

District Court, City and County of Denver, Colorado City and County Building, Room 424 1437 Bannock Street Denver, CO 80202	COURT USE ONLY
Plaintiff: THE PEOPLE OF THE STATE OF COLORADO Defendant: BRANDON RAMOS	
Case Number: Grand Jury No. 22CR2B Div.: Criminal Ctrm: 424 / ____	
INDICTMENT	

ASSAULT IN THE SECOND DEGREE, C.R.S. 18-3-203(1)(d), (F4) < 02027 > 1, 2 (2 counts)

ASSAULT IN THE THIRD DEGREE, C.R.S. 18-3-204(1)(a), (M1) < 02038 > 3, 4, 5 (3 counts)

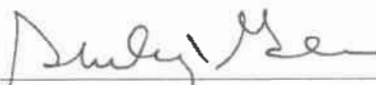
ASSAULT IN THE THIRD DEGREE, C.R.S. 18-3-204(1)(a), (M1) < 02039 > 6, 7, 8 (3 counts)

PROHIBITED USE OF A WEAPON, C.R.S. 18-12-106(1)(b), (M1) < 3005C > 9 (1 count)

RECKLESS ENDANGERMENT, C.R.S. 18-3-208, (M2) < 02073 > 10, 11, 12, 13, 14 (5 counts)

The Grand Jury presents the within Indictment and the same is ordered filed.

Dated this 4th day of January, 2023.



 Shelley I. Gilman
 Presiding Judge
 Denver District Court

A handwritten signature in black ink, appearing to read "Beth McCann", is written over a horizontal line.

BETH McCANN, Reg. No. 5834
District Attorney
Denver District Attorney's Office
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Denver, CO 80202
720-913-9000

COUNT ONE

ASSAULT IN THE SECOND DEGREE, C.R.S. 18-3-203(1)(d), (F4) < 02027 >

On or about **July 17, 2022**, at or triable in the City and County of Denver, State of Colorado, **BRANDON RAMOS** unlawfully, feloniously, and recklessly caused serious bodily injury to [REDACTED] by means of a deadly weapon, namely: **FIREARM**; in violation of section 18-3-203(1)(d), C.R.S.

COUNT TWO

ASSAULT IN THE SECOND DEGREE, C.R.S. 18-3-203(1)(d), (F4) < 02027 >

On or about **July 17, 2022**, at or triable in the City and County of Denver, State of Colorado, **BRANDON RAMOS** unlawfully, feloniously, and recklessly caused serious bodily injury to [REDACTED] by means of a deadly weapon, namely: **FIREARM**; in violation of section 18-3-203(1)(d), C.R.S.

COUNT THREE

ASSAULT IN THE THIRD DEGREE, C.R.S. 18-3-204(1)(a), (M1) < 02038 >

On or about **July 17, 2022**, at or triable in the City and County of Denver, State of Colorado, **BRANDON RAMOS** unlawfully, and knowingly or recklessly, caused bodily injury to [REDACTED] in violation of section 18-3-204(1)(a), C.R.S.

COUNT FOUR

ASSAULT IN THE THIRD DEGREE, C.R.S. 18-3-204(1)(a), (M1) < 02038 >

On or about **July 17, 2022**, at or triable in the City and County of Denver, State of Colorado, **BRANDON RAMOS** unlawfully, and knowingly or recklessly, caused bodily injury to [REDACTED] in violation of section 18-3-204(1)(a), C.R.S.

COUNT FIVE

ASSAULT IN THE THIRD DEGREE, C.R.S. 18-3-204(1)(a), (M1) < 02038 >

On or about **July 17, 2022**, at or triable in the City and County of Denver, State of Colorado, **BRANDON RAMOS** unlawfully, and knowingly or recklessly, caused bodily injury to [REDACTED] in violation of section 18-3-204(1)(a), C.R.S.

COUNT SIX

ASSAULT IN THE THIRD DEGREE, C.R.S. 18-3-204(1)(a), (M1) < 02039 >

On or about **July 17, 2022**, at or triable in the City and County of Denver, State of Colorado, **BRANDON RAMOS** unlawfully and with criminal negligence caused bodily injury to [REDACTED] by means of a deadly weapon, namely: **FIREARM**; in violation of section 18-3-204(1)(a), C.R.S.

COUNT SEVEN

ASSAULT IN THE THIRD DEGREE, C.R.S. 18-3-204(1)(a), (M1) < 02039 >

On or about **July 17, 2022**, at or triable in the City and County of Denver, State of Colorado, **BRANDON RAMOS** unlawfully and with criminal negligence caused bodily injury to [REDACTED] by means of a deadly weapon, namely: **FIREARM**; in violation of section 18-3-204(1)(a), C.R.S.

COUNT EIGHT

ASSAULT IN THE THIRD DEGREE, C.R.S. 18-3-204(1)(a), (M1) < 02039 >

On or about **July 17, 2022**, at or triable in the City and County of Denver, State of Colorado, **BRANDON RAMOS** unlawfully and with criminal negligence caused bodily injury to [REDACTED] by means of a deadly weapon, namely: **FIREARM**; in violation of section 18-3-204(1)(a), C.R.S.

COUNT NINE

PROHIBITED USE OF A WEAPON, C.R.S. 18-12-106(1)(b), (M1) < 3005C >

On or about **July 17, 2022**, at or triable in the City and County of Denver, State of Colorado, **BRANDON RAMOS** unlawfully, recklessly, or with criminal negligence discharged a firearm; in violation of section 18-12-106(1)(b), C.R.S.

COUNT TEN

RECKLESS ENDANGERMENT, C.R.S. 18-3-208, (M2) < 02073 >

On or about **July 17, 2022**, at or triable in the City and County of Denver, State of Colorado, **BRANDON RAMOS** unlawfully and recklessly engaged in conduct which created a substantial risk of serious bodily injury to [REDACTED] in violation of section 18-3-208, C.R.S.

COUNT ELEVEN

RECKLESS ENDANGERMENT, C.R.S. 18-3-208, (M2) < 02073 >

On or about **July 17, 2022**, at or triable in the City and County of Denver, State of Colorado, **BRANDON RAMOS** unlawfully and recklessly engaged in conduct which created a substantial risk of serious bodily injury to [REDACTED]; in violation of section 18-3-208, C.R.S.

COUNT TWELVE

RECKLESS ENDANGERMENT, C.R.S. 18-3-208, (M2) < 02073 >

On or about **July 17, 2022**, at or triable in the City and County of Denver, State of Colorado, **BRANDON RAMOS** unlawfully and recklessly engaged in conduct which created a substantial risk of serious bodily injury to [REDACTED]; in violation of section 18-3-208, C.R.S.

COUNT THIRTEEN

RECKLESS ENDANGERMENT, C.R.S. 18-3-208, (M2) < 02073 >

On or about **July 17, 2022**, at or triable in the City and County of Denver, State of Colorado, **BRANDON RAMOS** unlawfully and recklessly engaged in conduct which created a substantial risk of serious bodily injury to [REDACTED]; in violation of section 18-3-208, C.R.S.

COUNT FOURTEEN

RECKLESS ENDANGERMENT, C.R.S. 18-3-208, (M2) < 02073 >

On or about **July 17, 2022**, at or triable in the City and County of Denver, State of Colorado, **BRANDON RAMOS** unlawfully and recklessly engaged in conduct which created a substantial risk of serious bodily injury to [REDACTED]; in violation of section 18-3-208, C.R.S.

The facts supporting Counts 1 through 14 are as follows:

1. The facts supporting all other counts in this Indictment are incorporated herein by reference.
2. At approximately 1:30 am on July 17, 2022, several Denver Police Officers, including Officers Kenneth Rowland, Meghan Lieberon and Brandon Ramos were at a parking lot on the corner of 20th Street and Larimer Street, in the lower downtown (LoDo) area of Denver, Colorado. These officers were present as part of the Denver Police Department's LoDo Violence Mitigation Operation, an attempt to interrupt gun violence in the area on weekend nights. Officers have broken up fights and retrieved firearms in the past in the area. Larimer Street was closed to traffic for pedestrian's safety.

3. Immediately adjacent to the parking lot is a bar called the Larimer Beer Hall. Shortly before 1:30 am the bar began to close. As a result, a large crowd of people formed in and around the front of the bar and the adjacent parking lot. This crowd included [REDACTED] [REDACTED], [REDACTED], [REDACTED], [REDACTED] and many other unknown persons.
4. Jordan Waddy (Waddy) was also in and around the front of the Larimer Beer Hall. While outside and in front of the bar Waddy punched an unknown person who later left the area. During this assault Waddy made a motion to indicate he may have a firearm on his person. A witness officer observed both the assault and Waddy's motion. In response, several officers, including Officers Kenneth Rowland, Meghan Lieberson, and Brandon Ramos, attempted to contact Waddy.
5. Officers shined their flashlights on Waddy and requested that he speak with them. Instead, Waddy fled, walking quickly through the crowd on the sidewalk away from the officers. The officers, including Officers Rowland, Lieberson, and Ramos, walked parallel on the street, keeping pace with Waddy. The officers intercepted Waddy as he passed between two cars to go into the street. Officers again made commands to Waddy asking him to "stop" and "show his hands." Waddy briefly stopped and put his hands up but then turned back between the cars now with his left hand moving to his front waistline area. Once on the sidewalk Waddy began to move back in the direction he originally came toward the crowd in front of the Larimer Beer Hall.
6. Officer Ramos and another officer followed Waddy onto the sidewalk as Officers Rowland, Lieberson, and another officer stayed in the street and moved toward a space between a food truck and a car to intercept Waddy.
7. As Waddy continued toward the crowd, he pulled a handgun from his hooded jacket's front pocket with his left hand.
8. Officer Rowland and Officer Lieberson were standing in the street facing southeast. Both officers were directly in front of Waddy when he began to pull the handgun from his hooded jacket. Fearing for their lives and those of their fellow officers these two officers fired their weapons.
9. Officer Rowland fired his firearm four times and Officer Lieberson fired twice, both in the direction of Waddy. From these officers' view, a brick wall and the front of the Larimer Beer Hall were behind Waddy and no persons were behind Waddy. No one was between them and Waddy.
10. Officer Ramos was now standing on the sidewalk facing southwest. He was aware that Officer Rowland and Officer Lieberson were armed and standing directly in front of Waddy. Only seeing the side of Waddy, Officer Ramos fired his gun twice. Officer Ramos knew that a large crowd of people, including [REDACTED] [REDACTED]

[REDACTED], [REDACTED], and [REDACTED] were behind Waddy, and that he did not have a clear back drop. At no point did Waddy turn and face Officer Ramos with the firearm.

11. Waddy was struck several times by officers' bullets and received non-lethal injuries.
12. [REDACTED] was struck by a bullet in his upper right arm resulting in a [REDACTED] and [REDACTED] was struck by a bullet in her right lower leg striking an artery and [REDACTED]. [REDACTED] was struck by a bullet in her upper right rear shoulder area with an exit injury at the right shoulder causing [REDACTED]. [REDACTED] was struck by a bullet on her lower left leg with a graze wound causing [REDACTED]. [REDACTED] was struck on the inside of his left foot with a bullet causing [REDACTED].
13. The grand jury heard testimony from 17 witnesses and received 140 exhibits.
14. Officers Rowland and Lieberson did not cause the injuries to [REDACTED] or [REDACTED]. When Waddy pulled a gun from his hooded jacket pocket Officers Rowland and Lieberson both reasonably believed that their lives or their fellow officers' lives were in danger. Their decisions to shoot were legally justified because they reasonably believed they faced the imminent use of unlawful physical force by Mr. Waddy. They both used a degree of force which was reasonably necessary to defend themselves and they put no one else at risk.
15. Officer Ramos caused the injuries to [REDACTED] and [REDACTED]. Officer Ramos was not in immediate danger himself when Waddy began to pull his gun from his hooded jacket while facing Officer Rowland and Officer Lieberson. Officer Ramos' decision to shoot was not legally justified because it was reckless, unreasonable, and unnecessary for the purpose of protecting himself or other officers and he consciously disregarded an unjustifiable risk of injury to the crowd behind Mr. Waddy.