



## OFFICE OF THE DISTRICT ATTORNEY

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Colorado's 4th Judicial District - Serving El Paso & Teller Counties

### February 15, 2025 Officer Involved Shooting

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Colorado's 4th Judicial District Attorney's Office has completed its review of the officer-involved shooting that occurred on February 15, 2025, in Colorado Springs, Colorado. Pursuant to Colorado Revised Statute 16-2.5-301 peace officer-involved shooting investigations protocol, all officer-involved shootings that result in injury or death shall be reviewed by a multi-agency team: A Deadly Force Investigation Team.

On February 15, 2025, at approximately 4:53 p.m., officers with the Colorado Springs Police Department were dispatched to the 3100 block of Illinois Avenue in response to a call for service from a woman who reported that her adult son, later identified as Derrick Wardle, was engaged in an argument with her adult grandson and that a firearm was involved. The reporting party said Mr. Wardle had been exhibiting signs of paranoia, had made multiple comments about shooting police officers, and had access to additional weapons.

At 4:59 p.m., dispatch instructed the reporting party to exit the residence. She and her grandson were able to remove themselves from the home, but her husband, the suspect's father, chose to remain inside.

On scene at 5:24 p.m., four CSPD officers formed a Crisis Entry Team, which is a response strategy employed by the department when suspects display behavior that creates a risk of imminent danger to innocent civilians. That team approached the back door of the residence. An additional seven officers were on scene to provide back-up support.



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At approximately 5:35 p.m., Derrick Wardle opened the back door holding a rifle at his side. He said, "Hello," but stayed out of clear view of the officers.

Officer Lofgren announced himself as police and ordered Mr. Wardle to come outside of the house. Mr. Wardle repeatedly said, "No, come on in." Officer Lofgren then moved closer to the door and was able to see that George Wardle, Derrick Wardle's father, was also in the room.

Officer Lofgren issued multiple commands for Mr. Wardle to drop the weapon, show his hands, and exit the residence. Mr. Wardle said "no" several times, then began to raise his firearm towards officers.

At this point, Officer Lofgren was close enough to Mr. Wardle that he could "almost grab the end of the barrel" of his rifle. Officer Lofgren determined that in such close proximity, less-lethal force would be ineffective in disabling the imminent threat against him, other officers, and the elder Wardle.

Officer Johnson also moved his position so he could see inside the house. He saw Mr. Wardle "looking right at us" with a "pretty sizeable rifle."

Officer Lofgren continued to give verbal commands and orders that Mr. Wardle drop the gun when Mr. Wardle quickly raised the weapon at officers.

Officers Lofgren and Johnson both discharged their firearms in response, disabling Mr. Wardle. Once they confirmed the threat had been neutralized, officers began to render medical assistance until American Medical Response (AMR) arrived. Despite life-saving efforts by both AMR and CSPD officers, Mr. Derrick Wardle died at the scene.

Mr. Wardle's firearm was recovered on scene and identified as a Stevens Savage Arms Model 325-B bolt action rifle. The rifle was loaded and had one round in the chamber.

The El Paso County Coroner's Office conducted an autopsy on Mr. Wardle and attributed his cause of death to multiple gunshot wounds. The autopsy report also revealed Mr. Wardle had illegal narcotics in his system at the time of his death.

All CSPD officers involved had their body worn cameras activated, and their recordings of this incident were successfully downloaded in their entirety. All BWC recordings are incorporated into this report by reference as video evidence of the facts.

### **Post-Shoot Interviews**

Aside from the facts outlined above, there were multiple relevant statements made by law enforcement officers during their post-shoot interview.

Officer Brock Lofgren has been employed by the Colorado Springs Police Department for approximately 11 years. In an interview conducted by the El Paso County Sheriff's Office, Officer Lofgren said he was aware Mr. Wardle had "a history of felony menacing and reckless endangerment," that he was currently "threatening people with a gun," and that he had said he, "would take out any responding cops and intended on shooting officers."

He also stated he saw Mr. Wardle "raise what's clearly a deadly weapon that could seriously injure or kill" him and said, "I was in fear I was going to get shot."

Further, Officer Lofgren reported they could not “afford to go in and tase a guy with a gun” because if it was not effective, “either the hostage or the police could get shot.”

Officer Benjamin Johnson has been employed by the Colorado Springs Police Department for approximately 19 years. In an interview conducted by the El Paso County Sheriff’s Office, he said officers on scene were concerned that George Wardle, Derrick Wardle’s father who remained inside the house, was in imminent danger.

Officer Johnson said officers on scene had “lost contact” with the elder Wardle and that if it wasn’t “a hostage situation right now, it could absolutely become one.”

Officer Johnson also stated, Mr. Wardle “was willing to shoot it out with cops” and “if he’s willing to shoot us, he’s willing to shoot anybody.” And he described seeing Mr. Wardle’s “gun just whip up” in extremely close proximity to responding officers.

Michael Reaser, Derrick Wardle’s adult son, who was involved in the altercation that prompted the initial call for service, agreed to interview with the El Paso County Sheriff’s Office.

He stated his father had been saying he was “being hacked” and that “they were coming after him.” He also reported Mr. Wardle had wrapped his cell phone in tin foil on the morning of the shooting and that, at approximately 4 p.m., said to his son, “If they come to get me, I’ll shoot them.”

### **Analysis**

**CRS 18-1-704, Use of physical force in defense of a person**, defines each person’s right to defend themselves against the use, or the imminent use, of unlawful physical force by another person.

#### **This 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 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. Deadly physical force may be used only if a person reasonably believes a lesser degree of force is inadequate and the actor has a 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.

The facts relevant to analysis under this standard of review include that the initial information officers received was that an individual, Mr. Derrick Wardle, was involved in a physical altercation with another person, and at least one firearm was involved. Probable cause was developed for felony menacing.

Further information provided by the reporting party included comments from the suspect about threatening to shoot at police, as well as information regarding his access to multiple firearms and a sword.

The suspect initiated contact with law enforcement by opening the rear door of the residence at which point officers identified themselves as police and gave orders for him to exit. The suspect did not comply and instead told the police to come inside.

When officers were able to see inside the residence and observed the suspect holding a firearm, they gave verbal commands to drop the weapon. The suspect did not comply with police commands and, instead, quickly raised his rifle at Officers Lofgren and Johnson.

The officers discharged their duty weapons because they were in fear for the life of the elder Wardle, a potential hostage, still inside the house, the lives and safety of their fellow officers, and their own lives and safety.

**CRS 18-1-707, Use of force by peace officers**, dictates a peace officer's duty to use only a degree of force consistent with the minimization of injury to others.

**This statute 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 serious bodily injury or death to the peace officer or another person. 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; [and] The suspect poses an immediate threat to the peace officer or another person; [and]

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

The facts relevant to analysis under this standard of review include that when officers arrived on scene, they knew Mr. Wardle was armed and had made multiple statements regarding his willingness to shoot officers. They decided to mobilize a Crisis Entry Team to respond appropriately to the situation and to protect the potential hostage also inside the house with the suspect.

The suspect then opened the door with his rifle at low ready position and engaged with officers but would not comply with their verbal commands to drop his gun, show his hands, and exit the residence.

When Officer Lofgren made visual contact with Mr. Wardle, he was already close enough to the suspect that he said he could "almost grab the end of the barrel" of Mr. Wardle's rifle. The two were only about five feet away, which would render any less-lethal options ineffective.

Further, while Officer Lofgren and Mr. Wardle were within five feet of each other, Officer Johnson saw Mr. Wardle "just whip the gun up," putting his partner in imminent danger.

**CRS 18-1-707 (4.5)** dictates that, when using deadly force, a peace officer must believe a threat to his/her personal safety, or the safety of a third party would be otherwise unavoidable.

**This subsection states:**

(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.

Responding officers were attempting to put together a crisis entry plan when Mr. Wardle opened the back door with his rifle at low ready position.

Mr. Wardle's father, identified as a potential hostage, was in the room with him.

Mr. Wardle ignored all police commands to drop his gun, to show his hands, and to walk outside.

Officer Lofgren saw Mr. Wardle raise "what's clearly a deadly weapon that could injure or kill me," which is when he and Officer Johnson deployed deadly force.

Further, because Mr. Wardle engaged with police before they could intervene with their Crisis Entry Team, and because he was armed with a rifle at low ready position within five feet of responding officers, less lethal options were not practical or possible.

**Conclusion**

After completing a thorough review of the facts and evidence, Colorado's 4th Judicial District Attorney's Office has determined the use of deadly physical force by Colorado Springs Police Officers Brock Lofgren and Benjamin Johnson on February 15, 2025, was justified, based on all the facts and circumstances of this case under the laws of the State of Colorado. No charges will be filed based on the statutes outlined previously, as well as the necessary application of ethical rules.

*Note to the Media: All updates will only come from Communications when available.*

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