



OFFICE OF THE DISTRICT ATTORNEY
21ST JUDICIAL DISTRICT OF COLORADO

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DISTRICT ATTORNEY

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November 28, 2014

Rebecca Spiess
Mesa County Sheriff
215 Rice Street
Grand Junction, CO 81502

RE: May 11, 2014 shooting incident investigated by the 21st Judicial District Critical Incident team

Dear Sheriff Spiess:

As you know, members of your agency were involved in a situation which culminated in an individual named Jonathan Miguel Robnett being shot one time and receiving serious injuries. My understanding is that a request was made that the Critical Incident Response Team for the 21st Judicial District (CIRT) be activated and conduct a complete investigation. That investigation has now been completed and has been submitted to me for my review.

In reviewing this investigation I have carefully considered all evidence which was gathered by the CIT. I have reviewed the entire case file and all reports which were authored by anyone involved in the investigation. I have viewed all of the videotapes and photographs which were taken in connection with this case.

I conclude that Deputy Garth Cowley, as well as all the other law enforcement personnel involved in this situation, conducted himself in an entirely professional, ethical and reasonable manner. It is clear that the actions of Mr. Robnett gave Deputy Cowley no choice but to fire the single shot that he did.

On Sunday, May 11, 2014 at approximately 9:22 p.m., police dispatch received a 911 call from a male subject (subsequently identified as Mr. Robnett) who stated he had a gun and didn't know what he was going to do with it. The caller refused to identify himself or give his description. The caller further refused to tell dispatch where he was, although at one point he did read an address on a residence he was walking past to the dispatcher. The caller made a number of threats and despondent/ suicidal statements. At one point he told the dispatcher that police had "better have their guns drawn" and that he would be "going out tonight". Dispatch managed

to get a GPS location of the caller's cell phone and Mesa County Sheriff's Deputies were dispatched to the area of E Road and 32 & 1/2 Road to look for the caller. Seven different MCSO Deputies responded along with paramedics.

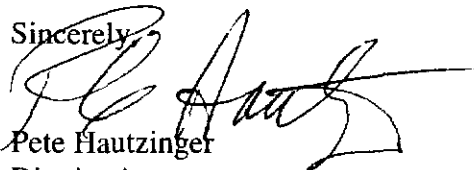
Deputy Cowley was assigned to the intersection of 33 Road and E Road. He slowly pulled up to the intersection in his marked patrol vehicle. It should be noted that Deputy Cowley activated his digital recorder and that all of the subsequent events were recorded. He then saw a dark figure standing in the shadows on the north side of E Road. The subject was looking at Deputy Cowley and then began walking toward him. Deputy Cowley exited his vehicle and stayed behind it. He directed the person to show his hands and used his gun mounted flash light to illuminate the subject. Deputy Cowley immediately saw that the subject had a gun in his right hand. Deputy Cowley immediately and repeatedly told the subject to drop the gun. The subject continued to advance toward Deputy Cowley and continued to raise the gun toward him, then yelling "Do it!" At that point Deputy Cowley fired one shot, aiming at the center of the chest. The subject immediately went down and Deputy Cowley then approached and moved the subject's gun away with his foot. Seconds later other Deputies arrived and secured the scene. The subject was identified as Jonathan Robnett and he was taken to St. Mary's Hospital for treatment.

On May 13, 2014 CIRT investigators interviewed Mr. Robnett at St. Mary's. He stated his intent was to commit suicide by cop. He confirmed he raised his gun toward the Deputy and told him "Do it!" Mr. Robnett also said that he was not going to shoot the Deputy and that if the Deputy had not shot him he would have put his gun to his own head and killed himself.

Under all of these circumstances I conclude that Deputy Cowley did exactly what we was supposed to do in this situation. He gave appropriate, multiple warnings and fired one and only one shot when Mr. Robnett raised his gun toward him. Indeed, I believe Deputy Cowley showed admirable calm and restraint. This is demonstrated by the fact he fired only one shot; he would certainly have been justified in firing more in this situation. Finally, Deputy Cowley in all likelihood saved Mr. Robnett's life by shooting him, given Mr. Robnett's stated intent to shoot himself in the head.

I further conclude that there is absolutely nothing criminal about the actions taken by Deputy Cowley or any of the other officers involved.. Indeed, I believe their actions were exemplary and entirely consistent with protecting the people of this community.

Sincerely,



Pete Hautzinger
District Attorney
21st Judicial District

CC: Detective Ed Prescott, Grand Junction Police Department