



August 8, 2025

RE: June 15, 2025, officer-involved shooting at 767 Eastdale Drive, Fort Collins. LCSO (lead agency) #SO 25-5973; LVPD #LP25-4921; CSUPD #CS25-1077; FCPS #FC25-8842.

Dear Chief Swoboda,

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 June 15, 2025, shooting of Eugene Reinersman, which occurred near 767 Eastdale Drive, in Fort Collins, Colorado. This legally mandated review is to determine whether any Fort Collins Police Services' personnel (specifically, Sergeant Randall Klamser) 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 Sergeant Klamser was legally justified in his use of physical force to defend other officers and the public from the threat posed by Eugene Reinersman on June 15, 2025. Because I have concluded that the officer 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 Larimer County Sheriff's Office was the lead agency,

and it was assisted by other agencies, including the Loveland Police Department, Colorado State University Police Department, the District Attorney's Office, and Fort Collins Police Services.

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 has been 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 charges against Eugene Reinersman 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 Mr. Reinersman. The agencies and respective case numbers are: Larimer County Sheriff's Office, SO 25-5973 (lead agency); Loveland Police Department, LP 25-4921; Colorado State University Police, CS 25-1077; Fort Collins Police Services, FC 25-8842.

The information I have considered in this review includes:

- Relevant body-worn camera footage of involved and witness officers
- Reports/summaries of the CIRT investigators
- Recorded interviews of involved and witness officers
- Recorded and summarized interviews of other witnesses (including lay witnesses)
- Photographic and video evidence, including but not limited to comprehensive scene documentation and drone footage
- Physical evidence (*e.g.*, firearms, ballistics, items recovered from scene, etc.)
- Medical evidence, including limited information about the injuries sustained by Mr. Reinersman
- Familial background evidence

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. Sergeant Klamser and any other persons referred to as "officers" or "deputies" in this letter are "peace officers" per statute. *See* §16-2.5-101-103, C.R.S.

By using his service handgun and causing injury to Mr. Reinersman, Sergeant Klamser's conduct implicates Colorado's peace officer use of force and self-defense statutes.

Colorado's relevant use of force statutes and 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 (by definition, deadly force was not used in this case - the definition is included for anticipated questions from the public).

§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 since deadly force was not used (Mr. Reinersman 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

Condensing 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 Sergeant Klamser 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, or continued, use of physical force by Eugene Reinersman.

Additionally, the law requires us to resolve:

- 2) Whether nonviolent means would have been ineffective in preventing an imminent threat of injury to Sergeant Klamser or another person in this situation.
- 3) Whether Sergeant Klamser used only a degree of force consistent with the minimization of injury to others.
- 4) Whether Sergeant Klamser 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 Sergeant Klamser or his fellow officers ensured that assistance and medical aid were rendered to Mr. Reinersman as soon as was practicable after the shooting.
- 6) Whether Sergeant Klamser or his fellow officers ensured that Mr. Reinersman's identified relatives or next of kin were notified of his medical status, if known, as soon as practicable.

VI. SUMMARY OF RELEVANT FACTS.

Because there has been a criminal case filed against Mr. Reinersman, the following summary will include various sources of information, at times without specific attribution to the person (or other source) of the information. 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. Reinersman's conduct remain merely allegations and he retains the presumption of innocence unless and until proven guilty.

On June 15, 2025, at approximately 10:30 p.m. Fort Collins Police responded to a disturbance call at 700 Eastdale Drive in Fort Collins. Police dispatch described what appeared to be a domestic violence incident. Upon arrival, officers received information from the alleged victim that provided probable cause for misdemeanor domestic violence charges. The alleged victim reported that her husband, Eugene Reinersman, had made threatening comments, including threatening to kill her with a honing steel (rod). She further advised that her two children were asleep inside the home at 700 Eastdale Drive. She also reported that Reinersman had taken all the kitchen knives from 700 Eastdale Drive to their second property at 706 Eastdale Drive (the homes are side-by-side ranch-style houses on Eastdale Drive). Based on the information the police received, they believed Reinersman to be inside the dwelling at 706 Eastdale Drive.

Given the allegations that Reinersman possessed knives, had made threats to harm, and had otherwise committed domestic violence-related crimes, the Fort Collins Police decided to find, contact, and arrest Reinersman. Using a drone, officers determined Reinersman was located across the alley in the backyard of 767 Eastdale Drive. Reinersman did not have any authorization to be on the 767 Eastdale Drive property. Reinersman was located and ordered to come out from behind a wooden fence. Corporal Travis Pellyk specifically advised Reinersman to "comply or deadly force may be used you" three separate times. Reinersman did not comply and was ultimately found to be hiding in a detached shed/garage within the property of 767 Eastdale Drive. The officers again ordered Reinersman to come out, but he refused.

From outside the shed the officers observed Reinersman inside through a half-size, wooden access door and clear glass windows. He was holding a large kitchen knife in his hand and refused to come out or otherwise comply with officers' commands. Officers aired over their radios that he was armed and continued to try to gain compliance from Reinersman. Officers commanded

Reinersman at gunpoint numerous times to “Show us your hands – do it now!” and “Drop the knife!” These commands were made while the officers and their firearms were clearly visible to Reinersman and within approximately 10 to 15 feet. While the officers were attempting to gain compliance from Reinersman, they shot him with two less-lethal 40mm polyurethane baton rounds (a type of less-lethal munition designed to temporarily incapacitate or bring a suspect into compliance while causing minimal long-term injury). Neither round caused Reinersman to drop the knife, surrender, or otherwise comply with the officers’ commands. In fact, Reinersman became more enraged and began shouting obscenities at the officers, putting the knife to his own throat and pacing back and forth with the knife in his hand.

Sergeant Klamser took charge of the commands by advising his fellow officers that “one voice” needed to be used, so there was no ambiguity or confusion as to what was expected of Reinersman. While pointing his handgun at Reinersman, Klamser repeatedly and clearly told him, “Eugene, don’t do that” and “drop the knife,” as Reinersman was holding the knife to his own throat.

While officers were challenging Reinersman on the north side of the shed, other officers were set up outside the shed on the south side with no visibility of what was occurring inside the shed. The officers could hear the shouting and knew Reinersman was just on the inside of the door and were planning on using less-lethal rounds should he emerge. While there was situational awareness between officers through radio communication, Sergeant Klamser and the officers on the north side did not -and could not- know exactly where the other officers were. After multiple clear commands for Reinersman to drop the knife, Reinersman shifted his attention to the south side door of the shed, looking through the drapes on the door. Sergeant Klamser managed to warn Reinersman one final time, stating, “don’t go towards those officers Eugene” before firing two rounds from his handgun after Reinersman had opened the door and was walking through it towards the officers on the other side.

After being shot twice by less-lethal rounds and twice with live rounds, Reinersman still did not drop the knife and fled out the door and down the alley toward 700 Eastdale Drive. Reinersman was shot four additional times by less-lethal 40mm rounds after he emerged from the shed door - he still did not drop the knife, and ran toward - and was reentering - the gate to the residences of 700 and 706 Eastdale Drive. Only after a successful Taser deployment did Reinersman drop the knife, after which he was arrested and provided with medical aid. Reinersman was quickly transported to the Medical Center of the Rockies where he was treated for two gunshot wounds – one to his arm and one to his abdomen. He survived his injuries and has since been charged with multiple felonies and misdemeanors for his conduct toward his wife and the officers.

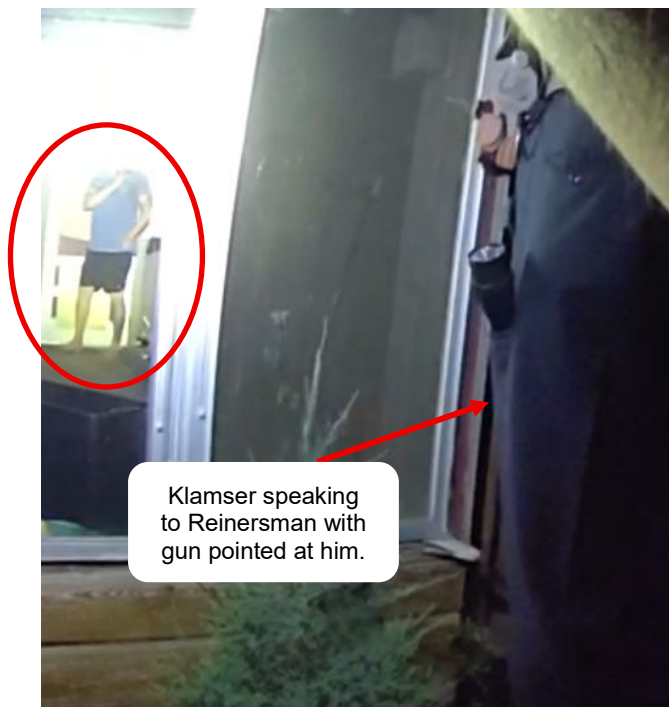
All involved officers were interviewed by the CIRT investigators. All cooperated with the investigation and provided candid accounts that were corroborated by body worn camera footage and other evidence. The officers expressed disbelief in Reinersman’s determination to avoid arrest, maintain possession of the knife, and flee from the police after having been shot with so many less-lethal and live rounds. The officers were concerned that Reinersman would use the knife on a police officer and it is clear from the interviews and the body worn camera footage that once Reinersman got through the shed door and began running down the alley the officers’ main concern was that he might get to the house and harm his wife or the two sleeping children.

VII. MEDIA.

Body worn camera footage was helpful to this review, including by showing the proximity of the officers to Reinersman as he was ordered to drop the knife, and his view of the officers with their guns (firearms and less-lethal) trained on him. The footage also supported the number of less-lethal and live rounds fired by police, when they were fired, the nature of the commands by police, and responses by Reinersman.



(Klamser with gun trained on Reinersman over half-door)



Klamser speaking
to Reinersman with
gun pointed at him.

(Reinersman - holding knife to his neck - looks at Klamser, who is talking to him while pointing his firearm at him over the half-door)



(Reinersman opening door seconds before he is shot – Klamser out of frame)



(Reinersman as he emerges from the shed within 10-15 feet of officers, with knife still in hand)

VIII. ADDITIONAL EVIDENCE

1) Weapons evidence:

- a. The evidence supports that Sergeant Klamser was the only peace officer who discharged a firearm (his department-issued 9mm Glock 17) during this encounter and fired two rounds.
- b. A large kitchen knife was recovered next to Reinersman when he was arrested.



- c. Two Penn Arms 40mm Baton Launchers (less lethal) were used by two officers during the event, with a total of seven shots fired and six hitting Reinersman.
- d. One officer used his Taser (“Taser 10”) and deployed five darts, ultimately achieving neuromuscular incapacitation.

2) Medical evidence:

- a. As stated above, Mr. Reinersman was struck by two rounds, was treated at Medical Center of the Rockies (MCR) and survived his injuries. He was determined to have “serious bodily injury” by his treating physician.

IX. CHARGES FOR REINERSMAN.

The following charges were filed against Eugene Reinersman in case no. 25 CR 917:

1. Menacing (class 5 felony) (six counts)
2. Harassment – an act of domestic violence (class 1 misdemeanor) (one count)

As stated above, Mr. Reinersman is presumed innocent of all charges filed against him.

X. CONCLUSIONS.

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. Fort Collins and CSU Police officers and Larimer Sheriff's Office deputies cooperated with the CIRT investigation and provided voluntary interviews. They appeared genuine in their responses and the independent evidence supported their version of events.

The District Attorney's Office finds that:

1. (Addressing questions 1, 2, and 3 above) Sergeant Klamser 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 other officers, the alleged victim and the children at 700 Eastdale Drive, or the public at large. Further, there was no lesser degree of force that was reasonable under the circumstances, as Reinersman had already been shot two times with 40mm less-lethal rounds with no effect. The non-compliance after multiple polyurethane baton rounds is notable, as direct impacts at that range would typically form sufficient physical and mental deterrents to continuing to refuse commands. Mr. Reinersman was not only able to remain upright and retain control of the knife, but his anger visibly escalated as he refused further commands, giving officers heightened concern for the safety of officers beyond the door.

Considering the totality of the circumstances facing Sergeant Klamser, it was reasonable for him to shoot Reinersman. Sergeant Klamser was precise in his use of force and used only a degree of force consistent with the minimization of injury to others. Mr. Reinersman was brandishing a large knife, he had already made threats to kill his wife, he had threatened to kill himself by putting the knife to his own neck and he was enraged. Most concerning, Reinersman was moving toward officers on the other side of the shed door. Sergeant Klamser did not know where the officers were in relation to the door and it was reasonable for him to assume they could or would be injured or killed if he did not attempt to stop Reinersman.

2. (Addressing question 4 above) While Klamser did not specifically warn Reinersman that he was about to fire his handgun, Sergeant Klamser's proximity and clear communication with Reinersman, including his command, "don't go towards those officers Eugene!" and the placement of his firearm in plain view of- and pointed at - Reinersman for an extended duration, made it abundantly clear that such lethal force could and would be used. Additionally, Corporal Pellyk had already given loud and clear "use of lethal force" warnings three separate times to Reinersman. The CIRT investigators determined that no less than five use of force warnings were provided to Reinersman from the various officers during the encounter.

The evidence supports Sergeant Klamser's intent was to take over one-on-one communication with Reinersman so communication would be clear, and he could attempt to deescalate Reinersman into surrender. Klamser's tone was calm yet firm, and it is apparent that he was hoping to gain compliance right up until Reinersman indicated (by his movements) that he would go through the door toward officers. Thus, while there was time for Klamser to have

made statements that he would use lethal force against Reinersman, his chosen course was to instead attempt to deescalate by using “one voice,” referring to Reinersman by his first name, and specifically telling him not to go toward the officers.

Sergeant Klamser’s goal was to not have to shoot Reinersman, but once it became obvious Reinersman was not going to comply and made a move through the door toward the officers, Klamser had very little time before firing the two rounds. As such, and because Reinersman was given lethal force warnings at least three times previously (as well as several other use of force warnings), I find the totality of circumstances satisfies the intent of the requirement and therefore exempts Sergeant Klamser from giving the specific statutory warning at that exact moment in time.

3. (Addressing question 5 above) The officers on scene ensured that assistance and medical aid were rendered to Reinersman as soon as practicable.

While it took substantial amount of time after Reinersman was shot to get him into custody (based on his noncompliance and the danger he had demonstrated through the encounter), officers acted quickly to render assistance once he was subdued.

4. (Addressing question 6 above) Investigating peace officers ensured that Reinersman’s wife, his closest relative and the alleged victim, was notified of his injuries and status as soon as practicable. She was present in the area and heard the shooting. She was made aware that Reinersman was injured and being transported to the hospital. Mr. Reinersman sustained injuries that were determined to serious bodily injury by the emergency room doctor at MCR. The alleged victim was updated by a CIRT investigator on June 18, 2025, but additional information regarding communication about Reinersman’s injuries to any other family members and the extent of that communication is unknown at the time of this writing.
5. (Regarding use of less-lethal weapons) The officers’ use of less-lethal force, including the 40mm polyurethane rounds and the Taser, was also reasonable and appropriate under Colorado law. For the reasons explained above, officers were justified in increasing their level of force when faced with resistance by Reinersman. As his resistance involved the possession and threatened use of a deadly weapon, their choice to use less-lethal rounds to take him into custody was justified.

The totality of the evidence presented through the CIRT investigation reveals that both the actual and perceived circumstances Sergeant Klamser faced on June 15, 2025, justified his actions in discharging his handgun and causing injury to Mr. Reinersman. As a result, the District Attorney’s Office concludes that no charges will be brought against the sergeant for the shooting of Eugene Reinersman.

Respectfully,

Matt Maillaro

Matt Maillaro,
Assistant District Attorney

8th Judicial District Attorney's Office