they did not use deadly force to stop Mr. McCartney. Based upon the observations of these officers, nonlethal means proved unreasonable as the scene rapidly evolved.

I find the actions of the involved officers in this incident to be justified. There is no evidence to suggest that an objectively reasonable officer would have acted differently than the deputies during this incident. Mr. McCartney, by his actions, demonstrated an intent to engage with the police and avoid reasonable commands to drop the weapon. Mr. McCartney’s refusal to obey commands and his actions with a deadly weapon caused these officers to make a split-second and, indeed, reasonable judgment in a tense and quickly evolving situation. Mr. McCartney made prior remarks indicating a desire to be involved in an officer-involved incident, and his behavior during the incident showed aggressive actions that seemed almost to invite the officers to shoot at him. While the loss of life is unfortunate and tragic, the circumstances do not support the filing of criminal charges against the officers. On the contrary, the officers responded in a reasonable and appropriate manner and I find their actions to be legally justified.

CONCLUSION

Given the totality of the circumstances and evidence, the prosecution cannot prove that the involved officers were not justified in using reasonable force under §18-1-707, C.R.S. (2025). Therefore, applying the facts of this incident to the applicable law, the evidence does not support the filing of any criminal charges against Adams County Sherriff's Deputies Eric Dobitz, Deputy Brandon Reinhardt and Deputy Claudio Hernandez

Please feel free to contact me if you have any questions or if you believe that further investigation is warranted.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brian S. Mason", with a stylized flourish at the end.

Brian S. Mason
District Attorney