



For Immediate Release:

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June 25, 2026

Decision Letter:

Attached is the decision letter issued by District Attorney Brian Mason related to an officer-involved shooting May 12, 2025, involving the Aurora Police Department.

Body Camera Video:
(Graphic Content)
[OfficerMillsBodyCamera.mp4](#)

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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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June 29, 2026

Mr. Todd Chamberlin
Chief of Police
Aurora Police Department
15001 E Alameda Parkway
Aurora, CO 80012

RE: The officer-involved shooting of Mr. Rashaud Johnson

Dear Chief Chamberlin:

This letter is a review of the 17th Judicial District Critical Incident Response Team (CIRT) investigation into the May 12, 2025, officer-involved shooting of Mr. Rashaud Johnson. The 17th Judicial District Critical Incident Response Team conducted the investigation, led by Thornton Police Department Detectives Fred Longobricco and Robin Danni. The remaining investigators on the CIRT who worked on this investigation are associated with law enforcement agencies independent of the Aurora 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 of proving 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 District Attorney's review does not evaluate compliance with departmental policies, standards, or procedures.

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

FACTUAL SUMMARY OF THE INCIDENT

During the afternoon hours of May 12, 2025, multiple employees of a privately owned business called to report an unarmed adult male trespassing on their property. A single uniformed patrol officer with the Aurora Police Department responded to multiple 911 calls made by employees of the business. Shortly after the officer's arrival, a physical fight ensued between the male and the officer. During the physical struggle, the officer employed the use of physical force against the male, including the use of

his hands, a baton, and a Taser. When the use of physical force did not resolve the altercation, the officer employed the use of deadly physical force by shooting the male with a handgun. The male was later identified as Rashaud Johnson.

THE INVESTIGATION

Within hours of the incident, the CIRT convened and conducted an investigation into the incident. A group of investigators with the CIRT gathered at the Aurora Police Department, while another group responded to the scene of the incident. The scene was located at 19901 East 56th Avenue, Aurora, Colorado, known as “The Parking Spot,” a privately owned and operated business that offers 24-hour secure offsite airport parking and shuttle service to the airport. Several witnesses were identified and brought to the Aurora Police Department for further interviews. Criminalists processed the scene and collected evidence.

Dispatch Calls

A review of police dispatch recordings for the City of Aurora Police Department revealed multiple calls from employees of The Parking Spot requesting police assistance. The first call was made at 2:58 p.m. by an employee of The Parking Spot. She reported a male party was “lingering” around the office and making the staff feel uncomfortable. At 3:14 p.m., the same employee called back and continued to express concern about the male’s behavior. The dispatcher advised her to contact the manager to decide how to handle the situation. At 4:25 p.m., the manager of the business called 911 requesting that the police remove the male because he was trying to open doors to cars parked in the parking lot. The manager further expressed that he did not feel safe and that he was in fear for the safety of his employees and guests who were in the immediate area. At 4:59 p.m., the manager called 911 to provide an updated report that the male was trying to fight the manager and other employees.

Aurora patrol Officer Brandon Mills was dispatched to the scene at 5:18 p.m. and keyed in his arrival at 5:27 p.m. At 5:28 p.m., Officer Mills requested emergent cover, and moments later, radioed in “step it up, step it up.” At 5:30 p.m., the manager called 911 reporting that the police officer who arrived was “in trouble” and needed help because he got tackled by the male. At 5:35 p.m., Officer Mills activated his radio with clicks only. At 5:36 p.m., Denver PD reported shots fired.

Witness Interviews

Six employees of The Parking Spot were identified as witnesses by the CIRT investigators. Each of these witnesses gave statements about their interactions and observations of the male, later identified as Rashaud Johnson, who was previously unknown to them. Mr. Johnson, who later became known, is referenced herein by name. These employees, for the sake of their privacy, are identified herein by initials.

S.R. Employee, S.R., had the initial contact with Mr. Johnson. She described Mr. Johnson coming in and out of the office building several times. He was quiet, but asked her for some water, which she gave to him. After a while, S.R. told Mr. Johnson that he could not remain on the property and directed him to the exit. He ignored her request. S.R. asked a coworker to call 911 because she did

not want Mr. Johnson to see her call the police. Mr. Johnson remained on the property and wandered around the vehicles parked in the lot. S.R. again advised Mr. Johnson again to leave the property. She advised her manager, N.W., of the circumstances.

N.W. The general manager of The Parking Spot, N.W., arrived at the office at approximately 4:00 p.m. He observed Mr. Johnson leave the office building and walk around the parking lot of the business. N.W. observed Mr. Johnson pulling on door handles of vehicles parked in the lot. N.W. was aware that other employees called the police, but he called again to request that police remove Mr. Johnson from the business. N.W. made attempts to talk with Mr. Johnson, offering him food and water, but Mr. Johnson was not responsive. Mr. Johnson continued to wander the property, coming in and out of the office. At one point, N.W. approached Mr. Johnson and asked Mr. Johnson if he wanted to use his phone. According to N.W., Mr. Johnson took a “tackle position” as if he were going to charge at N.W. N.W. called the police again, this time advising his fear that Mr. Johnson would attack him and his staff.

Once the police officer arrived, N.W. observed the officer try to communicate with Mr. Johnson. N.W. described seeing Mr. Johnson “tackle” the officer to the ground. N.W. saw Mr. Johnson reaching for something on the officer’s belt. N.W. called 911 again, asking for immediate assistance for the officer, noting the officer was trying to defend himself by hitting Mr. Johnson with his baton. N.W. expressed fear that Mr. Johnson would get the officer’s gun, and that he did not feel that he or his employees were safe. As the officer continued to struggle to control Mr. Johnson, N.W. directed his staff into the shuttlebus, and he planned to drive them all to a safe location.

L.A. Employee, L.A., originally observed Mr. Johnson walking through the parking lot barefoot. He advised other employees about Mr. Johnson’s presence through the employee radio dispatch system. L.A. explained that the employees’ observations of Mr. Johnson’s behavior caused them to have concern for their safety. At the request of his supervisor, L.A. remained on scene to ensure that the employees felt safe.

Once the officer arrived, L.A. observed the officer walking behind Mr. Johnson trying to speak with him. L.A. described Mr. Johnson make a “mad dash” for the officer, and the officer back up as he tried to grab his baton. He observed the officer and Mr. Johnson on the ground “tussling,” and the officer getting punched by Mr. Johnson. L.A. described that Mr. Johnson was “getting the better” of the officer. L.A. expressed a desire to go assist the officer, but his supervisor prevented him from getting involved. L.A. observed the officer and Mr. Johnson get back to their feet. He described seeing the officer back up when he fired gunshots at Mr. Johnson. L.A. offered his opinion that the officer “had fought for his life” and that the officer saved the employees of The Parking Spot from an altercation with Mr. Johnson.

T.M. Employee T.M. arrived to work around 4:00 p.m. and observed Mr. Johnson walking in and out of the office. She also saw him “checking doorhandles” of vehicles. Her supervisor advised her that he had an encounter with Mr. Johnson and that she should keep her distance from Mr. Johnson. After the officer arrived, T.M. observed Mr. Johnson on top of the officer on the ground. T.M. described seeing Mr. Johnson aggressively “beating” the officer and trying to remove items from the officer’s belt. The supervisor directed T.M. and the other employees to get into a shuttlebus, stating fear that Mr. Johnson might get the officer’s weapon.

T.M. described that the officer got to his feet and held Mr. Johnson at gunpoint. She saw the officer back away as Mr. Johnson continued to walk towards him. T.M. noted that they were close enough that if Mr. Johnson ran towards the officer, he could get ahold of the officer quickly. She observed the officer fire his gun at Mr. Johnson from approximately ten to fifteen feet away.

C.F.-A. Employee C.F.-A. worked as a dispatcher for The Parking Spot. When C.F.-A. arrived on shift, she saw Mr. Johnson walking around the property. She described him appearing confused and not communicating. C.F.-A. remained stationary in a booth, but stated that she kept an eye on Mr. Johnson for her own safety. Shortly after the police officer arrived, C.F.-A. described hearing screams of “help me” or “get away from me.” C.F.-A. looked in the direction of the screams and saw the officer with his weapon drawn on Mr. Johnson and giving Mr. Johnson commands. She heard commands of “get on the ground, get on the ground.” Mr. Johnson did not comply with the commands. She saw Mr. Johnson walk towards the officer and then she heard two gunshots. She observed Mr. Johnson fall to the ground.

Body-Worn Camera

Officer Mills was equipped with a body-worn camera which captured the incident. The following is a summary of the body-worn camera (BWC) observations and timeline. Officer Mills arrived at The Parking Spot at 5:24 p.m. and spoke with the manager of the business, who advised him that the male ran at the manager and acted like he was trying to fight the employees. Officer Mills drove his patrol vehicle through the parking lot to the location where Mr. Johnson was walking. Officer Mills parked, got out of the car and walked toward Mr. Johnson, who appeared barefoot and walking slowly across the parking lot near the locked gate. At 5:27:24 p.m., Officer Mills called out to Mr. Johnson by stating, “Hey man, what’s going on today? Where are your shoes at? Can you talk to me? Can you tell me what’s wrong? What’s going on today?” Officer Mills appeared to approach in a casual manner and used a conversational tone of voice. Mr. Johnson appeared to make eye contact with Officer Mills but did not respond. Officer Mills continued to ask questions, such as “Why are you back in this gate?” Mr. Johnson appeared to ignore Officer Mills.

At 5:28:24 p.m., Officer Mills said, “You need to leave.” Within seconds, Mr. Johnson turned toward Officer Mills and ran at him, causing Officer Mills to backpedal several feet. Officer Mills put his left arm up in a blocking motion and pushed Mr. Johnson back, while using his right hand to grab his radio and call for backup. Officer Mills backed up several steps and said, “Get back or I’m going to shoot you.” At 5:28:36 p.m., Officer Mills deployed his baton and attempted to strike Mr. Johnson. The baton strikes were not fully visible due to obstructions on the body-worn camera. Officer Mills continued to walk backward and retreat to a large open grassy area as Mr. Johnson advanced toward him. At 5:28:48 p.m., Officer Mills drew his Taser, deploying it twice at Mr. Johnson from about ten feet away. Mr. Johnson ran directly at Officer Mills and grabbed him, tackling him to the ground.

While Officer Mills was trying to get up from the ground, he stated, “Get off me, man. What are you doing?” Officer Mills repeatedly stated, “You are not in trouble.” The visual of the BWC is near the shrubbery on the ground and Mr. Johnson is not observed during this time. At 5:29:14 p.m., Officer Mills stated “Step it up, step it up,” presumably calling for help on his radio. Seconds later, Officer Mills yells, “Hey man! Help me!”

There is limited visibility on the BWC until 5:29:37 p.m., when Officer Mills rose to his knees in the shrubs and faced Mr. Johnson, who was also on his knees an arm's length away. The two stood up at about the same time and Officer Mills stepped back from Mr. Johnson. At 5:29:42 p.m., Officer Mills drew his firearm and commanded Mr. Johnson to get back. Officer Mills yelled, "Get on the ground! Get on the ground now!" Officer Mills continued to hold Mr. Johnson at gunpoint and yelled, "Get on the ground! I'm going to shoot you if you do not get on the ground! Get on the ground!" Mr. Johnson ignored the commands and stood stationary. Mr. Johnson bent over as if he was picking up items off of the ground.

Officer Mills walked backward toward the fence at the border of the grassy area while continuing to hold his firearm pointed at Mr. Johnson. He continued to command Mr. Johnson to get onto the ground. At 5:30:24 p.m., Mr. Johnson started to walk toward Officer Mills. Officer Mills walked backward and yelled, "Stop! Get back! I'm going to fucking shoot you, dude! Back up!" Mr. Johnson continued to walk toward Officer Mills as Officer Mills backpedaled along the fence line. At 5:30:35 p.m., Officer Mills fired two shots in succession, striking Mr. Johnson, who fell to the ground.

Involved Officer Interview

Thornton Police Department Detectives Fred Longobricco and Detective Robin Danni interviewed Aurora Police Officer Brandon Mills on May 16, 2025. The interview was audio and video recorded. Officer Mills was interviewed prior to viewing his body-worn camera (BWC) footage or other materials related to the investigation.

Officer Mills is a four-year veteran of the Aurora Police Department currently assigned to patrol as a field training officer. On May 12, 2025, Officer Mills was working in a uniformed patrol capacity. He wore an official City of Aurora police uniform and drove a marked patrol car. Officer Mills noticed a dispatch call to The Parking Spot that was pending for about two hours. The initial dispatch call notes requested a welfare check for a suspicious person, but the notes were updated to reflect that a person was attacking and charging at employees. Officer Mills drove to the location and requested a cover officer on the way, but the dispatch call volume was high, and no additional officers were available at the time.

Upon arriving at The Parking Spot, Officer Mills contacted the employee at the gate, who directed Officer Mills to the onsite manager. The onsite manager advised Officer Mills that Mr. Johnson was still present and had attempted to charge at him. The manager directed Officer Mills to Mr. Johnson's location in the southwest corner of the parking lot.

Officer Mills parked his vehicle and got out on foot. He walked up to Mr. Johnson. Officer Mills recalled asking Mr. Johnson if everything was ok, and what was going on, as Mr. Johnson continued to walk around. Mr. Johnson did not acknowledge Officer Mills. He saw Mr. Johnson approached one of the gates and started "messing" with the control box to the gate. Officer Mills told him not to do that. Officer Mills believed he heard Mr. Johnson say that he needed to get out of there, or something to that effect. Officer Mills agreed and told Mr. Johnson that he was not supposed to be there. He saw Mr. Johnson "messing" with the control box again and told him to stop. Officer Mills noted Mr. Johnson's behavior caused him to believe that Mr. Johnson was under the influence of some

type of narcotic. Officer Mills expressed concern what would happen if he had to take Mr. Johnson into custody.

Officer Mills described that Mr. Johnson “charged at me.” Officer Mills recalled maneuvering away from Mr. Johnson and pushing him back. Officer Mills removed his baton and gave repeated commands for Mr. Johnson to get back. Mr. Johnson continued to come toward Officer Mills. In response, Officer Mills used his baton by striking the left side of Mr. Johnson’s upper body two times. Officer Mills stated that Mr. Johnson was not affected by either of the baton strikes, which heightened Officer Mills concern for his safety. Officer Mills expressed fear that Mr. Mills had no reaction to the pain compliance technique.

Officer Mills recalled trying to create some distance between himself and Mr. Johnson by backing into the grassy area. Officer Mills drew his Taser and pointed it at Mr. Johnson, giving commands as Mr. Johnson continued to advance towards him. Officer Mills said he deployed his Taser two times, neither of which caused any reaction from Mr. Johnson. Officer Mills recalled Mr. Johnson swiping the Taser cords and “started charging at me again.” He expressed concern that none of the pain compliance techniques proved successful and that Mr. Johnson was coming at him.

Officer Mills stated that Mr. Johnson grabbed a hold of him again, and he could feel Mr. Johnson grab the grip of his gun and turn his duty belt. Officer Mills focused on securing his firearm as he was in a physical struggle with Mr. Johnson. He recalled that they fell to the ground and continued to struggle. Officer Mills described being “pinned” chest down and pleaded with Mr. Johnson to get off of him. He also told Mr. Johnson that he was not in trouble. Officer Mills recalled screaming for help, hoping that the manager he met would come to assist. During the struggle, Officer Mills was able to click his radio with his chin and request additional assistance by stating, “Step it up.”

Officer Mills described that while Mr. Johnson was on top of him, he could feel Mr. Johnson removing his firearm magazines from his duty belt. Officer Mills had Mr. Johnson’s right hand in his left hand and tried to roll Mr. Johnson off him. Mr. Johnson was able to maneuver Officer Mills’s chest down and began to pull his duty vest that started to come up over his head. Officer Mills was ultimately able to stand up and worked to create distance between himself and Mr. Johnson so that he could get away from Mr. Johnson.

Officer Mills drew his firearm and commanded Mr. Johnson to the ground. Mr. Johnson did not comply and still came toward Officer Mills. Officer Mills explained his thought process at that point:

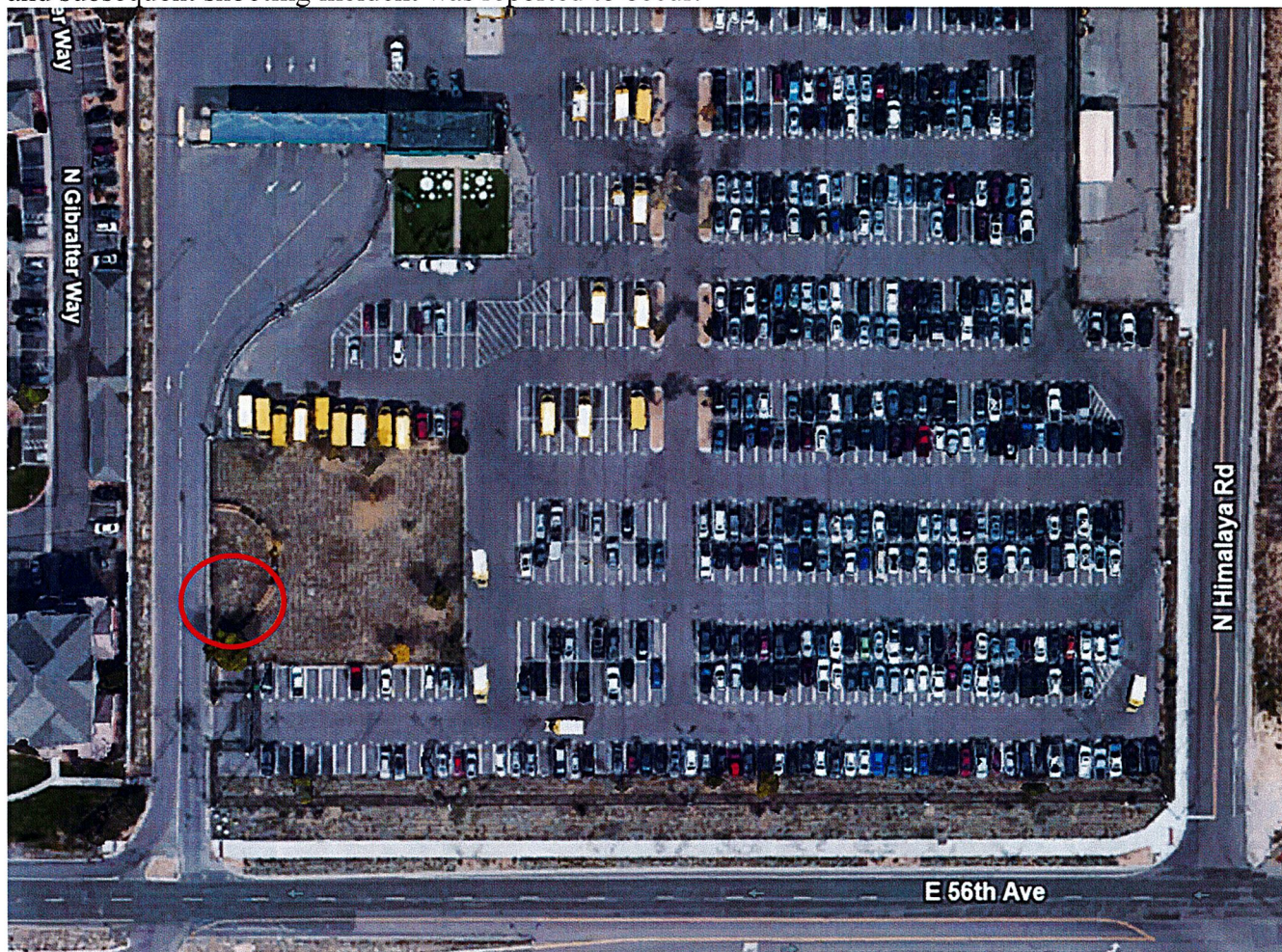
And in my mind now my firearm is out of my holster, it’s in play if he was able to get me on the ground again. I was scared. I wasn’t gonna be able to get my holster back in or my gun back into my holster. I was already fatigued and exhausted from fighting with him. Still no cover was on scene. So I continued to give him orders. I was worried that, you know, if he was able to get my firearm, we’re always taught all through the Academy that they’re gonna use it against you. And then now I have this guy with a gun in this public place. Who knows what he’s gonna be able to do. So, yeah, he continued stepping towards me. I discharged my firearm two times.

Officer Mills further recalled that he fired at Mr. Johnson at the point Mr. Johnson was advancing on

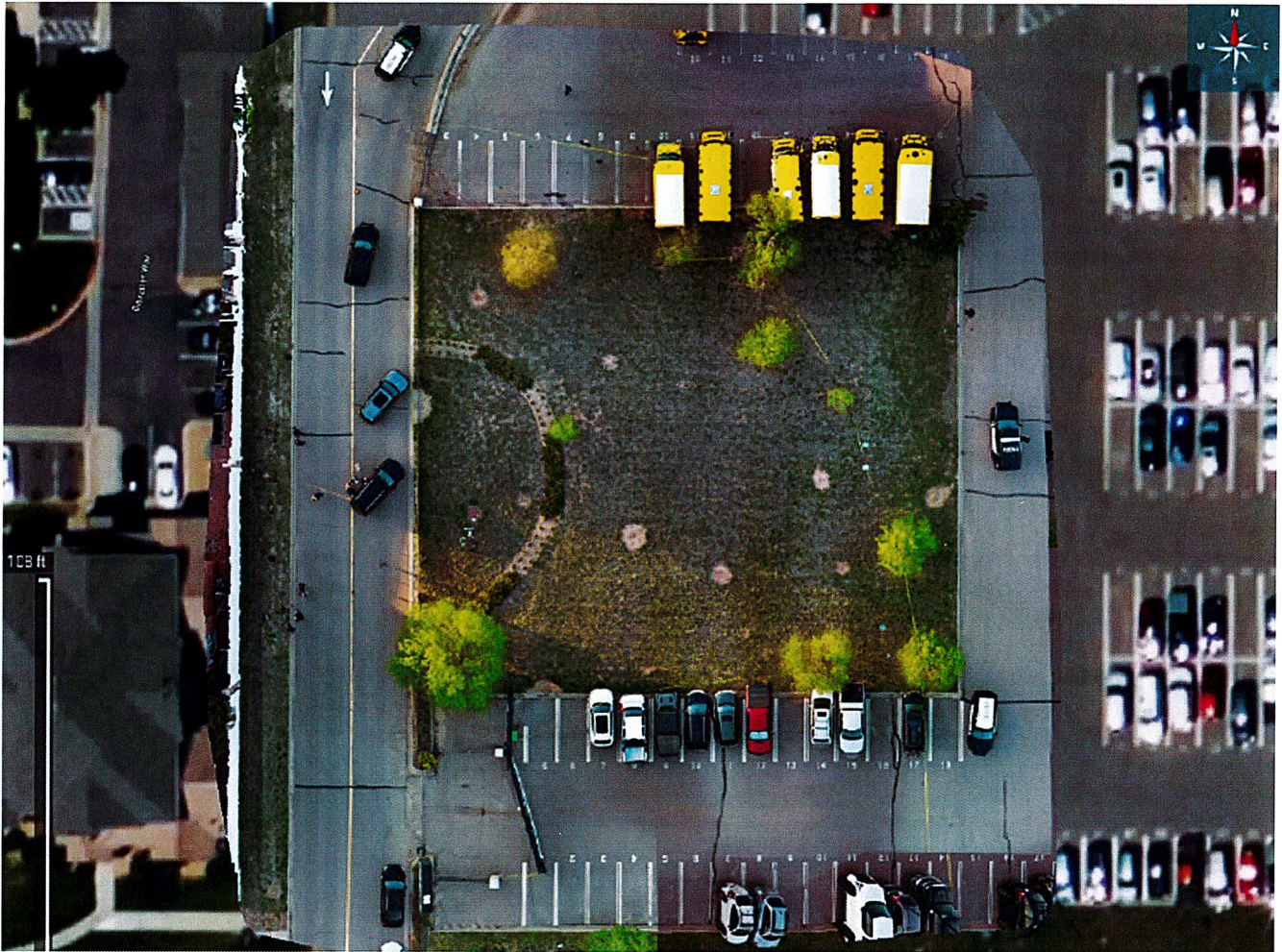
him and backed him into a corner at the fence line. Officer Mills estimated that Mr. Johnson was seven to thirteen feet away when he discharged his firearm. Officer Mills got on the radio and requested medical assistance. A Denver Police officer arrived who assisted with putting Mr. Johnson into handcuffs and providing medical assistance.

Crime Scene Investigation and Autopsy

Criminalists assigned to the CIRT gathered evidence and processed the scene. The scene was within the property of a privately-owned and operated business that offers 24-hour secure offsite airport parking and shuttle service to the airport. The property spans from East 56th Avenue north to East 60th Avenue and from North Gibraltar Way east to North Himalaya Road. An office structure is located near the southwest of the property. The remainder of the property is parking spaces surrounded by a black six-foot metal fence controlled by a dispatcher, who operates entrance and exit into the lot. There is a grassy open space near southwest corner of the property, just south of the office. Within the open space is a half-circle area of landscaping that contains shrubbery, near where the physical altercation and subsequent shooting incident was reported to occur.



Aerial view of the southern portion of The Parking Spot property with a red circle depicting the area where the shooting incident occurred.



Aerial view of the open grassy space where the shooting incident occurred.

Criminalists located a Taser probe, an Axon Taser, and a fully loaded Glock firearm magazine east of the shrubs in the grass. Additionally, within the shrubs, investigators found another Taser probe, a baton, and a second fully loaded Glock magazine. Two spent 9mm shell cartridge casings were discovered near the tree at the southwest corner of the area, along with two additional Taser probes.

An autopsy revealed that Mr. Johnson sustained two gunshot wounds, one to the chest and one to the abdomen. There was no evidence of close-range firing. In addition, Mr. Johnson sustained nonfatal wounds to his upper right arm and lower right chest that were consistent with strikes from the Taser deployment. The cause of death was the gunshot wound to the chest. Postmortem toxicology revealed the presence of THC.

Officer Mills was transported to the hospital. Criminalists responded to the hospital and observed fresh scratches on his elbows, index and middle fingers, and the front of both knees.

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, in order 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 are found at §18-1-707, C.R.S. (2025), and the relevant portions of that subsection provide:

(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 serious bodily injury or death to the peace officer or another person.

...

(2) When physical force is used, a peace officer shall:

(a) Not use deadly physical force to apprehend a person who is suspected of only a minor or nonviolent offense;

(b) Use only a degree of force consistent with the minimization of injury to others....

(3) A peace officer is justified in using deadly physical force to make an arrest only when all other means of apprehension are unreasonable given the circumstances and:

(a) The arrest is for a felony involving conduct including the use or threatened use of deadly physical force;

(b) The suspect poses an immediate threat to the peace officer or another person;

(c) The force employed does not create a substantial risk of injury to other persons.

(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 provisions in this section, a peace officer is justified in using deadly physical 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 U.S. Supreme Court in *Graham v. Connor*, 490 U.S. 386 (1989) 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. at 396-97. Accordingly, applying the proper legal standard in this case, the critical inquiry is whether an objectively reasonable officer, confronted with the same facts and circumstances, would have concluded that Mr. Johnson posed an immediate threat to the safety of the officer or another person such that the use of force, including deadly physical force, was necessary.

Here, Officer Mills responded to assist with a dispatch call of an unwanted party reportedly trespassing. Officer Mills was dressed in an official police uniform and was driving a marked patrol vehicle. Upon arrival at The Parking Spot, Officer Mills initially attempted to utilize nonviolent means to address the situation. He engaged in conversation with Mr. Johnson using conversational tone and informal requests. Mr. Johnson did not respond, nor did he behave in a manner that acknowledged Officer Mills’s communication. Officer Mills ordered Mr. Johnson to leave the property. Within seconds, and without provocation or warning, Mr. Johnson suddenly charged at Officer Mills and aggressively grabbed at him. Officer Mills pushed Mr. Johnson away to create some distance and ordered Mr. Johnson to back up. Mr. Johnson inexplicably continued to advance upon Officer Mills. Officer Mills backpedaled and deployed his baton. Mr. Johnson again charged toward Officer Mills and Officer Mills struck Mr. Johnson with the baton. Mr. Johnson showed no reaction of any kind to being struck by the baton.

After the baton strikes proved ineffective, Officer Mills backed into the open space and deployed his Taser. Mr. Johnson continued to advance. Officer Mills fired two taser rounds at Mr. Johnson. The Taser rounds had no visible effect on Mr. Johnson and Mr. Johnson then ran to Officer Mills and physically grabbed him. Officer Mills described feeling Mr. Johnson grab the grip of his firearm as it was in the holster on his duty belt. Mr. Johnson tackled Officer Mills to the ground. Officer Mills pled with Mr. Johnson to get off him and, even as he was being physically overpowered

by Mr. Johnson, assured Mr. Johnson that he was not in trouble. During the physical struggle, Mr. Johnson removed two firearm magazines from Officer Mills's duty belt. Officer Mills screamed for help as he was on the ground with Mr. Johnson on top of him having "pinned" him, chest down. Officer Mills described that he felt Mr. Johnson pull his bullet-proof vest over his head during the struggle on the ground.

The manager and other employees of the business observed the fight and feared for their safety as well as the safety of Officer Mills. N.W. called 911 to advise that the officer was tackled by Mr. Johnson and was "in trouble." Another employee described that Mr. Johnson was "getting the better" of Officer Mills, and that Officer Mills "fought for his life."

The initial physical struggle between Officer Mills and Mr. Johnson lasted for approximately one minute. During that time, Officer Mills became "fatigued" and "exhausted," as he utilized a variety of alternatives to deadly physical force, ranging from verbal commands to physical force involving grappling and use of weapons. Neither the commands, a collapsible baton, nor the Taser had any effect in preventing Mr. Johnson from continuing to advance on Officer Mills.

Officer Mills described being in fear for his life after fighting on the ground with Mr. Johnson. As expressed by Officer Mills, once he regained his footing after being knocked to the ground and struggling with Mr. Johnson, he, Officer Mills, was alone without a cover officer, and he had exhausted all the nonlethal options available to him. As such, Officer Mills drew his firearm to hold Mr. Johnson at gunpoint. He gave repeated commands for Mr. Johnson to stop and to get onto the ground. Mr. Johnson did not comply with these commands and continued to advance on Officer Mills. A review of the BWC reveals that Officer Mills continued to backpedal toward the fence line. Mr. Johnson continued approaching Officer Mills and the officer advised him he would shoot if Mr. Johnson did not comply with his orders. Officer Mills believed that if Mr. Johnson got him on the ground again, Mr. Johnson would gain control of his gun and kill him. As Mr. Johnson continued to advance, Officer Mills fired his gun at Mr. Johnson two times. Officer Mills explained that he fired his weapon at Mr. Johnson because Mr. Johnson continued to advance toward him.

The loss of Mr. Johnson's life is tragic. Again, however, applying the proper legal standard in this case, the critical inquiry is whether an objectively reasonable officer, confronted with the same facts and circumstances, would have concluded that Mr. Johnson posed an immediate threat to the safety of the officer or another person such that the use of force, including deadly physical force, was necessary. I find that an objectively reasonable officer would so conclude. Mr. Johnson charged Officer Mills multiple times, eventually throwing the officer to the ground, gripping his gun, and attempting to remove the officer's vest. Officer Mills gave repeated commands to Mr. Johnson to stop, even assuring him he was not in trouble *while* Mr. Johnson continued to use unlawful physical force upon Officer Mills. Officer Mills used various alternatives of physical force, including the use of a baton and a Taser, as nonlethal means to stop Mr. Johnson. Neither worked. By the time Officer Mills had been charged and physically assaulted multiple times, he had few options left. Officer Mills held Mr. Johnson at gunpoint, ordering him to get on the ground and telling him clearly that he would shoot him if he did not comply. Mr. Johnson not only failed to comply, he charged toward Officer Mills again. I find that an objectively reasonable officer, confronted with these same circumstances, would

reasonably conclude that the use of lethal force was necessary.

CONCLUSION

Given the totality of the circumstances and evidence, the prosecution cannot prove that the involved officer was not justified in using reasonable force under §18-1-707, C.R.S. (2025). Therefore, applying the facts of this incident to the applicable law, the evidence does not support the filing of any criminal charges against Aurora Police Officer Brandon Mills.

Sincerely,



Brian S. Mason
District Attorney