



OFFICE OF THE DISTRICT ATTORNEY

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

July 5, 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 July 5, 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 July 5, 2025, at approximately 1:30 a.m., officers with the Colorado Springs Police Department were dispatched to the 100 block of Pikes Peak Avenue in response to a report of a male subject yelling and brandishing a firearm near a nightclub.

Several Colorado Springs Police Department Officers assigned to the Downtown Area Response Team (DART) began canvassing the parking lot located west of North Tejon Street and south of East Kiowa Street. There, they contacted a man in a red shirt who denied witnessing any suspicious activity. The officers then walked toward Tejon Street where they encountered a crowd of people. The officers questioned several individuals, however none reported having seen anyone with a firearm.

During their response, the officers observed a white Mercedes sedan parked in the lot. They heard a woman yelling at a separate group of people, who appeared to be associated with a Nissan Pathfinder. Although there did appear to be an altercation, when questioned by the officers, the individuals involved denied having seen anyone with a firearm.



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Colorado Springs Police Officer Connor Wallick then approached another group of people and questioned them. This group also denied having seen anyone with a weapon but did report that a group of people near the Mercedes the officers made note of earlier had been involved in a verbal and physical altercation with others.

Officer Wallick returned to his vehicle. While seated inside, he received a message from the Real Time Crime Center containing a still photograph depicting a male, later identified as Alex Martinez-Sarmiento, holding what appeared to be a semi-automatic rifle.



Picture: Mr. Martinez-Sarmiento is seen holding what appears to be a semi-automatic rifle.

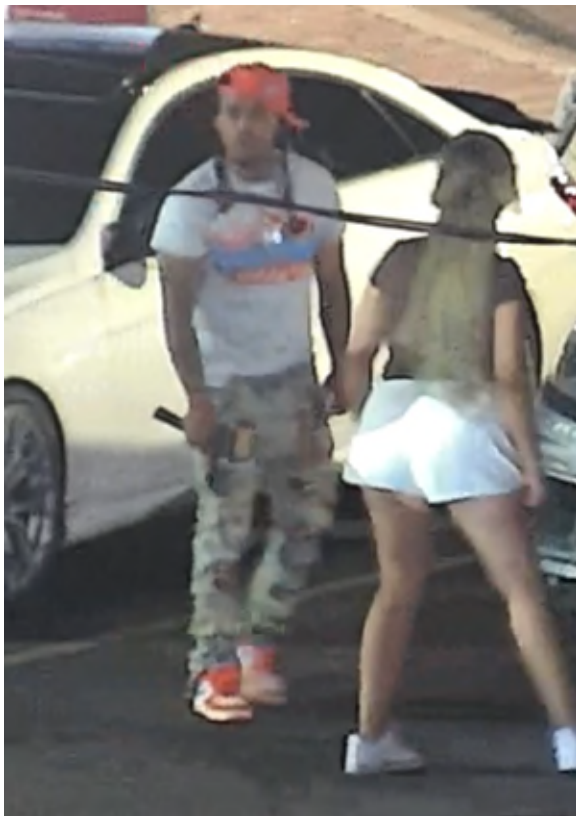
Officer Wallick forwarded the message to the Downtown Area Response Team, and other officers confirmed that Mr. Martinez-Sarmiento had been present during their earlier contact with the group near the Mercedes, and that he had also been seen at the nightclub named in the call for service.

Shortly thereafter, Officer Wallick observed Mr. Martinez-Sarmiento and several other individuals return to the Mercedes. A group of four to five females approached Mr. Martinez-Sarmiento's group, and a verbal confrontation ensued. As Officer Wallick prepared to broadcast information regarding said disturbance over the radio, he observed the group of females suddenly sprint away from the confrontation.

RTCC advised Officer Wallick that Mr. Martinez-Sarmiento had entered a vehicle and retrieved an item, prompting others to immediately flee. Officer Wallick believed Mr. Martinez-Sarmiento had retrieved a firearm and then used it to menace the group. Given the potential threat, he began maneuvering his vehicle to locate and intercept the suspect.



Picture: Mr. Martinez-Sarmiento seen holding what appears to be a handgun with an extended magazine.



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While driving, Officer Wallick observed Mr. Martinez-Sarmiento walking back towards his group, holding what appeared to be a handgun, equipped with an extended magazine. Officer Wallick broadcast over the radio, “He’s got a gun.”

Officer Wallick approached on foot, and, stepping around the Mercedes, he saw Mr. Martinez-Sarmiento walking toward him. At that moment, Mr. Martinez-Sarmiento's hands were empty.

Officer Wallick drew his service weapon and ordered Mr. Martinez-Sarmiento to raise his hands. Mr. Martinez-Sarmiento first began to comply, then abruptly moved his hands toward his waistband, turned, and began to run away. As he ran, he continued to reach into his waistband with his right hand. Officer Wallick yelled "Stop running."



Upon hearing that warning, Mr. Martinez-Sarmiento's right arm moved from lower on his leg to a higher, more acute angle, as if he were imminently drawing a firearm.



At this point, Officer Wallick discharged his weapon three times. He ceased firing once Mr. Martinez-Sarmiento began to fall.

Officer Wallick again ordered Mr. Martinez-Sarmiento to show his hands. When Mr. Martinez-Sarmiento did not comply, Officer Wallick and another officer physically moved the suspect's arms to secure him.

A Glock Semi-Automatic firearm loaded with an extended magazine was recovered from the suspect's pant leg by another officer.



Life-saving measures were immediately initiated; however, Mr. Martinez-Sarmiento died on scene.

An El Paso County Coroner later ruled Alex Martinez-Sarmiento died as the result of two gunshot wounds.

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 Connor Wallick has been employed by the Colorado Springs Police Department for approximately six years. He has been on special assignment with CSPD's Downtown Area Response Team for nearly two years.

In an interview conducted by the El Paso County Sheriff's Office following the incident described above, Officer Wallick stated, "since it was a call involving a gun, it sounds like it was a felony menacing, because he was yelling at people, waving a gun around. Uh, every single

DART officer was on that call, and I was going over to help too. Um, hoping to make sure no one was going to get shot, since we have shootings in that parking lot pretty frequently.”

Officer Wallick also described the notification he’d received on the scene from the RTCC, stating, “as I was sitting there, I get a text from our Real-Time Crime Center, saying uh they got a photo of the suspect involved from the uh incident that we’re still on that from the original call, and they sent me a photo of him.”

Further, Officer Wallick reported that a contact at the RTCC told him, “‘Yeah, he has a gun, or he had a gun.’ Um, and here’s him with that gun. Um, so they will see it, uh, kind of like light skin or Hispanic male, white shirt with the, um, all the decals on it, the jeans, and the hat. Looked to be like an AK-style or like AR-style, um, like longer-like pistol in his hand. And I immediately took that photo, sent it over to my DART 2 group chat, just be like, hey, this is the guy. Um, one of my officers was like, yeah, that guy was there with that big group that we had talked about the Mercedes.”

Wallick also described the encounter he’d witnessed between the group associated with Mr. Martinez-Sarmiento, and a separate group of women, who, during a verbal altercation, abruptly ran away.

“The only time I’ve ever seen people run away like that um is if somebody has, like, a weapon. Uh, so and as soon as I saw that, the same Real-Time Crime Center officer who sent me that photo said, ‘Hey, that same male that had that gun just got into a car, reached into a car, and grabbed something. And then that whole group ran away.’ So, based off his, you know, this call we were on, saying that he was waving a gun, and he’s seen his gun, corroborating that story,” Officer Wallick said.

The next time Officer Wallick saw Mr. Martinez-Sarmiento, he reported, “he’s walking towards his group with his hand like this, at a 45-degree angle, and he’s got a gun in his hand. So, I mean, his hand is clenched exactly like he’d hold a gun. I can see the - the barrel right here. And then it looked like there was a big rectangle coming out of his hand, so I assumed it was an extended magazine coming out of his gun. And to me, I immediately was very afraid that he was pursuing that group that he had just scared off with the intent of, you know, committing first-degree assault or murder, um but definitely going after them to either seriously wound them or to kill them.”

Officer Wallick stated that when he contacted Mr. Martinez-Sarmiento in the parking lot, “his behavior had just escalated crazy enough to this point, because you know he’d already seen - been seen with this gun. He had just scared off these people, was walking with this gun, and now he’s reaching for this gun. So, it’s going from this menacing to almost first-degree assault, to now he’s actively reaching for this gun. So, before I could even do anything else, he, uh, he turns around. Uh, starts running.”

Officer Wallick reported that he did consider what his non-lethal response options might be, stating during his interview, “I know OC’s not an option because I start spraying, I’m just going to spray myself in the face. Um, it’s not going to go well. It’s just going to be me. He’s going to pull that

gun out. He's going to shoot me, shoot a civilian, take a civilian hostage, all that stuff. Um, I know if I went for my Taser, I'd have to holster my gun. If I pulled my Taser out, um, he was pretty close to me, like probably, uh, within five feet. So, the issue with the Taser is like the spread on the Taser. You have to get a good spread for him to get locked up and go down but from my experience, it doesn't stop their arms."

Officer Wallick stated, "I knew that he was either grabbing that gun to shoot me or shoot a civilian, grab them, take them as a hostage, or to go and carjack someone, and I couldn't let that happen. Um, I was very scared that he was going to do that and hurt somebody else and hurt me."

Officer Jacob Koterba has been employed by the Colorado Springs Police Department for approximately three and a half years. He has been on special assignment with CSPD's Downtown Area Response Team for nearly one year.

In an interview conducted by the El Paso County Sheriff's Office following the shooting, Officer Koterba reported that he, too, received the messages identifying Mr. Martinez-Sarmiento as the suspect who had prompted the initial menacing call. Officer Koterba said he visually confirmed Mr. Martinez-Sarmiento's location, as he "was leaning against a gated area, leaning against a fence in front of" a downtown nightclub.

Officer Koterba said he and fellow DART officers "kept eyes on him to kind of gauge what his behaviors were. He started walking away from" the nightclub. He walked "southbound, on the west sidewalk. And then he crossed Tejon towards the parking lot and immediately across the street of the, uh, east side of Tejon."

"At that point, I get informed via dispatch that he's armed and that there are bystanders scattering away from his location," Koterba said. He added, "It is not usual for people to scatter away from an area in a radius. Typically, that is because something dangerous is occurring that's causing people to flee."

Koterba confirmed that "the image we were sent was of a male matching the description of the guy we were already watching with the – the orange hat and the white shirt. And was holding a firearm in his right hand. It appeared to be a semi-automatic rifle caliber pistol."

Officer Maximillian Fuentes has been employed by the Colorado Springs Police Department for approximately three years. He has been on special assignment with CSPD's Downtown Area Response Team for nearly one year.

In an interview conducted by the El Paso County Sheriff's Office following the shooting, Officer Fuentes reported "Officer Connor Wallick said that there was a – a disturbance. And there were maybe, like, I feel like maybe 10 people, um, by this – I think it was a silver, or you know, gun metal Mercedes SUV."

Officer Fuentes also stated, "when I was running after, uh, the suspect, the suspect looks like he's holding his waist – in his waist area. His hands are in his waist area while he's running."

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 Officer Connor Wallick was a sworn peace officer employed by and carrying out his official duties on behalf of the Colorado Springs Police Department, a law enforcement agency. All officers involved in this incident were in official police uniforms and driving fully marked police patrol vehicles.

The initial information provided to Officer Wallick and other responding officers included that there was a threat with a firearm. Officer Wallick knew Mr. Martinez-Sarmiento had a handgun on his person – he heard this from RTCC and made visual confirmation himself.

Additionally, Officer Wallick observed multiple people fleeing from an altercation with Mr. Martinez-Sarmiento before making contact. Officer Wallick stated he was concerned that a felony menacing had occurred.

Mr. Martinez-Sarmiento refused to comply with law enforcement orders.

Based on Mr. Martinez-Sarmiento's flight and his reaching into the area of his pants where Officer Wallick knew the weapon was concealed, he believed the suspect intended to shoot him, civilians, or other officers.

Further, Officer Wallick stated he did believe he and others near him were in imminent danger of being killed or getting shot.

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 Officer Wallick considered using OC (pepper) spray but realized that because Mr. Martinez-Sarmiento was facing away, the spray would not be effective.

Officer Wallick also considered tasing Mr. Martinez-Sarmiento but knew Mr. Martinez-Sarmiento had a gun and was actively running, which made the use of a taser far less viable.

Additionally, Officer Wallick was concerned the suspect was pursuing that group that just ran away, in order to wound or kill. He also was concerned Mr. Martinez-Sarmiento would shoot officers or other bystanders.

The suspect looked at him, puts his hands up, but then quickly “dived” his hands toward his waist. And Officer Wallick immediately thought Mr. Martinez-Sarmiento was reaching for his gun and concluded that a lesser degree of physical force would have been inadequate.

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.

Given the totality of the circumstances, Officer Wallick had an objectively reasonable belief that a lesser degree of force would be inadequate to address the threat posed by the suspect. Officer Wallick received an image of Mr. Martinez-Sarmiento holding a rifle-type weapon.

Officer Wallick himself confirmed Mr. Martinez-Sarmiento had a handgun on his person and saw what appeared to be an extended magazine.

Mr. Martinez-Sarmiento refused to comply with police orders and ran from Officer Wallick with a loaded gun.

Based on Mr. Martinez-Sarmiento’s actions, Officer Wallick believed Mr. Martinez-Sarmiento was in the process of grabbing his handgun to shoot officers and civilians.

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 Connor Wallick on July 5, 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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