

District Attorney: Officers justified in 2018 - Pueblo Chieftain, The (CO) - May 23, 2019 - page A5

May 23, 2019 | Pueblo Chieftain, The (CO) | Zach Hillstrom The Pueblo Chieftain | Article | Page A5

Two Pueblo police officers who fatally shot a man who pointed a BB gun at them in early 2018 were cleared for their use of deadly force by the 10th Judicial District Critical Incident Team.

Officers Thomas DeCesaro and Adam Quintana were justified in shooting 55-year-old **Steven Peters Sr.** on March 6, 2018, after Peters reportedly aimed a black airsoft gun at them as they attempted to contact him regarding a domestic disturbance, according to the CIT decision letter authored by DA Jeff Chostner and released Wednesday,

Police had been called to the area on a report of a restraining order violation in which a woman told police that Peters – whom she had an active protection order against – had come to her home in the 900 block of East Ninth Street, entered her residence without invitation, and then refused to leave.

Once the woman informed Peters she was calling police, she said he left the home, traveling on a green mountain bike.

Responding officers found Peters a short time later near the intersection of East Ninth Street and North Lola Avenue and, according to the CIT decision letter, saw him reaching into his jacket pockets and gave him loud verbal commands to show officers his hands.

Another officer who did not discharge his weapon during the shooting reportedly fired a stun gun at Peters, who was wearing a thick jacket and was unfazed by the weapon.

During the interaction, Peters reportedly produced what appeared to be a black handgun, which was later found to be an airsoft gun, and body camera footage indicated both officers told him multiple times to drop the gun and show his hands.

According to the CIT letter – which took into account officer and witness testimony as well as body-worn camera footage from all involved officers – Peters failed to comply with officers' commands and then "made a movement toward DeCesaro, causing him to fire several shots at Peters. Peters then raised his weapon toward Quintana, which resulted in both DeCesaro and Quintana firing" at him.

Peters died at the scene. An autopsy performed the following day showed he had sustained seven gunshot wounds.

In investigating the case, investigators spoke with woman who originally called police on Peters to report the restraining order violation, who told them Peters had previously stated that "he wasn't going back to jail again and police would have to kill him."

Peters' refusal to drop his gun reportedly could be heard on the body camera footage of the incident, and Peters can be heard telling DeCesaro "just kill me."

After weighing the evidence and information surrounding the case, Chostner stated no evidence collected during the investigation supported any claim of criminal wrongdoing by the two officers.

"They had reasonable grounds to believe, and did believe, that they were in imminent danger of being killed or receiving great bodily injury," Chostner wrote. "The actions of DeCesaro and Quintana were based on their own observations and perceptions, and their actions were reasonable."

zhillstrom@chieftain.com

Twitter: @ZachHillstrom

Copyright, 2019, Pueblo Chieftain, The, All Rights Reserved.