

February 10, 2026

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

Re: The Officer-Involved Shooting at 3215 S. Parker Rd., Denver, CO, on November 14, 2025, resulting in the death of Joseph Andrew Suddreth (D.O.B. 1/13/88); DPD Case 25-613837

Dear Chief Thomas,

Our office has reviewed the investigation of the officer-involved shooting on November 14, 2025, in which two Denver Police officers fired shots that resulted in the death of Mr. Joseph Andrew Suddreth, age 37. The two officers are Officer Whaylen Phares (24005) and Officer Michael Vasquez (24090), both assigned to District Three Patrol. The incident was recorded by their body-worn cameras, and a thorough investigation of the incident was conducted by the Denver Police Department, the Colorado Bureau of Investigation, and the Colorado State Patrol. The facts are fully documented in DPD Case 25-613837. After reviewing the investigation, I have concluded that the use of deadly force by the officers was legally justified and that criminal charges will not be filed against either of the officers. This is the report of my decision as required by C.R.S. §20-1-114 (1).

Factual Summary

At 1:53 a.m. on November 14, 2025, a 911 caller reported that *"Someone is currently breaking into my shed on my patio...."* The caller was not at the scene, but she saw via a camera at her residence that an uninvited male was *"rooting through the shed I have on my patio."* Through a function of the camera, she told the man that she was going to call the police.

Officers Phares and Vasquez were dispatched to a "burglary in progress" occurring at the apartment complex at 3215 S. Parker Rd., Denver, Colorado. They were directed to the patio of Apartment 7-204, which was on ground level, and they were informed the 911 caller was not at the residence. When the officers arrived and approached the patio on foot, they saw the storage shed. It was a portable shed with walls made of fabric, similar to a tent. The area was dark, and they saw a light inside the shed that was being moved about, confirming that someone was inside.

At 1:57:33 a.m., Officer Phares announced, *"Denver Police,"* and instructed the person: *"In the shed, come out with your hands up. In the shed, we know you're in there. Come out with your hands up."* Officer Vasquez also commanded, *"Come out with your hands up."* The officers stood at safe distances



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from the shed in separate spots, each of them standing away from the patio, and outside of a wall that bordered the perimeter of the patio. Their sight lines to the shed were at right angles to each other. Suddreth came out from the shed. He was wearing several layers of clothing, including a hoody and a thick outer jacket. Officer Vasquez told him, *"Hands up!"* and Suddreth raised his hands. Then, without saying a word, he began walking toward the edge of the patio with both arms up. In his left hand he held an object that appeared to be a long knife, held above head level.

Officer Phares urgently shouted, *"Drop the knife! Drop the knife!"* Then, *"Drop the fucking knife!"* Officer Vasquez shouted, *"Drop what you have! Drop what you have!"*

While walking a few steps forward, Suddreth transferred the weapon to his right hand. Then, he stopped momentarily and placed the weapon on top of a waist-high wall at the edge of the patio and moved both of his hands to his jacket pockets; but then he immediately reclaimed the weapon with his right hand and began to walk forward again. He stepped off the patio, moving toward Officer Vasquez, holding the weapon in front of him. Both officers yelled, *"Get on the ground! Get on the ground!"*

Officer Vasquez was in front of Suddreth and was stepping backwards to keep a safe distance away. Officer Phares was standing to Suddreth's left, at a right angle to Suddreth's path toward Officer Vasquez. Suddreth did not get on the ground or stop advancing. He held the weapon in front of him at chest level. He continued advancing, and when he completed four steps from the edge of the patio toward Officer Vasquez, Officer Phares fired at Suddreth. Officer Vasquez then fired as he continued retreating backward over sixteen feet. In all, Officer Phares fired three rounds, and Officer Vasquez fired eight rounds.

Multiple bullets struck Suddreth, causing his death. An autopsy report is pending. The weapon held by Suddreth was revealed to be a knife sharpener. The metal portion above the hilt was over 12 inches long.

Photos

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When interviewed by investigators as part of this investigation, Officer Phares said he thought Suddreth was holding a knife with a long blade. He observed that *"something was off"* about Suddreth. *"The way he was looking, the way his movements were, just weren't consistent with a sober person."* He felt Suddreth was *"definitely under the influence of something."* The fact that Suddreth did not say anything when he came out of the shed was also odd.

Officer Phares estimated that he was about twenty feet to Suddreth's left when Suddreth re-grabbed the weapon from the top of the wall at the edge of the patio. He noted that when Suddreth stepped off the patio at the wall, he could have run to his right to go away from the officers, but instead he went toward Officer Vasquez, who was backing away. *"The situation was rapidly escalating at that point; I believe that he could have easily lunged forward and began to stab or kill Officer Vasquez. So that's the point that I decided to discharge my weapon."* When asked what his specific concern was when he fired his weapon, he said, *"I thought he was going to stab Officer Vasquez."* He estimated that Suddreth had gotten within twelve feet of Officer Vasquez.

Officer Vasquez told investigators that after Suddreth picked up the weapon from the wall where he had briefly place it, and was then closing the distance toward him, *"I thought his intentions were to hurt or kill me with that weapon ..."* He said Suddreth was *"closing distance as I am moving away backwards."* He noted that despite the first one or two shots fired by Officer Phares, *"He was continuing to approach me. So, that's when I started shooting."* He said, *"It happened so fast,"* so he did not warn Suddreth that he was going to fire. He estimated that Suddreth was five to fifteen feet away from him when he began firing.

Justifications for Use of Deadly Physical Force

Colorado Revised Statutes §18-1-704 (1) and (2)(a) and §18-1-707 (4) and (4)(b) are the Colorado laws that guide my analysis and decision in this case.

C.R.S. §18-1-704 (1) and (2)(a) state:

(1) ... 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.

(2) Deadly physical force may be used only if a person reasonably believes a lesser degree of force is inadequate and:

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(a) The actor has reasonable ground to believe, and does believe, that he or another person is in imminent danger of being killed or of receiving great bodily injury;

C.R.S. §18-1-707 (4) and (4.5) state:

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

(4.5) Notwithstanding any other provision 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.

Analysis & Conclusion

I find the requirements for the legal justifications provided by both statutes were met. Although what Suddreth was holding turned out to be a long metal knife sharpener rather than a knife with a long blade, a person seeing it in the dark would reasonably conclude that it was a knife, or another weapon that could be used like a knife to cause serious injury. Moreover, the body-worn camera videos show that Suddreth was holding the object like a weapon; they also show the behavior and silence of Suddreth that Officer Phares noted. They show Suddreth's disregard of the urgent commands to drop the weapon and to get on the ground. They confirm that Officer Vasquez was retreating backwards from Suddreth and that he retreated a significant distance. Suddreth's conduct holding the weapon as he did and choosing to go forward with it toward officers who were issuing those urgent commands, instead of complying or going away from the officers, caused the officers to reasonably believe that he intended to use the sharpener as a deadly weapon to assault Officer Vasquez.

Since Suddreth could have quickly charged forward, very quick decisions had to be made by the officers. A delay to warn Suddreth that they would discharge their firearms and then pause for him to observe the warning would have unduly placed Officer Vasquez in greater danger. In this situation, the absence of that verbal warning -- particularly after repeated urgent commands that Suddreth had already failed to comply with -- does not vitiate the legal justifications under either statute.

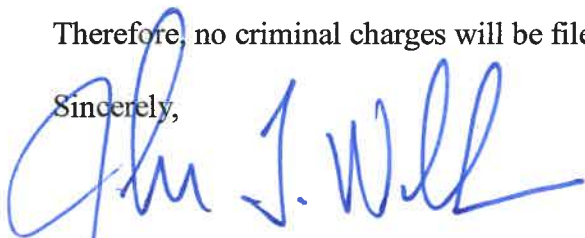
The issues for me to decide are: (1) Did Officer Vasquez and Officer Phares each reasonably believe that Officer Vasquez was in imminent danger of being killed or of receiving serious bodily injury from

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Suddreth? (2) Did both officers reasonably believe that deadly physical force was immediately necessary to defend Officer Vasquez because lesser force would be inadequate? From the evidence in this investigation, I find that the answers to both questions are yes. I believe a jury would agree and would find that all of the shots fired by the officers were legally justified under C.R.S. §18-1-704 (1) and (2)(a), and C.R.S. §18-1-707 (4.5).

Therefore, no criminal charges will be filed against either officer.

Sincerely,



John Walsh
Denver District Attorney

cc:

Director of Public Safety Al Gardner

Commander Matt Clark
Detective Christopher Williams
Detective Marika Lawrenson
Officer Whaylen Phares
Officer Michael Vasquez
Sean Lane, Esq.
Denver City Attorney Miko Brown
Director of the Office of Independent Monitor Lisabeth Pérez Castle
Denver City Council