



April 11, 2025

RE: March 10, 2025, Critical Incident Response Team Investigation of the officer involved shooting at Edora Park, Fort Collins, CO; encompassing the investigations contained in LCSO case SO25-0002392, FCPS case FC25-0003541, LPD case LP25-0001848, CSU case CS25-0000395, TPD case TI25-0000184, and JCSO case JC25-0000073.

Dear Sheriff Feyen,

Pursuant to §16-2.5-301 and §20-1-114, C.R.S., and the 8th Judicial District Critical Incident Protocol, the District Attorney's Office reviewed the March 10, 2025, shooting of Keith Williams, which occurred at Edora Park in the City of Fort Collins. This legally mandated review is to determine whether Larimer County Sheriff's Office personnel (specifically, Sergeant Samuel Roth) violated any Colorado criminal statutes with respect to the shooting.

I. EXECUTIVE SUMMARY

Applying the law to the facts of this incident, as described in greater detail below, I conclude Sgt. Roth was legally justified in his use of physical force to defend himself and his fellow deputy from the threat posed by Keith Williams on March 10, 2025. Because I have concluded that Sgt. Roth was justified in his use of physical force, no criminal charges will be filed against him by the District Attorney.

II. THE STATUTORY FRAMEWORK FOR OFFICER INVOLVED SHOOTING INVESTIGATIONS AND REVIEW

C.R.S. § 16-2.5-301 governs investigations into peace officer-involved shooting investigations. It provides, in relevant part:

Each police department, sheriff's office, and district attorney within the state shall develop protocols for participating in a multi-agency team, which shall include at least one other police department or sheriff's office, or the Colorado bureau of investigation, in conducting any investigation, evaluation, and review of an incident involving the discharge of a firearm by a peace officer that resulted in injury or death. The law enforcement agencies participating need not be from the same judicial district.

The investigation into this shooting incident was conducted by a multi-agency team consisting of personnel from agencies within the jurisdiction who are members of the district's Critical Incident Response Team (CIRT). Specifically, the Loveland Police Department was the lead agency in this investigation, and it was assisted by other agencies, including the Fort Collins Police Services,

Colorado State University Police Department, the District Attorney's Office, Timnath Police Department, Jackson Counties Sheriff's Office, Colorado State University Police Department, and the Larimer County Sheriff's Office.

C.R.S. § 20-1-114 provides:

The district attorney shall, if no criminal charges are filed following the completion of an investigation pursuant to section 16-2.5-301, C.R.S., release a report and publicly disclose the report explaining the district attorney's findings, including the basis for the decision not to charge the officer with any criminal conduct. The district attorney shall post the written report on its website or, if it does not have a website, make it publicly available upon request.

This document constitutes a report of the District Attorney's findings and includes the basis of the decision not to charge the involved peace officer with any criminal conduct.

As the defendant will be criminally charged with various felonies for his conduct leading up to the shooting, the District Attorney must abide by Colorado's ethical and procedural rules to protect the rights of the defendant and the integrity of the criminal case. Specifically, Rule 3.8. (Special Responsibilities of a Prosecutor) provides in relevant part:

The prosecutor in a criminal case shall:

(f) except for statements that are necessary to inform the public of the nature and extent of the prosecutor's action and that serve a legitimate law enforcement purpose, refrain from making extrajudicial comments that have a substantial likelihood of heightening public condemnation of the accused unless such comments are permitted under Rule 3.6(b) or 3.6(c) and exercise reasonable care to prevent investigators, law enforcement personnel, employees or other persons assisting or associated with the prosecutor in a criminal case from making an extrajudicial statement that the prosecutor would be prohibited from making under Rule 3.6 or this Rule.

Therefore, the details in this report will be curtailed to comply with the letter and spirit of the ethical rules and to protect the integrity of the ongoing case, while providing sufficient information to satisfy C.R.S. § 16-2.5-301 and § 20-1-114.

**All [potential] charges against Keith Williams are merely allegations and he is presumed innocent of all charges filed against him unless and until he is proven guilty beyond a reasonable doubt.*

III. MATERIALS REVIEWED

I have been provided materials produced during the CIRT investigation into the shooting of Keith Williams. This includes the investigative reports contained from the multi-agency team as

documented in LCSO case SO25-0002392, FCPS case FC25-0003541, LPD case LP25-0001848, CSU case CS25-0000395, TPD case TI25-0000184, and JCSO case JC25-0000073.

The information I have considered in this review also includes:

- Relevant body-worn camera footage of the involved peace officers.
- Reports of the CIRT investigators.
- Recorded interviews of involved deputies.
- Recorded interviews or reports of other witnesses (police and lay witnesses).
- Photographic and video evidence, including but not limited to comprehensive scene documentation.
- Physical evidence (*e.g.*, firearms, ballistics, items recovered from scene, etc.).
- Medical evidence, including information about the injuries sustained by Keith Williams and Deputy Hart.
- Interviews of family members and investigation into defendant’s background.

IV. APPLICABLE LAW

The District Attorney’s review of this event is guided by the Colorado statutes pertaining to the use of force by peace officers, as well as general defense of self or others. Sgt. Roth and Deputy Hart, and any other persons referred to as “deputies” or “officers” in this letter, are “peace officers” per statute. *See* §16-2.5-101-103, C.R.S.

By using his firearm and causing injury to Keith Williams, Sgt. Roth’s conduct implicates Colorado’s peace officer use of force and self-defense/defense of others statutes.

Colorado’s relevant use of force statutes and relevant legal definitions:

§18-1-901 (3)(d), C.R.S. “Deadly physical force” means force, the intended, natural, and probable consequence of which is to produce death, and which does, in fact, produce death.

§18-1-901 (3)(e), C.R.S. “Deadly weapon” means: (I) A firearm, whether loaded or unloaded; or (II) A knife, bludgeon, or any other weapon, device, instrument, material, or substance, whether animate or inanimate, that, in the manner it is used or intended to be used, is capable of producing death or serious bodily injury.

§18-1-707, C.R.S. (Use of force by peace officers—definitions), states in relevant part:

- (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 injury to the peace officer or another person.
- (2) When physical force is used, a peace officer shall:
 - (b) Use only a degree of force consistent with the minimization of injury to others;

- (c) Ensure that assistance and medical aid are rendered to any injured or affected persons as soon as practicable; and
 - (d) Ensure that any identified relatives or next of kin of persons who have sustained serious bodily injury or death are notified as soon as practicable.
- (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.

§18-1-704, C.R.S., Colorado’s general self-defense statute, states in relevant part:

[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, and he may use a degree of force which he reasonably believes to be necessary for that purpose.*

*The statute has additional limitations on the use of deadly physical force, but as deadly force was not used (Mr. Williams has survived his injuries), those provisions are not relevant to this review.

Under Colorado law, a person acts legally to defend themselves or others when both a “reasonable belief and actual belief” exist on behalf of the actor. *See Sanchez v. People*, 820 P.2d 1103, 1108 (Colo. 1991). The law requires the fact finder to “weigh all relevant circumstances to determine whether a person asserting the defense of self-defense has acted as a reasonable person would act in similar circumstances.” *Id.*

V. SUMMARY OF LEGAL STANDARD AS APPLIED TO THIS EVENT

Distilling the legal authority down to an applicable standard to apply to this event, and since deadly physical force was not used, we must determine:

- 1) Whether Sgt. Roth reasonably believed that the use of physical force – and degree of force employed - was necessary to defend himself or others from what he reasonably believed to be the imminent use of physical force by Mr. Williams?

Additionally, the law requires us to ask:

- 2) Whether nonviolent means would have been ineffective in preventing an imminent threat of injury to Sgt. Roth or another person in this situation?
- 3) Whether Sgt. Roth used only a degree of force consistent with the minimization of injury to others?
- 4) Whether Sgt. Roth identified himself as a peace officer and gave a clear verbal warning of his intent to use his firearm with sufficient time for the warning to be observed, and if not, whether he is exempted from having given that warning because it: a) would have unduly

placed him or his fellow officers at risk of injury, or b) would have created a risk of death or injury to other persons?

- 5) Whether Sgt. Roth or his fellow officers ensured that assistance and medical aid were rendered to Mr. Williams as soon as was practicable after the shooting?
- 6) Whether Sgt. Roth or his fellow officers ensured that Mr. Williams' identified relatives or next of kin were notified as soon as practicable?

VI. SUMMARY OF RELEVANT FACTS.

While a criminal case has not yet been filed against Mr. Williams given his medical condition, it remains likely that a criminal case will be filed and therefore legal and ethical constraints meant to protect Mr. Williams' right to a fair trial, and our ability to ensure accountability, as outlined above, necessitate an abbreviated recitation of the facts. The facts herein are intentionally limited primarily to those which are – or will likely be - available in the public record and which have also been corroborated by the review of additional evidence gathered in the CIRT investigation. Additional facts, if any, are provided only as needed to meet statutory requirements. *All references to Mr. Williams's conduct remain merely allegations and he retains the presumption of innocence unless and until proven guilty.*

On March 10, 2025, at approximately 1402 hours, Deputy Jason Hart of the Larimer County Sheriff's Office (LCSO) was headed to a location in unincorporated Larimer County to conduct traffic enforcement as a motorcycle deputy. While en route from the Sheriff's Office to his destination, Deputy Hart observed a mini dirt bike in the area of East Prospect Road and Riverside Avenue in the city of Fort Collins, Colorado, that he recognized as being illegal to operate on the street. The minibike, defined by statute as a "toy vehicle," would create an unsafe hazard on the roadway for other motorists. When Deputy Hart attempted to stop the bike, the driver, who the investigation later identified as Keith Williams, ran a red stop light at Riverside, proceeded south on Riverside without stopping, and turned westbound from Riverside Avenue onto the Spring Creek Trail (a paved City of Fort Collins bike path). Sgt. Samuel Roth, also on a motorcycle, was headed to conduct traffic enforcement and observed Deputy Hart initiating this traffic stop and joined behind as a cover officer. Both peace officers were in clearly marked LCSO uniforms and were riding clearly marked LCSO motorcycles and had activated their lights and sirens.

Sgt. Roth aired over the radio that deputies were pursuing an eluding vehicle, and they both followed Williams into Edora Park. Sgt. Roth estimated that their speeds were approximately 30-40 mph while they were traveling along the bike path.



Timestamp: 14:03:13



Timestamp: 14:03:14

Still images captured from Deputy Hart's body-worn camera immediately prior to Sgt. Roth returning fire.

Sgt. Roth reported he was unable to give Williams verbal commands prior to engaging him and was worried that any delay would have given Williams time to shoot and potentially injure Deputy Hart or others. Sgt. Roth described how he perceived Williams holding a revolver pointed in Deputy Hart's direction as a deadly threat, so he believed lesser force was not feasible and could have resulted in someone getting hurt or killed.

Deputy Hart, as he was attempting to use less-lethal force in the form of a Taser, did not see Williams turn and point the gun at him, however he reported he "felt overpressure from the barrel of a gun and then immediately felt a very strong impact and burning in [his] right bicep." Deputy Hart immediately knew that he was shot. Approximately one-half second later, Deputy Hart recalled hearing 7-10 shots in quick succession coming from Sgt. Roth. Later, after retreating to cover, Deputy Hart also observed the revolver on the ground and still within reach of Williams. Deputy Hart believed that if Sgt. Roth had not returned fire, Williams would have continued to fire his weapon without any concern for the safety of deputies or nearby civilians.

Both peace officers then took cover behind a tree and gave commands to Mr. Williams. Sgt. Roth told Williams, "Don't touch the gun, don't touch the gun." Williams continued to move around on the ground, including moving his arm near the revolver. It is unclear whether he was intentionally ignoring commands and attempting to regain control of the firearm, whether the movement was a reaction to his injuries, or a combination of both. However, based on his actions and the proximity of the revolver, both Roth and Hart assessed Williams as a continuing threat.

Deputy Derek Miller arrived with several other back-up officers while Williams was still on the ground next to, or on top of, his revolver. Deputy Miller is a K9 (trained police dog) handler for

LCSO. Upon his arrival, Deputy Miller observed a person lying on the ground in front of a tree and heard Sgt. Roth giving the person (Williams) verbal commands including telling the person not to reach for the gun. Deputy Miller did not hear Williams say anything, but he observed him moving around on the ground. Deputy Miller was worried that Williams might get back up and begin shooting again, so he retrieved a long lead and deployed his K9. Deputy Miller directed his K9 to Williams' left arm. Once his K9 bit Williams's left arm, Deputy Miller pulled his K9 back, causing Williams to be dragged approximately 10 feet away from the gun. Deputy Miller then observed a silver revolver on the ground where Williams had just been. As Deputy Miller's K9 was biting down on Williams' left arm, Miller thought he observed Williams trying to reach for something with his left hand. Deputy Miller later observed a knife inside a sheath on Williams' belt. When other deputies gained control of Williams' hands, Deputy Miller pulled his K9 away from Williams to allow deputies to render aid to him.

Once Deputy Miller's K9 moved Mr. Williams away from the revolver, deputies placed him into custody and began rendering aid. Once Emergency Medical Services (EMS) arrived, deputies assisted with placing Williams on the EMS gurney and allowed EMS to further address his injuries. Williams was transported by EMS to the Medical Center of the Rockies to receive additional medical treatment for his injuries.

Deputies Miller and Hart and Sgt. Roth all cooperated fully with the CIRT investigation and provided recorded interviews. Deputy Hart's interview was necessarily delayed as he remained hospitalized for several days. All officers provided full accounts and answered all CIRT questions.

Deputy Miller's body-worn camera was not activated during the K9 deployment. Deputy Miller explained that given the volatility of the situation, including having to help apply a tourniquet to Deputy Hart's arm and the ongoing threat posed by Williams, he had forgotten to turn the camera on. Deputy Hart's use of force – by way of K9 deployment – was captured completely on other officers' cameras. Sgt. Roth's body-worn camera was also not activated until after he shot. He explained that he was unable to activate his body-worn camera because of the immediate threat that Williams posed to Deputy Hart. He did activate the camera immediately after he fired; however, as it had been in "sleep mode" it did not capture the previous 30 seconds of footage as cameras in "live mode" will. Deputy Hart's body-worn camera recorded the incident beginning with the vehicle pursuit through the completion of his duties on scene and captured the specific threat posed by Keith Williams (as shown in the screen shots contained in this letter).

Ballistics Evidence

A wide scene at Edora Park was comprehensively searched by CIRT crime scene investigation staff. Numerous potential defects were observed around the park in the grass and to the sides and bases of several trees. Based on these observations, body-worn camera footage, witness statements, and interviews with deputies, it is believed that these potential defects are in Sgt. Roth's line of fire that was pointed westbound when he engaged Mr. Williams.

On scene, and directly beneath where Williams collapsed, a .44 Magnum Ruger Redhawk Revolver was found. CIRT investigators traced the firearm to an out-of-state purchaser who is now deceased. It is unknown how Williams came to be in possession of the firearm. The investigation revealed that

Williams likely had this firearm stored in a metal saddle box on his bike and retrieved it after his bike went over the curb.



Williams' firearm as it was located on scene.

The Ruger cylinder has six chambers. Two contained spent casings and four contained live bullets. As revolvers do not expel spent casings, ballistics evidence alone cannot dispositively show how many times Mr. Williams fired on scene. Given the injury to Deputy Hart, Williams clearly fired at least once on scene, hitting Deputy Hart in the shoulder. It remains unknown whether Williams fired the second spent bullet on scene or if that round was fired prior to this incident.

Sgt. Roth's duty pistol had a 20-round magazine inserted into the gun with 20 live 9mm rounds and one live 9mm round in the chamber. On his duty belt, Sgt. Roth had one 20-round magazine containing 11 live 9mm rounds and another 20-round magazine containing 20 live 9mm rounds. Sgt. Roth can be seen on body worn camera performing a tactical reload after firing, in which he switched the partially used magazine for a full magazine from his duty belt. This count revealed nine rounds were expended. Eight 9mm casings matching Sgt. Roth's ammunition were recovered from the scene. An extensive search by the CIRT by way of visual inspection, metal detectors, and a K9 did not locate a ninth casing. However, a single, live 9mm round was found by LCSO deputies later in the same room in which Sgt. Roth was processed. It is believed this was the ninth missing round, meaning Sgt. Roth in fact fired eight times.

Body-worn camera video was analyzed to determine the final number of shots fired. However, given the rapid exchange, the decibel level of gun shots, and the inherent limits of body-worn camera audio quality, the analysis could not definitely answer that question.

Summary of Injuries

Medical information will be specifically limited due to the above outlined ethical obligations and to protect all parties' private medical information.

Mr. Williams was observed on scene to have several injuries, including in the areas of his head, chest, and arm. Medical staff determined that some of Williams' injuries were due to gunshot

wounds and others were not able to be determined and may have been caused by the K9. Medical staff confirmed that Williams' injuries met the legal definition of Serious Bodily Injury. Williams remains at the hospital under medical care and CIRT is monitoring his condition.

Deputy Hart was transported by an LCSO patrol vehicle to Poudre Valley Hospital. Deputy Hart had one gunshot wound to his upper right arm. Medical staff confirmed Deputy Hart's injury met the legal definition of Serious Bodily Injury. Deputy Hart spent several days in the hospital and has since been released to continue his rehabilitation.

Civilian Witnesses

CIRT investigators spoke to numerous citizens who were recreating in various portions of Edora Park at the time of the shooting. Witness accounts of the number of shots fired differed – which is not unexpected given the very short duration in which the gunfire was exchanged and the difficulty in differentiating shots – but largely corroborated what was already known from officer accounts, body-worn camera, and ballistics evidence. To the extent some witnesses believed they understood the sequence of events, they reported that Mr. Williams shot first and Sgt. Roth returned fire.

While many members of the public were rightfully in fear during this event, their relative locations and the nature of the ballistics evidence (including the direction in which Williams was shooting) does not support additional charges against Williams for any specific individual.

VII. POTENTIAL CHARGES FOR WILLIAMS

After review of the evidence gathered as of the writing of this letter, several charges appear likely to be filed against Keith Williams. Those include, but are not limited to:

1. Attempted Murder in the First Degree of Deputy Hart (F2)
2. Menacing of Sgt. Roth (F5)
3. Possession of a Weapon by a Previous Offender (F5)
4. Reckless Driving (MT2)
5. Various additional traffic offenses

**All [potential] charges against Keith Williams are merely allegations and he is presumed innocent of all charges filed against him unless and until he is proven guilty beyond a reasonable doubt.*

VIII. CONCLUSION

The CIRT investigation in this case conformed to the letter and the spirit of §16-2.5-301, C.R.S. The investigation was thorough, objective, and all necessary materials were provided in a timely manner. Finally, the investigation yielded ample evidence from which factual and legal conclusions could be reached. As previously stated, only some of that evidence is shared here to meet legal requirements, anticipating a criminal case against Mr. Williams.

The District Attorney's Office finds that:

1. Sgt. Roth had a reasonable belief that using his firearm was necessary, and that nonviolent means would have been ineffective in preventing an imminent threat of injury to himself and to Deputy Hart. Further, there was no lesser degree of force that was reasonable under the circumstances.

Considering the immediacy and lethality of the threat posed to Sgt. Roth and Deputy Hart, it was reasonable for Sgt. Roth to shoot Mr. Williams, who at that time had just shot Deputy Hart. While at the time Sgt. Roth fired, he did not know that Williams had already fired, he did accurately assess the gravity of the situation. Based on officer accounts and confirmed by body-worn camera and physical evidence, it is clear that Williams had just spun around towards Deputy Hart brandishing a large revolver and was pointing it directly at Deputy Hart. The totality of the circumstances, including Williams eluding officers, his immediate retrieval of his firearm from the bike saddle case, his ignoring of Deputy Hart's initial commands, his indifference to the threatened use of a Taser, his turn toward Deputy Hart with the gun in hand, and his aiming of the gun directly at Deputy Hart while assuming a firing stance, all show Williams' intent was to eliminate the threat of arrest posed by Deputy Hart by any means necessary and justifies Sgt. Roth's response – even without Sgt. Roth actually having seen the bullet fired.

There was no lesser means -or degree- of force which would have been reasonable at that time. Mr. Williams had lethal means at the ready and was demonstrating an intent to use it (and did in fact use it). Deputy Hart already had attempted less lethal means by drawing his Taser and giving commands. That attempt had no deterrent effect on Williams. The timeframe in which Sgt. Roth had to assess the situation, observe Williams' revolver, and see him rotate toward Deputy Hart, was mere seconds (or less). Any attempt by Sgt. Roth to use means other than firing his weapon would surely have allowed Williams to fire additional rounds, likely resulting in greater injury or death to Deputy Hart and possibly to Sgt. Roth as well. The totality of the circumstances indicates Sgt. Roth's quick actions likely saved Deputy Hart's life.

2. Sgt. Roth was exempted from giving the verbal warning due to the immediacy of the threat and the clear danger it would have caused him and Deputy Hart.

The rapidly unfolding nature of the events meant that by the time Sgt. Roth understood he needed to fire at Mr. Williams, he had no time to spare. Deputy Hart had already given warnings related to his Taser use that had been ignored while Williams drastically escalated the situation by brandishing a firearm. While Sgt. Roth was unaware at the time, evidence shows Williams had shot before - or at the latest simultaneously to - Sgt. Roth returning fire. That timing demonstrates any warning would have been futile, and likely far too late, based on Williams' actions.

3. The deputies on scene ensured that assistance and medical aid were rendered to Mr. Williams as soon as practicable.

Sgt. Roth and Deputy Hart were not able to safely render aid until other officers arrived. Mr. Williams had already shot one deputy, he remained within reach of the revolver and continued to move, which could reasonably be understood to be his reaching for the weapon. The use of

a K9 by Deputy Miller to separate Williams from the revolver was a reasonable and prudent means by which to ensure officer safety and allow them to approach Williams to render aid. Officer accounts and body-worn camera video confirm that the revolver was within direct reach of Williams until the K9 facilitated separation. Having rendered the scene safe from further use of the revolver, deputies immediately began rendering aid and continued to do so until transferring care to EMTs.

4. CIRT investigators notified Mr. Williams' family of the situation. Williams' family is not local and several family members were contacted by phone as soon as their identities were known.

The totality of the evidence presented through the CIRT investigation reveals that both the actual and perceived circumstances Sgt. Roth faced on March 10, 2025, justified his actions in the use of force against Mr. Williams. As a result, the District Attorney's Office concludes that no charges will be brought against the deputy for the shooting of Keith Williams.

Respectfully,

/s/ Gordon P. McLaughlin

Gordon P. McLaughlin

District Attorney

8th Judicial District