



OFFICE OF THE DISTRICT ATTORNEY

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

December 17, 2024 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 December 17, 2024, 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.

As a case against one defendant remains open and pending, this will be an abbreviated review so as not to improperly influence the due process afforded to that individual. Criminal charges are merely allegations, and all persons charged with committing a criminal act are presumed innocent until proven guilty beyond a reasonable doubt, and the same holds true for the individual named in this report. Details of the events that occurred on December 17, 2024, are listed in this report only as they pertain to this office's ruling of the officer-involved shooting and do not determine criminal liability in the pending case.

On December 17, 2024, at approximately 1:28 p.m., 911 received a call from a man who reported his ex-girlfriend, Kari Lynn Anstett, was attempting to enter his house in violation of a protection order. Colorado Springs Police Officers Alan Hansen and Eric Rusch arrived at the reporting party's house in the 5600 block of Buckskin Pass Drive just before 3:15 p.m.

Officer Rusch pulled his patrol vehicle over in front of the residence. As he exited his vehicle, Ms. Anstett began walking away from the front of the house, making her way toward the street.



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Officer Rusch called out, “Hello, ma’am, I need to talk to you really quick.” Ms. Anstett did not reply and continued to walk down the driveway towards the street – her path put a parked truck between herself and the officer.

Officer Rusch began running towards her saying, “You’re not free to leave.”

In the meantime, Officer Hansen pulled his patrol vehicle forward in an attempt to keep Ms. Anstett from fleeing the scene.

Ms. Anstett then came out from behind the parked truck, holding a revolver in her right hand. She pointed it at Officer Rusch, who shouted, “Stop! Stop!”

Ms. Anstett then turned and pointed the revolver at Officer Hansen, who was still in his patrol vehicle. She then started to run away but continued to point the revolver at Officer Hansen as she did so.

Officer Hansen began to get out of his vehicle.

At the same time, Officer Rusch shouted, “Gun, gun, gun!” He drew his own weapon, a CSPD-issued Smith & Wesson M&P 2.0 9mm semi-automatic pistol and fired three shots. Ms. Anstett was struck in the left hip and left calf. The third bullet hit her backpack and appeared to fragment inside of it.

Ms. Anstett collapsed in the driveway of the house next door. Officers immediately began to provide medical aid. Ms. Anstett was then transported to an area hospital where she was treated and survived.

Officers recovered Ms. Anstett’s weapon from the scene, close to where she collapsed: a fully loaded black Smith & Wesson M&P Bodyguard .38 Special revolver.



Kari Lynn Anstett is currently facing the following charges:

- 2 Charges: First Degree Assault – Threaten Peace Officer w/Weapon
 - o Third Degree Felony, CRS 18-3-202(1)(e)
- 2 Charges: Felony Menacing-Real/Simulated weapon
 - o Fifth Degree Felony, CRS 18-3-206
- Violation Protection Order – Criminal
 - o First Degree Misdemeanor, CRS 18-6-803.5(1)(a)
- Violation Protection Order – Criminal-Firearm/Ammo
 - o First Degree Misdemeanor, CRS 18-6-803.5(1)(c)

Her next court appearance is set for November 18, 2025.

All persons arrested on suspicion of committing a criminal act are presumed innocent until proven guilty beyond a reasonable doubt.

Both responding officers had activated their body worn cameras, and their recordings of this incident were successfully downloaded in their entirety. All BWC recordings are incorporated into this report.

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 Eric Rusch has been employed by the Colorado Springs Police Department for approximately seven years.

In an interview conducted by the El Paso County Sheriff's Office following the shooting, Officer Rusch said, "She pulled out a black revolver and starts swinging it around... and so when she pulls around this gun, I'm like, oh, he's (sic), you know, she's either going to start shooting at me or she's going to start shooting at him," referring to Officer Hansen.

He also stated, "It just seemed like it went really slow, that she was holding [her revolver] to the side. And it looked like she was going to start shooting at him" again referring to Officer Hansen.

Officer Rusch relayed he believed Ms. Anstett's intention was to kill or seriously injure the officers.

Further, Officer Rusch said, "I think if I would have done something else, one of us would have been either shot or dead."

Analysis

CRS 18-1-704, Use of physical force in defense of a person, speaks to 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 officers were aware that they were responding to a possible Violation of a Protection Order and additional warrants.

Ms. Anstett ignored commands and pointed a loaded revolver at responding officers.



Officer Rusch reasonably believed Ms. Anstett intended the imminent use of unlawful physical force against him and/or Officer Hansen, since she pointed a firearm at them, and he reasonably believed that she intended to shoot one or both of them. He used a degree of force which he reasonably believed to be necessary to defend himself and Officer Hansen – Ms. Anstett had a firearm, and he used a firearm in defense.

Officer Rusch considered that the use of less than lethal means, such as his taser or pepper spray, would not have been effective in ending the threat from Ms. Anstett. In the face of her threats with a firearm, only his firearm was an effective means of protection.

Officer Rusch stated he was in fear for his life and his fellow officers' life.

CRS 18-1-707, Use of force by peace officers, speaks to 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 Officer Rusch is a sworn peace officer employed by and carrying out his official duties on behalf of the Colorado Springs Police Department, a law enforcement agency. Officer Rusch was in his official police uniform and driving a fully marked police patrol vehicle.

The suspect had ignored the officers' multiple attempts to contact her verbally. She then pointed a loaded revolver at the officers while attempting to run from the scene.

Officer Rusch sought to minimize injury. He only fired after seeing that there were no other civilians in the background and reasonably believing he would only hit Ms. Anstett, who was only some ten feet away from him. He fired three shots and then ceased firing to assess the situation.

When he saw that Ms. Anstett was neutralized, he did not fire any more shots at her.

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.

Ms. Anstett displayed a clear intention of the imminent use of unlawful physical force against Officers Rusch and Hansen when she pointed a firearm at them.

Officer Rusch said, "As soon as she came around the corner... the gun came out and that's when I didn't have a choice but to use lethal [sic] force. I don't think a taser would have been effective in getting her to stop. I don't think OC would have been effective in getting her to stop."

He believed her intention was to kill or seriously injure the officers.

Officer Rusch was aware of his surroundings and the direction the bullets would travel. He saw

an open street and sidewalk with no people in the background. He was only about ten feet from Ms. Anstett and believed that he would only hit her.

Once officers determined Ms. Anstett was no longer a threat, they began to provide medical assistance.

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 Officer Eric Rusch on December 17, 2024, 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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