



For Immediate Release:

Chris Hopper
Director of Communications
chopper@da17.state.co.us
da17media@da17.state.co.us
(303) 835-5639

December 18, 2025

Decision Letter:

Attached is the decision letter issued by District Attorney Brian Mason related to an officer-involved shooting that occurred in Thornton on July 24, 2024.

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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.

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December 17, 2025

Chief Jim Baird
City of Thornton Police Department
9551 Civic Center Drive
Thornton, CO 80229

RE: The officer-involved shooting of Gilberto Velasquez Carnero on July 24, 2024

Dear Chief Baird:

This letter is a review of the criminal investigation into the July 24, 2024 shooting of Gilberto Velasquez Carnero by Thornton Police Department Officer Julian Becerra. The 17th Judicial District Critical Incident Response Team (CIRT) conducted the investigation, led by the City of Broomfield Police Department Detective Andrew Martinez and the City of Westminster Police Department Detective Steve Sanders. The remaining investigators on the CIRT who worked on this investigation are associated with law enforcement agencies independent of the Thornton Police 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 officer 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 to prove 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 any departmental policies, standards, or procedures. This review is mandated by Colorado law which requires the public release of a report explaining findings and the bases for a District Attorney's decision not to file criminal charges when officers are involved in the discharge of a firearm that results in serious bodily injury or death.

Based on the evidence presented and the applicable Colorado law, there is no reasonable likelihood of success of proving the elements of any crime beyond a reasonable doubt against the involved officer. Therefore, no criminal charges will be filed against Officer Julian Becerra, the law enforcement officer involved in this incident.

FACTUAL SUMMARY OF THE INCIDENT

At 3:03 a.m. on July 24, 2024, Thornton Police Officers were dispatched to the Maverick Fuel Station located at 8801 North Pecos Street. An employee of the gas station called 911 to report that a male randomly assaulted a female customer inside of the convenience store and ran away. The suspect was described as an Hispanic male with black hair and goatee, wearing a ripped white tank top shirt and dark colored pants. Officers Evan Park and Zachary Yantes responded to the Maverick, each driving a marked patrol car and dressed in official patrol uniform. The officers interviewed the victim of the assault and the employee who witnessed the incident. Officer Yantes entered the store to interview the employee, while Officer Park remained outside canvassing the area to find the suspect.

Approximately 30 minutes after the 911 call, Officer Park identified an Hispanic male standing on the southwest corner of Thornton Parkway and Gale Boulevard. The male matched the witnesses' description of the suspect. Officer Park waited for cover officers to arrive prior to contacting the male. Within moments, Officers Becerra and Yantes arrived on scene and the three officers approached the suspect. Officer Park attempted to engage the suspect in conversation and asked him for his identification. Officer Park advised the male that they were going to detain him, and the officers attempted to put the suspect's arms behind his back. The suspect stiffened his body, pulled away from the officers, and tried to flee. Officer Yantes took the suspect to the ground on his back. Officer Yantes lay on top of the suspect chest to chest, while Officers Becerra and Park were on either side of the suspect, trying to gain control of him. While resisting the officers attempts to gain control, the suspect reached for Officer Yantes's handgun inside its holster and fired a round from it, striking Officer Yantes in the groin area.

Officers Park and Becerra separated from the suspect immediately after the gunshot and drew their firearms. The suspect continued to struggle with Officer Yantes. Officer Becerra pointed his gun at the suspect and fired one round, striking the suspect in the shoulder. The suspect continued to fight with Officer Yantes on the ground. Officer Yantes yelled, "He's got my gun!" two times, and appeared to reach for his waistband. Officer Becerra fired another round at the suspect, this time striking him in the head, at which point he stopped fighting. Other law enforcement officers arrived and attempted lifesaving measures, but were unsuccessful. The suspect was later identified as Gilberto Velasquez Carnero.

INTERVIEWS

Officers Yantes, Park, and Becerra each participated in recorded interviews with CIRT investigators. Officers Yantes and Park explained that they were dispatched to a reported assault at the Maverick Fuel Station located at 88th Avenue and Pecos Street. Officer Yantes was the primary officer on the call, but Officer Park also arrived to assist. The officers met with the female victim and the clerk working at the front counter of the business. The victim stated that she was trying to make a purchase at the counter and her credit card would not work. As she attempted to make the purchase, a male unknown to her walked up to her and punched her in the right eye, causing her to fall to the floor. The suspect immediately ran out of the store and headed northbound. The suspect was described as approximately 5'9", Hispanic with black hair and mustache, wearing a white tank top with dark jeans.

Officer Park drove his marked patrol vehicle in the general vicinity searching for the suspect and located a male matching the suspect's description walking eastbound on the south side of Thornton Parkway. He believed the male to be intoxicated based on the way he stumbled and swayed as he walked. The male sat down at the intersection. Officer Park called for cover and pulled up to the intersection where he parked his patrol car alongside Gale Boulevard south of the intersection at Thornton Parkway, a short distance from the suspect.

Officer Park aired over the radio that he was in contact with a male matching a description of the suspect at the corner of Thornton Parkway and Gale Boulevard. Officer Yantes and Becerra were in the area and arrived at the location moments later in their patrol cars with emergency lights activated. Officer Yantes parked at an angle in the intersection near the suspect, while Officer Becerra parked along the curb of the eastbound lane of Thornton Parkway facing east. All three officers were dressed in Thornton Police Department-issued uniforms that displayed a badge and official patches designating them as peace officers.

Officer Park recalled that he approached the suspect, inquired "What's going on?" and asked his name and whether he had an ID on him. Officer Park recalled that the suspect gave him a blank stare and said, "Yep." Since the male's appearance matched the description of the assault suspect, Officer Park decided that he would detain him. Officer Yantes explained that he believed that the male matched the description of the suspect and knew that they were going to detain him with the use of handcuffs. Officer Park was on the right side of the suspect, and Officer Becerra was on his left side, slightly behind him. Officer Yantes walked up face to face with the suspect.

Officer Yantes noted that the suspect had his hands balled into a fist and expected that he might be combative. Officer Park described that as he grabbed the suspect's right wrist to place handcuffs on him, the suspect tensed up his body and tried to run. Officer Becerra also described the suspect pull away as he grabbed the suspect's left wrist. Officer Yantes observed the suspect tense up his body and try to pull away from Officers Park and Becerra. The suspect stepped toward Officer Yantes. Officer Yantes tried to control the suspect and the suspect fell to the ground on his back with Officer Yantes falling on top of him.

Officer Park observed the suspect fall to the ground with Officer Yantes on top of him, chest to chest, struggling to control him. Officer Becerra recalled that he fell backwards and got back up trying to gain control of the suspect by grabbing his body. Officer Park was on the suspect's right side and Officer Becerra on his left. Officer Yantes recalled the suspect punching him in the chest area. Officer Park heard Officer Yantes say, "Stop punching me," and could see the suspect throwing punches at Officer Yantes. Officer Park aired over the radio that the suspect was combative and tried to assist in gaining control of the situation.

Each of the officers described that as the fight continued, hearing a gunshot. They each stated that they did not know where the gunshot came from. They further explained their belief that the gunfire was not from an officer because none of the officers had their guns drawn and each were involved in a hands-on struggle to control the suspect. Officer Yantes described the gunshot as "muffled," and knew that it came from the suspect's waist area. He also could not see

the suspect's left hand, so thought it might have come from the suspect's waistband. He smelled gunpowder and realized that the suspect had a gun. Officer Yantes yelled, "Gun!" multiple times. He was concerned that if the suspect had his hand on a gun, he could fire it into his body or lower extremity and kill him as well as the other officers. Officer Yantes explained that given the proximity he was to the suspect and the suspect's degree of resistance, there was no ability to use less lethal force. According to Officer Yantes, the officers' hands-on techniques proved to be ineffective, and the suspect appeared to possess a firearm and displaying the intention to use it on the officers.

Officer Yantes carries his firearm in a holster on the right side of his waist. He attempted to unholster his firearm while staying on top of the suspect. As he reached for his gun, Officer Yantes felt the suspect's left hand on the gun. The suspect was trying to pull the gun upward out of the holster. The suspect's actions caused the holster to move around such that the gun was pointed at the center portion of Officer Yantes's body while it remained inside the holster. At that point, Officer Yantes realized that the suspect shot him with his own gun. Officer Yantes tried to push the gun back down and loudly yelled, "He's got my gun!" Officer Yantes was worried that the suspect would shoot again. A moment later, Officer Yantes heard another gunshot. This time, he felt the concussion of the round and his ears started ringing. The suspect immediately stopped moving and Officer Yantes stood up.

Officers Park and Becerra both expressed that when they heard Officer Yantes repeatedly yell, "Gun!", they each drew their firearm and pointed it at the suspect. Officer Becerra said that he could not see the gun, but that he feared for his life because he believed the suspect had a gun. Officer Park pointed his gun at the suspect to try to shoot him because he believed that the suspect was actively engaged in trying to reach for Officer Yantes's gun. From his vantage point, he did not see the suspect's hand on the gun, but he was obviously concerned if the suspect was able to access the gun and use it against them. He did not shoot due to the risk of also striking Officer Yantes and Officer Becerra who were in the way.

Officer Becerra said that under the circumstances, he feared for Officer Yantes's life. It appeared to him that Officer Yantes was trying to retain his gun from the suspect. Officer Becerra stated that he shot the suspect in the shoulder to eliminate the threat that the suspect presented with the gun. After Officer Becerra shot the suspect in the shoulder, the suspect continued to struggle with Officer Yantes. Both Officers Becerra and Park recalled hearing Officer Yantes yell "He's grabbing my gun!" two more times. Officer Becerra stated that he shot the suspect a second time in the head to stop the threat that continued to exist. Officer Becerra said that the suspect stopped moving and Officer Yantes said, "I think I'm shot" several times. He held the suspect at gunpoint while Officer Park assessed Officer Becerra's injuries.

Officer Park observed Officer Becerra shoot the suspect in the shoulder. He described that the suspect continued to fight with Officer Yantes despite being shot. He then observed Officer Becerra shoot the suspect a second time, striking him in the head. The suspect stopped fighting. Officer Park turned his attention to Officer Yantes, who he believed was shot during the fight. Officer Yantes saw a hole in his pants with a burn hole around it and realized that he was shot. Officer Park observed a hole in the crotch area of Officer Yantes's pants and assisted him address the injury. Officer Yantes was then transported to the hospital for treatment.

Additional officers arrived and assisted with rendering first aid to the suspect.

CRIME SCENE INVESTIGATION

Criminalists assigned to the CIRT processed the scene and collected the evidence. The incident occurred at the southwest corner of Thornton Parkway and Gale Boulevard. The deceased individual, later identified as Mr. Velasquez Carnero lie on his back in the roadway, just off the sidewalk. A small piece of a firearm holster was found between Mr. Velasquez Carnero's legs, partially beneath his body. A 9mm cartridge casing was discovered in the grass area approximately eight feet south of the sidewalk.



Aerial photo of the intersection depicting the location where the incident occurred and the location of the marked patrol cars for the Thornton Police Department.



Photo of the tip of the holster discovered partially beneath Mr. Velasquez Carnero.

Officer Yantes's duty belt and firearm were located in the driver seat of his patrol car parked in the intersection. A firearm holster was affixed to the right side of the duty belt. The holster appeared to be damaged in that the tip was completely severed from the larger portion of the holster body.

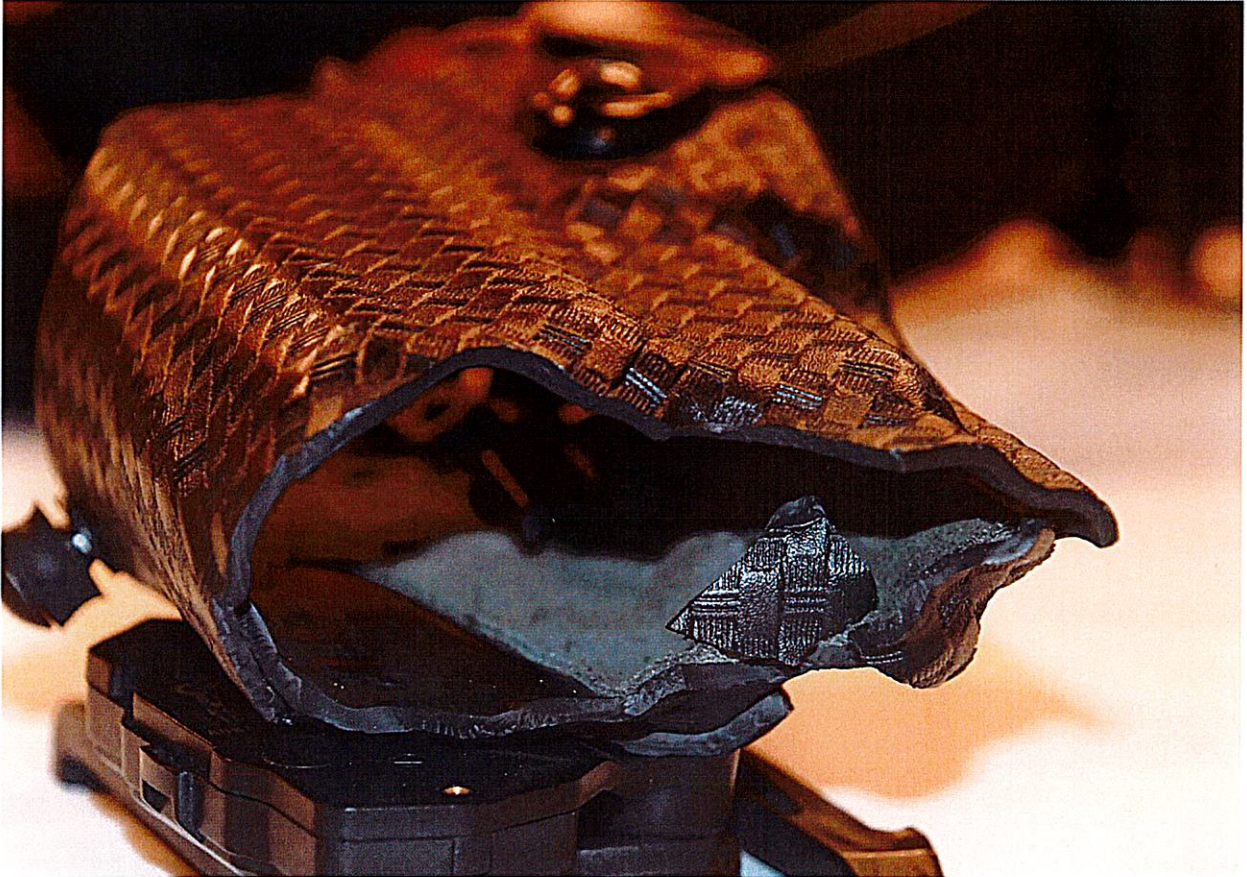


Photo of Officer Yantes's holster depicting the severed tip.

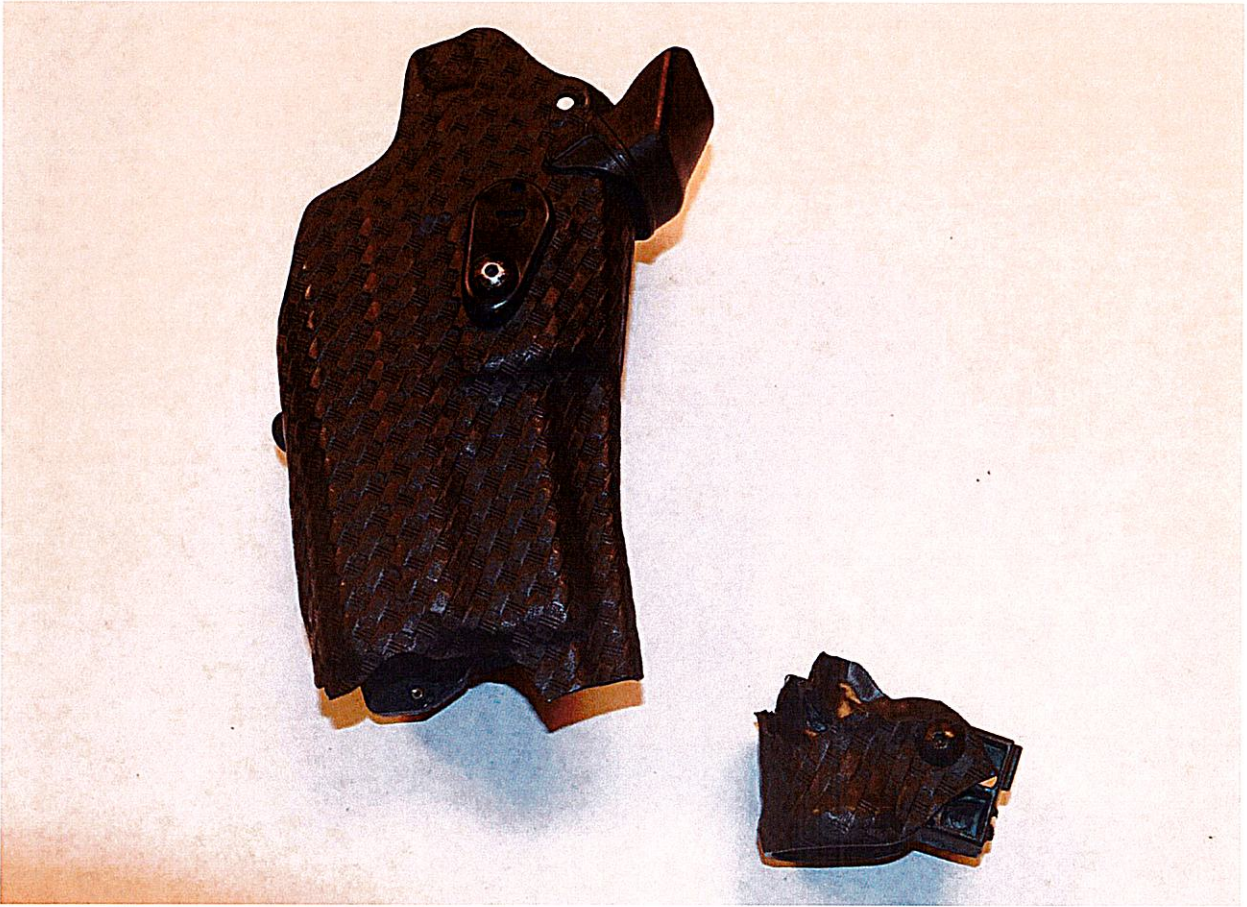


Photo of the body of the holster and severed tip together.

Examination of Officer Yantes's blue uniform pants revealed a hole in the right leg near the groin area. Additionally, Officer Yantes's underwear had a hole in the fabric near the same location.



Photo of the crotch region of Officer Yantes's uniform pants.

The investigation included an examination of each officer's firearm for round accountability. Officer Park carried a Glock 17 9mm that was fully-loaded and revealed no evidence that it was fired. Officer Becerra also carried a Glock 17 9mm handgun. His firearm contained fifteen live cartridges in the magazine and one in the chamber. When fully-loaded, the weapon contained eighteen total rounds, leading to the conclusion that it was discharged two times during the incident. Officer Yantes carried a Glock 45 9mm handgun with an extended magazine. The magazine was fully-loaded and a 9mm casing was discovered in the chamber of the gun. The appearance of the holster, the severed holster tip, and presence of the casing in the chamber confirms that the weapon was fired while seated in the holster.

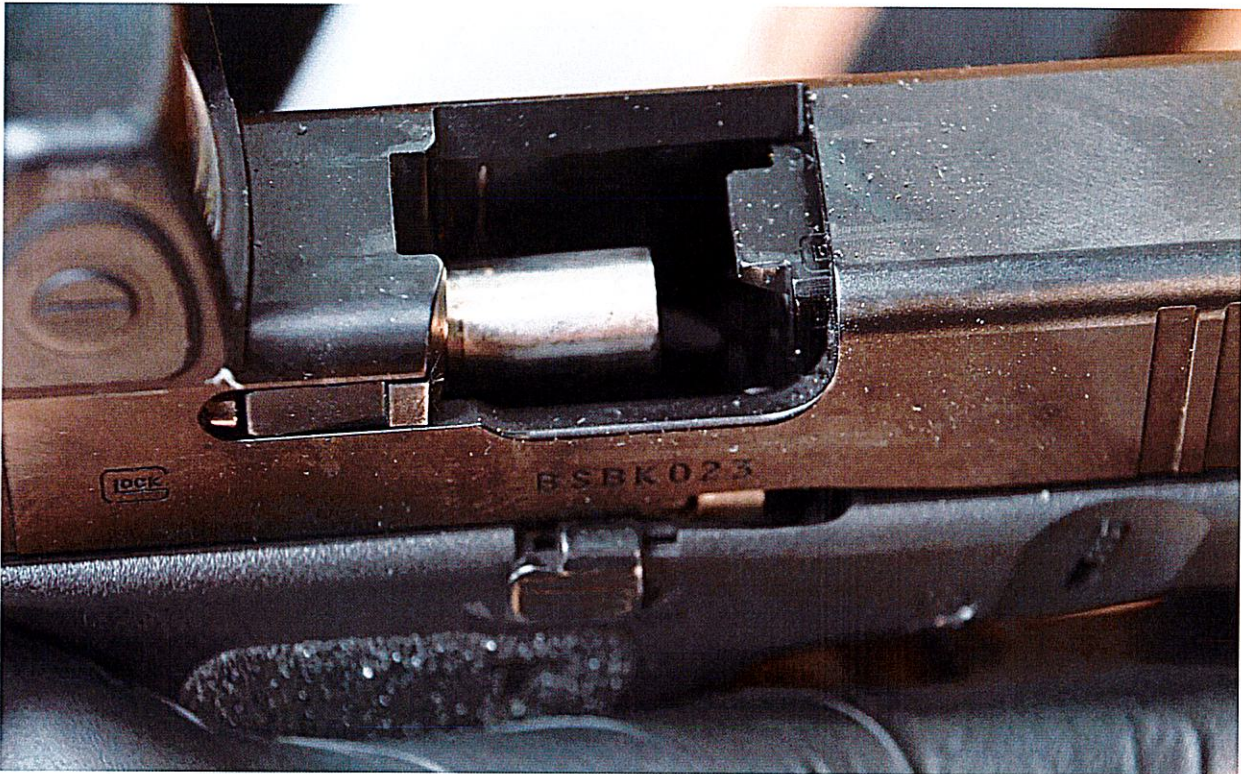


Photo of cartridge case lodged in the chamber of Officer Yantes's Glock 45 9mm handgun.

The deceased, Mr. Velasquez Carnero, was identified as the suspect who assaulted the female through the surveillance video collected from the Maverick. An autopsy of Gilberto Velasquez Carnero revealed two gunshot wounds, one to the left side of the head and one to the left shoulder that entered his chest. The pathologist concluded that the cause of death was gunshot wounds to the head and chest. Toxicological analysis of his blood revealed the presence of methamphetamine and amphetamine.

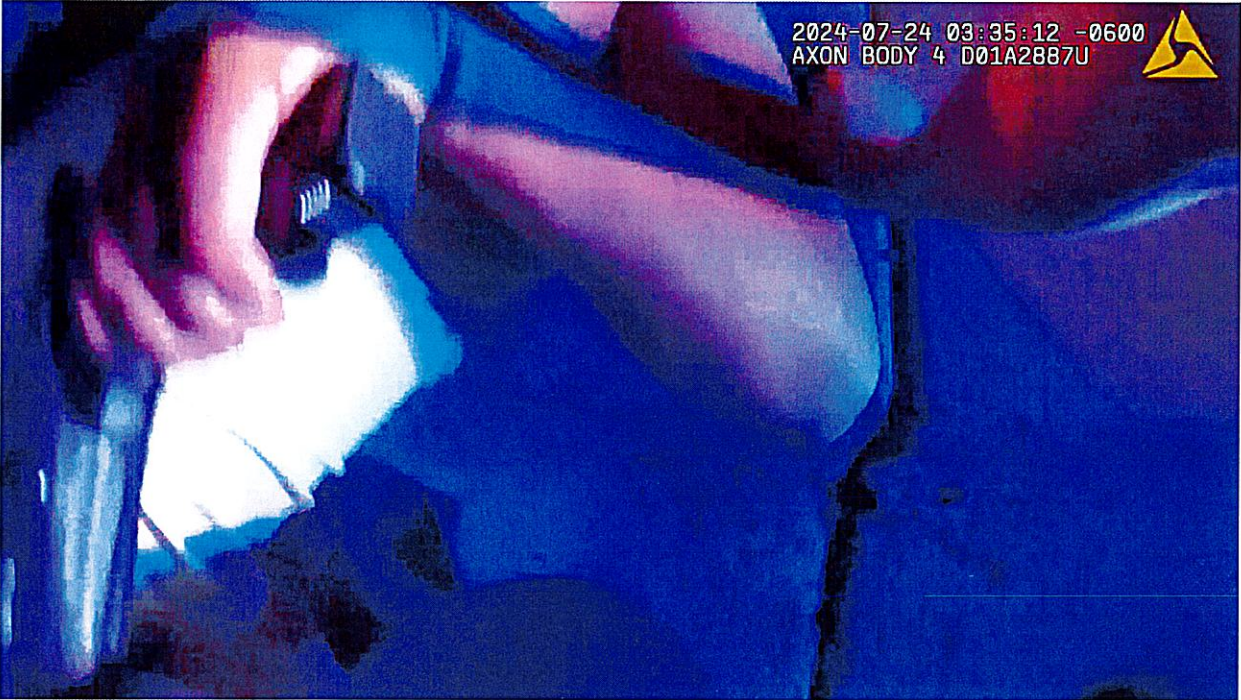
BODY-WORN CAMERA REVIEW

The three responding officers had their body-worn cameras activated during their contact with Mr. Carnero. CIRT investigators reviewed the footage of each BWC. Officer Park arrived and parked his patrol car in the northbound lane of Gale Boulevard just south of the intersection of West Thornton Parkway. He left the overhead lights activated as he walked toward Mr. Carnero, who was sitting on the ground facing east with his back against the light pole. At 03:34:38 a.m., Officer Park called out to Mr. Carnero by asking, "What's up, man?" As Officer Park proceeded to walk toward Mr. Carnero, Officer Becerra drove his patrol car westbound through the intersection and made a U-turn, parking along the curb in the eastbound lane of West Thornton Parkway just west of the intersection. Officer Becerra had the emergency lights activated on his vehicle. Officer Park attempted to communicate with Mr. Carnero by asking him, "What's going on?" and "What's your name?" At 03:34:50 a.m., Mr. Carnero stood up and made eye contact with Officer Park, but did not engage in conversation. As Officer Park got closer, he asked Mr. Carnero to keep his hands out of his pockets. Mr. Carnero extended his arms out to his side and raised his hands up. Officer Park asked Mr. Carnero if he had an ID on him, to which Mr. Carnero responded yes. Officer Park asked where, and Mr. Carnero replied,

"Here" while keeping his hands up. Officer Becerra approached from behind Mr. Carnero and stopped a few feet away, where he remained standing while Officer Park continued to attempt to engage Mr. Carnero in conversation. At 03:34:57 a.m., Officer Yantes arrived in his patrol vehicle with the emergency lights activated and parked in the intersection. He got out of his patrol vehicle and walked up to Mr. Carnero as the other officers were initiating their contact.

At 03:34:59 a.m., Officer Park placed his arm on Mr. Carnero's right wrist and advised him that he was being detained. Mr. Carnero responded, "Ok." At the same time, Officer Becerra took hold of Mr. Carnero's left wrist. As the officers attempted to pull Mr. Carnero's wrists behind his back, Mr. Carnero tensed up. Both officers advised Mr. Carnero to relax his arms. At 03:35:06 a.m., Mr. Carnero tried to pull away from the officers and stepped forward. A struggle ensued, and Officer Yantes attempted to take control of Mr. Carnero by taking him to the ground. At 03:35:09 a.m., Officer Yantes fell on top of Mr. Carnero. Officer Yantes wrestled with Mr. Carnero on the ground for approximately 10 seconds while Officers Park and Becerra attempted to gain control of Mr. Carnero's arms.

At 03:35:19 a.m., a gunshot fired, causing Officers Park and Becerra to separate from Mr. Carnero. Officer Yantes remained on the ground, continuing to struggle with Mr. Carnero. At 03:35:24 a.m., Officer Becerra fired his handgun at Mr. Carnero while Mr. Carnero and Officer Yantes continued to wrestle on the ground. Officer Yantes yelled, "He's got my gun!" two times. At 03:35:28 a.m., Officer Becerra fired his gun a second time, striking Mr. Carnero in the head. Mr. Carnero immediately stopped moving. Officer Yantes got up and stepped away. Officer Becerra held Mr. Carnero at gunpoint while Officer Park helped assess Officer Yantes's injury. The officers called for an ambulance. Additional officers arrived and helped perform emergency medical aid to Mr. Carnero.



Still image from Officer Becerra's BWC seven seconds prior to the first gunshot depicting Mr. Carnero's left hand on the grip of the firearm seated in the holster attached to Officer Yantes's waist.



Still image from Officer Park's BWC one second after Officer Becerra fired the first round depicting Mr. Velasquez Carnero's hands reaching near Officer Yantes's waistband.



Still image from Officer Park's BWC after the shooting depicting a hole in the right leg of Officer Yantes's pants near the crotch area.

LEGAL ANALYSIS

As previously noted, this review is limited to a determination of whether criminal charges should be filed against the law enforcement officer 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, to file a criminal charge, the District Attorney's Office must be able to prove beyond a reasonable doubt that the involved law enforcement officer's 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 is found at §18-1-707(4.5), C.R.S. (2024), and that subsection provides:

(4.5) Notwithstanding any other provisions in this section, 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 serious bodily injury.

The United States Supreme Court has set 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. 386, 396-97 (1989).

In this case, there is no dispute that Officer Becerra discharged his firearm two times at Gilberto Velasquez Carnero, causing his death. The legal question is whether Officer Becerra’s use of deadly force was both reasonable and necessary. Applying the proper legal standards to the facts and circumstances of this case, the issue is whether an objectively reasonable officer would have concluded that Gilberto Velasquez Carnero posed an immediate threat to the safety of the officer or another person such that the use of deadly force was necessary to prevent serious injury or death.

Here, Officers Park, Becerra, and Yantes were all engaged in the duty of locating the male who had physically assaulted a female at the Maverick Fuel Station. Officer Park found the suspect, later identified as Mr. Velasquez Carnero, walking a short distance from the Maverick. The officers were readily identifiable as peace officers and casually approached Mr. Velasquez Carnero to reasonably assess his involvement in the assault. As they tried to detain Mr. Velasquez Carnero for this purpose, he resisted and attempted to run. A fight ensued and Mr. Velasquez Carnero ended up on the ground with Officer Yantes on top of him. While Officer Yantes was on top of Mr. Velasquez Carnero during the fight, Mr. Velasquez Carnero accessed Officer Yantes’s holstered gun with his left hand and discharged it, firing a bullet into Officer Yantes’s body. As Officer Becerra attempted to assist the officers gain control of Mr. Velasquez Carnero, he heard the gunshot and Officer Yantes yell, “He’s got my gun!” several times. Officer Becerra stated that he shot Mr. Velasquez Carnero because he knew that Mr. Velasquez Carnero had the gun and feared for the safety of Officer Yantes, Officer Park, and himself.

I find Officer Becerra’s actions to be reasonable, necessary and justified. The facts support the conclusion that Mr. Velasquez Carnero posed an immediate threat of safety to Officer Yantes and everyone else in his vicinity. Mr. Velasquez Carnero’s aggressive demeanor, refusal to comply with Officer Park’s reasonable commands, and his overall violent response to the officers, demonstrated his intent to use unlawful and dangerous force against them. Most egregiously, Mr. Velasquez Carnero accessed Officer Yantes’ gun and fired it into his body, injuring Officer Yantes and presenting a lethal threat to him and the other officers. It was, therefore, objectively reasonable for Officer Becerra to believe that Mr. Velasquez Carnero

presented a threat to the officers.

The evidence also supports a conclusion that the use of deadly force was necessary to prevent Mr. Velasquez Carnero from inflicting serious bodily injury or death upon Officer Yantes or any other officer. Officer Becerra first shot Mr. Velasquez Carnero in the shoulder because that was the only area he could safely shoot without putting the other officers' lives at risk. After the first shot, Mr. Velasquez Carnero continued to fight with Officer Yantes. As Officer Becerra explained, he fired a second shot at Mr. Velasquez Carnero's head because he did not believe that nonlethal force would have been effective to stop the deadly threat that Mr. Velasquez Carnero presented to Officer Yantes and the others. Indeed, Mr. Velasquez Carnero's aggressive behavior persisted, and he continued to reach for Officer Yantes's weapon even after Officer Becerra fired the first gunshot. Unfortunately, Mr. Velasquez Carnero continued to fight and left Officer Becerra with no other option. Officer Becerra made a split-second decision to use deadly force to protect Officer Yantes and others from harm. I find this decision to be justified.

CONCLUSION

Given the totality of the circumstances and evidence, the prosecution cannot prove that the involved Officer Julian Becerra was not justified in using reasonable force under §18-1-707, C.R.S. (2024). Therefore, applying the facts of this incident to the applicable law, the evidence does not support the filing of criminal charges against Officer Becerra for firing his weapon at Gilbert Velasquez Carnero and causing his death.

Please feel free to contact me if you have any questions.

Sincerely,



Brian S. Mason
District Attorney