

September 15, 2025

Ron Thomas
Chief of Police
Denver Police Department
1331 Cherokee Street
Denver, CO 80204

Re: July 1, 2025, Officer Involved Shooting at 4328 Del Rio Ct., Denver, CO,
resulting in injuries to Lonnell Maurice King (d.o.b. 05/07/75); DPD Case# 25-342665

Dear Chief Thomas,

I have reviewed the investigation of the officer-involved shooting on July 1, 2025, that resulted in injuries to Lonnell Maurice King, age 50. In this incident, Denver Police Officers Michael Roake (19043) and Emily Thurby (19095) stopped their police vehicle in front of 4328 Del Rio Ct. to investigate a fireworks violation occurring there. Mr. King immediately walked away and then disregarded Officer Roake's command to "*Come on ... get back over here.*" Instead, with his left hand, King reached for a 10mm semi-automatic pistol in his waistband. Seeing the drawing motion, Officer Roake yelled at him to get his hand out of his waistband, followed by, "*Hands up! Hands Up!*" King then walked a few more steps, with his back to the officer, as Officer Roake ran toward him. King then began to turn toward Officer Roake, turning counterclockwise. Believing King was going to fire at him, Officer Roake fired two gunshots at King. One bullet missed, but the other bullet struck King in his pelvis above his left leg. After reviewing this investigation, including important video evidence showing King's actions, I conclude that Officer Roake was justified in firing his weapon in self-defense. No criminal charges will be filed against him. This letter reports my decision per C.R.S. §20-1-114 (1).

Summary of Facts

On July 1, 2025, shortly before 9:00 p.m., DPD Officer Michael Roake (19043) and DPD Officer Emily Thurby (19095) were working together in a fully marked police SUV. Officer Roake was driving. They were in a residential neighborhood in Montbello when they observed two loud explosions of fireworks overhead within a short time. The explosions caused the alarms and hazard lights on multiple vehicles to activate. Since the fireworks activity violated Denver law, they drove to investigate. In the street in front of 4328 Del Rio Court, they saw a large mortar tube used for launching fireworks, and several people gathered nearby. Officer Roake stopped the police vehicle and activated its red and blue overhead lights.

Video cameras recorded this incident. I will use photos from the videos to help summarize what occurred.



Photo Evidence from the Driveway Surveillance Camera

Photo 1. A surveillance camera was mounted above the garage door of the home and focused toward the driveway and the street. Photo 1 shows the fireworks launcher in the street, and five people near the curb. Mr. King is the man in the white t-shirt closest to the camera standing at a card table on the sidewalk. At the time of the photo, the police SUV is coming to a stop in the street.



Note: Disregard the green rectangle on this photo and on photo 4 below.
It is a feature of the recording and has no relevance for purposes of this letter.

King immediately began walking away before either officer got out of the SUV. He walked slowly in the middle of the driveway along the dark sedan. He was moving towards the garage and the camera.

Photo 2. Officer Roake got out of the SUV, made a noise to gain attention, and called out to King: *"Hey, white tank top. Come on. What are you walking away from as soon as the cops show up? Get back over here."* King looked back as Officer Roake was calling out to him, and he placed his left hand over the handgun that he was carrying in his waistband. The fingers of his left hand were at the hem of his t-shirt.

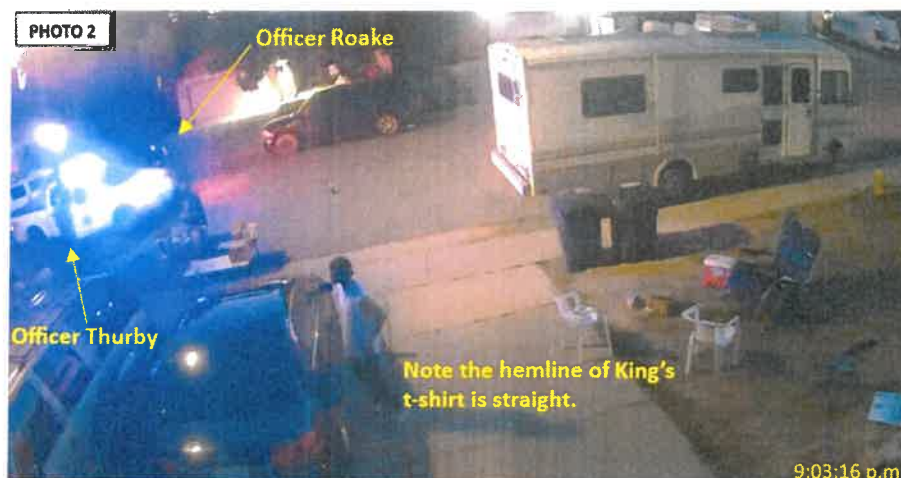


Photo 3. Showing his empty right hand, King waved and said, “*I’m not doing nothing, brother,*” saying it twice. However, with his left hand, he began lifting the hem of his t-shirt. Officer Roake was walking.

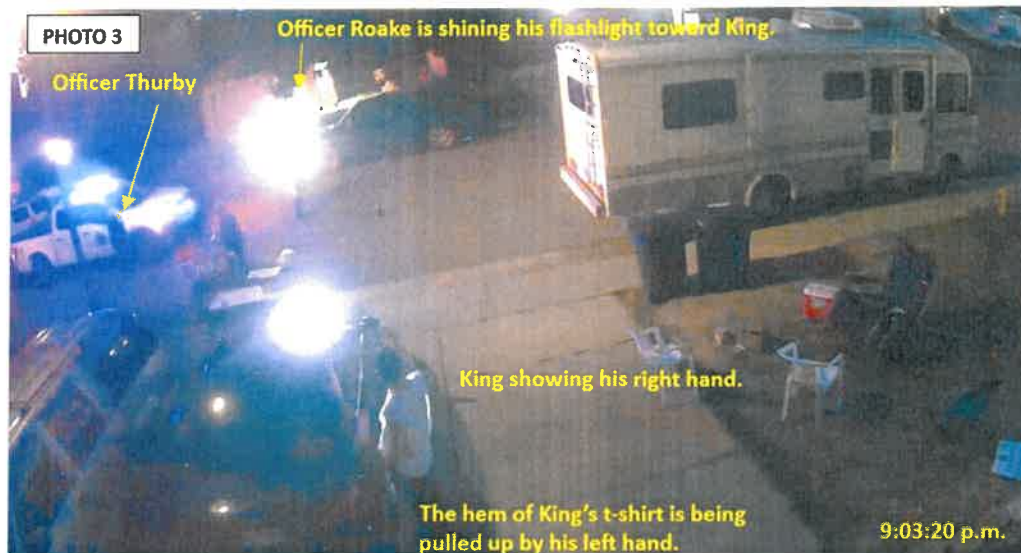


Photo 4. Two seconds later, King's left hand grasped the gun in his waistband. His white t-shirt gets pulled up noticeably at his left hip as he pulls the gun up. King's left elbow was bent sharply and was moving rearward. Officer Roake had angled to his left as he walked. He held a flashlight in his right hand. His service weapon was holstered at his left hip. When Officer Roake saw King make this drawing motion, he immediately unholstered his weapon and yelled, “*Get your fucking hand out of your waistband!*” He then began to run toward King, yelling, “*Hands up. Hands up!*”

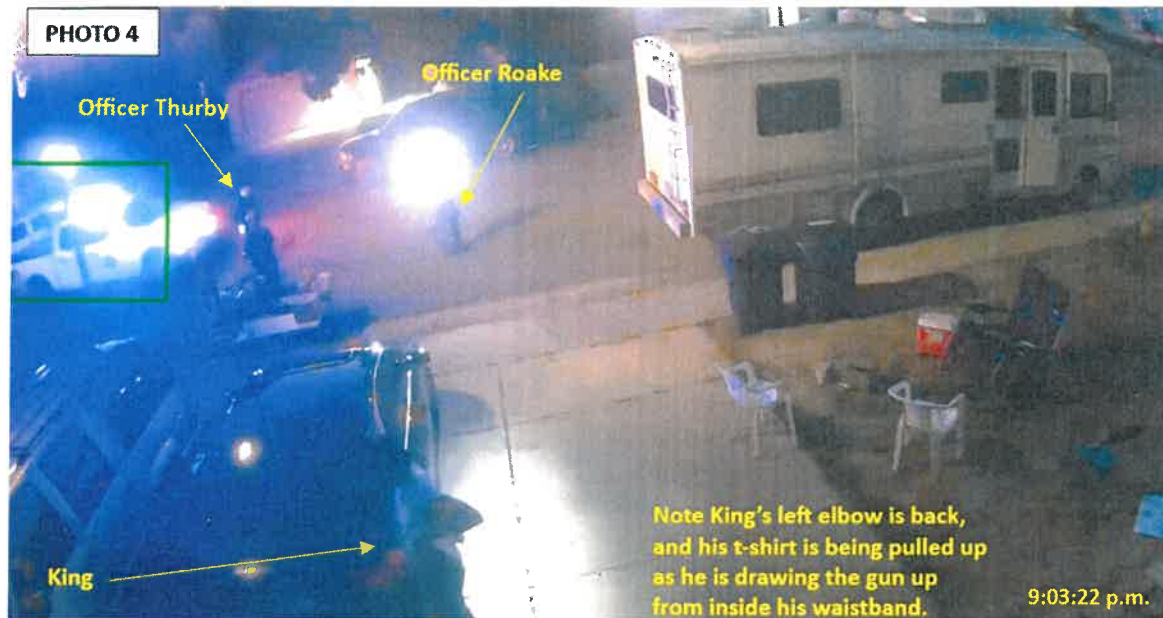


Photo 4.1. This is a closeup of King's left hand and elbow from Photo 4 as he is withdrawing the gun. He is at the rear corner of the car.



King then walked behind the rear of the sedan and moved out of the camera's view. He was not in the view of the surveillance camera when the shooting occurred.

Photo Evidence from the Officer Roake's Body-Worn Camera

Photo 5. King waved and showed his empty right hand. Photo 5 shows the wave seen in Photo 3 above, but from the view of Officer Roake's camera. (Note that the time clock of the camera above the garage door is not synchronized with DPD body-worn cameras, so the time stamps vary by one to two seconds).



Photo 6. King's left elbow is drawing back. His right arm is coming down after he waved. (Compare this photo to the drawing motion seen in Photo 4 above). When Officer Roake sees the drawing motion, he immediately draws his service weapon and yells for King to get his hand out of his waistband.



Officer Roake then begins running toward King while yelling “*Hands up! Hands up!*” King walked toward the edge of the driveway, facing away from Officer Roake.

Photo 7. Two seconds after photo 6 above, Officer Roake has run closer. King begins turning his head left to look at him. He has not raised his hands. His hands are not seen in the photo.



Photo 8. King has turned his head to the left and is starting to turn his body toward Officer Roake. King's arms are still down. Officer Roake has just pulled the trigger to fire his first shot. The slide on top of his handgun is retracted.



Photo 9. Within the same second, Officer Roake fired again. The muzzle flash of the second shot occurs as King finishes his turn toward Officer Roake and while King is raising his arms.



Note: King apparently tossed his handgun behind him toward the gravel on the neighbor's property as he was turning. This was not recorded on video and was not seen by Officer Roake. However, the sound of the gun landing in the gravel a few feet away was recorded on both officers' body worn cameras at 21:03:27, after the second gunshot.

Officer Roake's Statement

Officer Roake was interviewed by Lieutenant Rich Laber on July 3, 2025, at DPD Headquarters. Officer Roake explained that seeing King make a “drawing motion” at his waistband and having “a shooters grip” on the gun under his shirt, combined with King doing “shoulder checks” at him (glancing over his shoulder at him to check his position) convinced him that King was not simply trying to flee or get rid of his handgun, but that King was an immediate risk to his life:

... So, he continued walking up [the driveway]. Now I have offset [moved to the left] a little bit. That initial shoulder check of where I was at -- I saw him do that.

And now he was up at the rear-view window of the sedan. He made another movement and made a drawing motion with his right arm.¹ I clearly saw that a firearm was in his hand concealed by his shirt, but it had pulled tight against the shirt, like he got stuck on the draw. But it clearly printed out a firearm with his hand holding the grip in a shooter's grip of the firearm. As he kinda went -- did one of these motions [demonstrating a shoulder check]-- and he checked again.

At that moment, I realized he's not trying to flee. He's not trying to dump this firearm. He is actively trying to locate me by doing another shoulder check. He's actively arming himself with a firearm and posing an immediate risk to my life.

I had my handheld light at the time that I was trying to illuminate him with. So, I didn't have my weapon unholstered yet. Then, after that movement, I recognized that this was a lethal force encounter. I needed to stop the threat. I unholstered my firearm, quickly pointed it in his direction with a clear backstop, and fired twice at him.

Injuries

Officer Thurby rendered aid to King on the ground. An ambulance was called. King's bullet wound was to his left anterior pelvis, above his left leg, where a tourniquet could not be helpful. Officer Thurby applied pressure to the entrance wound until the ambulance paramedics took over. King was transported by ambulance to the hospital where he underwent surgery. We do not have access to King's privileged medical records so we cannot describe his injuries with more particularity.

¹ With the benefit of the video evidence, we know King made the drawing motion with his left arm. Officer Roake's inaccurate recall that it was done with his right arm does not affect my decision. The video confirms that the drawing motion occurred. Note that, consistent with investigation protocol, Officer Roake had not seen any videos before he was interviewed.

Scene Evidence

Crime Scene Investigators from the DPD Crime Laboratory responded to document the scene and collect evidence. Two spent cartridge cases were recovered in the driveway. The DPD Crime Laboratory Firearms Unit microscopically examined the cases and determined they were fired in Officer Roake's gun. A weapons unload procedure at the Crime Lab confirmed that Officer Roake fired two times. King's handgun was recovered a few feet from the edge of the driveway where it landed on gravel on the neighbor's property. It was a black Glock Model 29, 10mm semi-automatic pistol. It was loaded with one cartridge in the firing chamber and 9 cartridges in the attached magazine.



Legal Analysis

C.R.S. §18-1-704 (1), regarding self-defense, governs the analysis of this case:

... a person is justified in using physical force upon another person in order to defend himself ... from what he reasonably believes to be the ... 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.

Note that the justification of self-defense does not depend on whether King actually was going to shoot. It does not depend on what King was intending or thinking. In the ambulance later, King commented that he never pointed his gun at the officer. That is true. However, the law does not require officers to delay acting in self-defense until a gun is pointed at them.

In this case, the issue of the imminence of the threat from King depends on how his actions and his inactions would be perceived by a reasonable officer in this factual setting. Would a reasonable officer believe King was imminently going to fire? Likewise, as to the need for the degree of force used, would a reasonable officer believe that firing a gun in defense was necessary?

After reviewing the video evidence in this case, I believe that any reasonable police officer would be highly concerned after seeing King's act of pulling the gun from his waistband. By itself, that presented a very high danger. That point should be indisputable. King then could have dropped his gun beside the

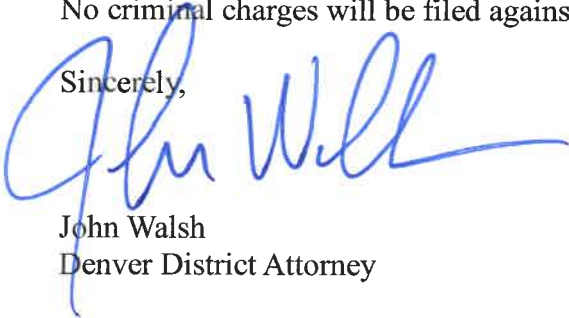
car or behind the car as he walked away. He could have raised his hands. Instead, during the critical three seconds after drawing his gun, and after hearing Officer Roake's commands, he failed to do anything to diminish the threat he posed, then began to turn toward Officer Roake. I find that these actions and inactions by King would cause a reasonable officer in Officer Roake's position to believe that King was imminently going to shoot, and to believe that firing a gun at him in defense was necessary.

Therefore, I conclude that Officer Roake reasonably believed the use of unlawful force by King was imminent. I conclude that Officer Roake reasonably believed firing his weapon twice at King was necessary to defend himself. Thus, his use of force was justified under C.R.S. §18-1-704 (1).

Additionally, I conclude that all requirements of C.R.S. §18-1-707 were satisfied. What was intended to be a non-violent police contact was escalated when King reached for and drew his gun. Only then did Officer Roake unholster his weapon and resort to physical force because of the imminent threat. A warning by Officer Roake that he would fire his weapon was not required by the statute because a delay to give that warning would have unduly placed Officer Roake at risk.

No criminal charges will be filed against Officer Roake.

Sincerely,



John Walsh
Denver District Attorney

cc:
Director of Public Safety Al Gardner
Commander Matt Clark
Detective Adam Bolton
Detective Gavin Whitman
Officer Michael Roake
Officer Emily Thurby
John Davis, Esq.
Denver City Attorney Miko Brown
Director of the Office of Independent Monitor Lisabeth Pérez Castle
Denver City Council