

STATE OF COLORADO  
Authorized  
**COUNTY OF  
BOULDER**

Walk-Through  
DATE FILED: July 15, 2020 11:07 AM  
CASE NUMBER: 2020CR1139

DA \_\_\_\_\_

\_\_\_\_\_  
District \_\_\_\_\_ COURT, BOULDER COUNTY,  
COLORADO

Criminal Action  
Number D0072020CR001139-4

**WARRANT FOR ARREST UPON AFFIDAVIT**

BEFORE THE HONORABLE Nancy W Salomone

The People of the State of Colorado,  
To: Any person authorized by law to execute arrest warrants.

You are hereby commanded to arrest the person of: **ANTOINIO  
D ARMSTRONG**

DOB:	08/28/1993	HAIR:	BLK
HEIGHT:	5'10"	EYES:	BRN
WEIGHT:	150 lbs	RACE/SEX:	BLACK/MALE
DL #:	██████████	SSN:	██████████
ALIAS/ALIAS DOB:	Antonio Armstrong	OFFENSE DATE:	07/10/2020
OTHER DESCRIPTORS: FBI # ██████████			

And take the person above-named without unnecessary delay before the nearest judge of the Court of Record; to be advised that the person is being held for the alleged commission of the following crime(s), to-wit: In violation of C.R.S., 1973 revised:

Charge #	CRS #	Charge	Level
1	18-3-206(1)(a)	Felony Menacing	F5
2	18-3-206(1)(a)	Felony Menacing	F5
3	18-3-206(1)(a)	Felony Menacing	F5
4	18-3-206(1)(a)	Felony Menacing	F5
5	18-4-502	First Degree Criminal Trespass	F5

6	18-9-111(1)(g)	Harassment (Makes Repeated Communications at Inconvenient Hours)	M3
7	18-6-800.3	Domestic Violence	M

That this warrant for arrest is issued upon affidavit sworn to and affirmed before this court and relating facts sufficient to establish probable cause that the above-named offense has been committed and probable cause that the person named in this warrant committed that offense.

BAIL IS SET AT \$ \_\_\_\_\_ WITH  
CONDITION(S) \_\_\_\_\_

\_\_\_\_\_ No bond until seen by a judicial  
DATE: \_\_\_\_\_ officer (DV)



Judge's Signature

Longmont Police Case # 2020-5257  
Longmont Police Department  
**Detective Nick Aiello (#1201) 303-651-8956**  
RETURN OF SERVICE

I hereby certify that I have duly executed this warrant on this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_.

by \_\_\_\_\_ as I am  
herein commanded.

SHERIFF FEES:

Service \$ \_\_\_\_\_  
Mileage \$ \_\_\_\_\_  
Return \$ \_\_\_\_\_  
Total \$ \_\_\_\_\_

By:

Deputy

# AFFIDAVIT FOR WARRANT OF ARREST

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Your affiant, **Detective Nick Aiello**, (Hereafter referred to as I) a duly sworn commissioned Police Officer for the City of Longmont, County of Boulder, State of Colorado, deposes and says:

I have more than 8 years of experience as a police officer in the City of Longmont, County of Boulder, and State of Colorado. I am currently assigned as a Person's Crimes Detective with the Person's Crimes Unit of the Longmont Police Department's (LPD) Detective Services Division. All Officers and Detectives mentioned within this affidavit are duly sworn commissioned officers for the City of Longmont, County of Boulder, State of Colorado unless otherwise noted.

Your affiant has reason to believe that **Antoinio Armstrong (DOB 08/28/1993)**, a **black male, 5'10", 150 pounds, black hair and brown eyes**, having Illinois PIN [REDACTED] and Social Security number [REDACTED] did commit the crimes of **Felony Menacing (4 counts), First Degree Criminal Trespass as an Act of Domestic Violence, and Harassment (Makes Repeated Communications at Inconvenient Hours) as an Act of Domestic Violence** as contrary to C.R.S. 1973, Sections **18-3-206(1)(a) (4 counts), 18-4-502, 18-9-111(1)(g), & 18-6-800.3** as amended. The reasons for your affiant to believe this to be true are as follows:

On Friday 07/10/2020 at approximately 1:43 AM, I, Detective Nick Aiello, received a page from the Boulder County Critical Incident Team (BCIT), requesting a response regarding an officer-involved shooting involving the Longmont Police Department. I was also the Longmont PD on-call Detective at the time. I responded to Longmont PD. Through reading CAD notes, watching body-cam video, speaking with officers who interviewed witnesses, and watching video recorded interviews with Officers Miller, Davis, Hampton, Thompson, Hernandez, Sipes and Macchione, I learned the following:

On Friday 07/10/2020 at approximately 1:10 AM, a male, [REDACTED], who was not on scene, called Longmont Police Dispatch on behalf of his female friend, [REDACTED]. [REDACTED] stated [REDACTED] was being harassed by [REDACTED]". [REDACTED] described him as a black male with "dreads". He said the male was refusing to leave [REDACTED] apartment, [REDACTED] City of Longmont, County of Boulder, State of Colorado. The male was reportedly outside the apartment, where [REDACTED] was locked inside. The male and [REDACTED] were reportedly arguing back and forth. [REDACTED] also stated the male had a "9mm" (handgun) in his back pocket.

Officer Nate Miller, Officer Kurtis Hampton, Officer Tommy Thompson, and Officer Jeff Davis (all in full, marked police uniforms) arrive on scene at or around approximately 1:19 AM. Officer Miller and Officer Hampton approach the suspect, later identified as Antoinio Armstrong (Antoinio) on the east side of building # [REDACTED] near the front step of an apartment. At this point, Officer Thompson and Officer Davis were near a vehicle in the parking lot to the south of Officer Miller and Officer Hampton.

Officer Miller makes verbal contact with Antoinio and asks him his name. He says "Antoinio". Officer Miller asks Antoinio to put his hands up and he does. Officer Miller asks Antoinio if he has any guns on him and Antoinio says "No guns". Officer Miller tells Antoinio to put his hands on his head and to walk down towards him. Antoinio does walk down on the sidewalk in front of building # [REDACTED] but keeps his hands raised in front of him at about face-level. Antoinio walks towards Officer Miller and Officer Miller again tells Antoinio to put his hands on his head, which he does not do.

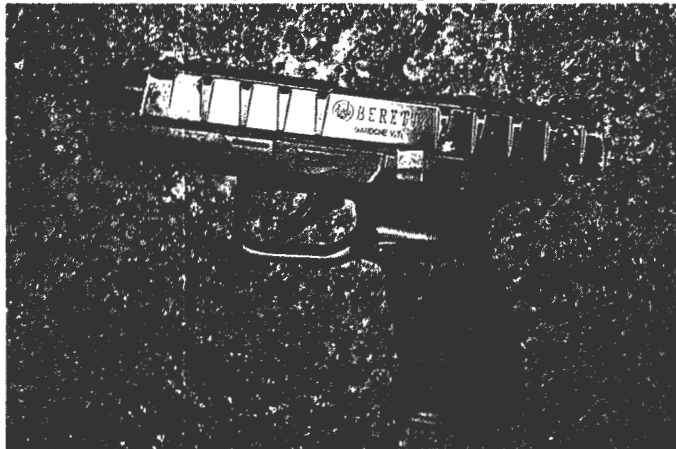
Officer Miller tells Antoinio to turn around and face away from him, which he does not do. Antoinio says "Yeah...did I do anything wrong?" Officer Miller and Officer Hampton tell Antoinio that they will talk to him in a minute, but want to make sure he doesn't have any weapons on him. Officer Hampton tells Antoinio to put his

hands on the back of his head. Antoinio turns and looks to his right, puts his hands together at stomach-level and rubs his hands together. Officer Miller tells Antoinio to put his hands on the back of his head. Antoinio starts to turn to his right and says "But uhhh...I'm just..." Officer Miller and Officer Hampton approach Antoinio and attempt to grab his hands. At the same moment, Antoinio takes a step back, turns to his right and starts to reach into his waistband. Antoinio pulls a black handgun from his waistband, using his right hand, and points it towards Officer Miller, Officer Hampton, Officer Thompson, and Officer Davis. Antoinio's right arm, holding the handgun, is fully extended out horizontally, parallel to the ground, and the barrel of the gun is pointed directly at the area the officers are standing. Officers yell "Gun! Gun! Gun!" and "Drop the gun! Drop the gun!". As the officers are yelling, Antoinio moves north then east with his right arm still extended. Officer Miller fires what appears to be five shots towards Antoinio with his duty handgun.

After Officer Miller fires his weapon, Antoinio moves between two parked vehicles on the east side of Building [REDACTED] out of the view of Officers Miller, Hampton, Thompson and Davis. Officer Macchione describes that he arrived at the address just as Officer Miller was firing his weapon. Specifically, he heard shots fired as he turned eastbound on [REDACTED]<sup>th</sup>. He parked his patrol vehicle in the middle of the parking lot to east of where officers were located. He observed Antoinio crouching or kneeling between two vehicles with his arm extended towards Officers Miller, Hampton, Thompson and Davis. From a position behind the door of the patrol vehicle and with a view of the gun in Antoinio's hand pointed at officers, Officer Macchione fired two shots at Antoinio with his .223 rifle. After Officer Macchione fired those shots, Antoinio went from crouching to laying on his side between the parked vehicles. Officer Macchione repeatedly instructed Antoinio to show him his hands. Antoinio only raised his left hand in response to these commands, but did not raise his right hand.

Officer Macchione and other officers continued to instruct Antoinio to show them his hands. Officer Macchione then observes the defendant put the barrel of the gun against his own temple and hears several "clicking" noises. He alerts the officers that Antoinio is attempting to shoot himself in the head. Antoinio eventually complies with commands. Medical aid is then rendered and Antoinio is transported by ambulance to UHealth Longs Peak Hospital in Longmont. Antoinio is eventually transferred to Medical Center of the Rockies in Loveland, CO.

Initial reports indicate Antoinio suffered multiple suspected gunshot wounds, two to his right arm and one to his stomach, as well as a possible gunshot wound to the area of Antoinio's left ear. In addition, at least three BB pellets were found lodged in the left side of Antoinio's head. The gun Antoinio pointed at officers was later determined to be an extremely realistic looking BB gun.



I learned Boulder PD Detective Sarah Cantu had spoken with both [REDACTED]. I learned from Detective Cantu that prior to police arrival, [REDACTED] was video-chatting with [REDACTED] through Facebook. She told [REDACTED] that Antoinio ([REDACTED]) was at her apartment and wouldn't leave, although she had told him to leave. [REDACTED] also told [REDACTED] that Antoinio was armed. When Antoinio finally did walk out the front door with his bag, [REDACTED] closed and locked the door behind him.

[REDACTED] reported Antoinio then started repeatedly banging on her front door. He began to text her, starting at 12:29 AM, asking to be let in the house. [REDACTED] texted back that she had called him a ride. She also said "Leave me alone don't call don't text don't come by I don't want nothing to do with you..." Antoinio

then called [REDACTED] 7 times in a row starting at 12:34 AM. [REDACTED] did not answer any of these calls.

I also listened to the call [REDACTED] made to Dispatch at 1:10 AM. In the call, [REDACTED] says that his friend is being harassed by a man who won't leave her house. Near the end of the call, [REDACTED] says "I hope you do (get an officer there) cause she's in trouble". [REDACTED] calls Dispatch back about two minutes later to report he just spoke to [REDACTED] again and she said the man was armed with a "9mm in his back pocket". [REDACTED] reported that [REDACTED] had seen the gun, and it was now in the man's pocket.

On 07/11/2020, Detective Sandra Campanella spoke with [REDACTED] by phone. The following is a summary of that conversation:

[REDACTED] discussed meeting Antoinio during the summer of 2019 (approximately) when she was still living in her mobile home in Broomfield, Colorado. Antoinio moved in with her until he eventually convinced her to sell her home so they could move to Chicago, Illinois and buy a home together there. However, [REDACTED] did not make as much money as Antoinio hoped they would when she sold her trailer. They stayed in hotels without ever leaving Colorado. Once the money from the trailer was gone, Antoinio left. [REDACTED]

Antoinio showed up in Longmont in the middle of May, 2020, and [REDACTED] described Antoinio's controlling behavior. He manipulated her through access to her own resources and possessions, such as determining when she could have her cigarettes, money, food, use her phone or have her own medical marijuana (which she referred to as her "medication"). Antoinio cheated on [REDACTED] and frequently accused her of cheating on him. She was forced to give him her phone to prove she was not cheating on him. Antoinio called [REDACTED] names during arguments or whenever she tried to exert her authority over her own possessions and said she and her friends were "lame." Antoinio frequently told [REDACTED] he was "a guest in her home" and not her romantic partner, usually when she confronted him about cheating on her.

Approximately one week after Antoinio moved into her apartment (in May, 2020), [REDACTED] realized it was not going well and wanted him to leave. He repeatedly refused to leave and frequently appealed to her sympathy and made her feel guilty so she would let him stay. [REDACTED] remembered one occasion in May or June (2020) during which she told Antoinio to leave and he advised her if he ever left and came back and she was with someone else (another man) and would not let him back into her life, he would "take care of it." When asked what that statement meant to her, [REDACTED] advised Detective Campanella that it sounded to her like Antoinio was threatening to harm or kill her. [REDACTED] described feeling scared and somewhat resigned to her fate. [REDACTED] discussed at great length how much Antoinio emotionally mistreated her but denied any physical abuse. [REDACTED] described her previous abusive romantic relationship and the stark similarities between that person and Antoinio.

On the evening of 07/10/2020, [REDACTED] decided to have a video chat over Facebook with her friend, [REDACTED]. Antoinio was home and kept walking into and out of the screen, somewhat interrupting [REDACTED]'s conversation with [REDACTED]. Eventually, [REDACTED] and Antoinio confronted each other on the Facebook video call.

As things escalated between [REDACTED] and Antoinio and [REDACTED] and Antoinio, [REDACTED] became increasingly more upset. She told Antoinio to leave and took his backpack and walked toward the front door with it. Antoinio took the backpack and stepped outside. As he did so, [REDACTED] locked the front door and refused to let him back inside. He continued pounding on the door, demanding and begging her to let him back into the apartment. Antoinio also started calling and texting [REDACTED], still asking and demanding she unlock the door.

In the meantime, [REDACTED] who observed much of the incident with Antoinio and [REDACTED], called the police. By then, [REDACTED] had gone upstairs and was in the bedroom with [REDACTED] feeling terrified. She was still on the video chat with [REDACTED] who decided to call the police.

After [REDACTED] called the police and Antoinio continued to pound on the door, [REDACTED] told [REDACTED]

Antoinio had two guns: one in his waistband and another revolver in his duffle bag. [REDACTED] called back the police, advising them Antoinio had a 9mm in his pants. [REDACTED] advised Detective Campanella she was scared and worried about what would happen next. [REDACTED] described feeling that "if (Al) got into the house, (she'd) be dead." [REDACTED] advised that was the first time she ever threw Antoinio out of her house and refused to let him back in. That, and knowing he had firearms, scared her the most, largely because she did not know what he would do. Officers recovered a duffle bag and backpack on scene. They also searched the area and [REDACTED] apartment. Officers have not recovered a revolver at this time.

[REDACTED] knew Antoinio had guns a few days after he moved back in with her in May. She saw the guns but did not know why Antoinio had them. She described being terrified of guns and did not want to know why he had them. [REDACTED] denied Antoinio ever threatened her with guns, made reference to the guns or ever did anything with them during arguments. She adamantly stated Antoinio never touched, wielded or pointed guns at her during arguments or any other times. He never threatened her with consequences involving the guns for her behavior in any way. [REDACTED] stated her fears surrounded his anger with her and her not knowing what he would do to her, especially knowing he was armed.

[REDACTED] explained after [REDACTED] called the police, she soon heard four shots. She felt scared, and because the shots were so loud and close, she assumed Antoinio was shooting at her. [REDACTED] heard four more shots, then nothing. She did not realize the gun was a BB gun until she read the press release that day (Saturday 07/11/2020). [REDACTED] expressed concerns about her safety if Antoinio gets out of the hospital and comes back to harm her. Again, she primarily discussed his lying, cheating, stealing from her and depriving her of her own things in conjunction with this event.

Detective Campanella spoke with [REDACTED] again on 07/14/2020 to get additional details surrounding her efforts to get Antoinio out of her residence on 07/10/2020. [REDACTED] stated the following:

[REDACTED] and Antoinio began to argue at approximately 4:30 to 5:00 PM on 07/10/2020 as she was preparing dinner. Antoinio did not like what she made or how she prepared the meal and began insulting her. [REDACTED] told Antoinio if he did not like it, he could just leave. She reminded him he always told her he was a guest in her home and as such, needed to leave. Instead of leaving, Antoinio sat down on the couch, changed the channel on the TV and started laughing at [REDACTED] advising her the shows she watched were (negatively) influencing her. [REDACTED] tried to ignore Antoinio and moved to another part of the house.

Throughout the rest of the afternoon/evening, [REDACTED] and Antoinio resumed arguing. Again, she told him to leave "about four or five times (including the first time)," but was not able to make him do so. When her friend [REDACTED] called, Antoinio did not want her on the video chat and tried a couple times to take her phone away from her. It was then [REDACTED] and Antoinio confronted each other and [REDACTED] told Antoinio to leave and "quit taking advantage" of [REDACTED].

[REDACTED] felt like she could finally make Antoinio leave since [REDACTED] was on video chat with her and she could "take that opportunity to make him (Antoinio) leave." She stated since [REDACTED] was a man, and not a woman, such as her mom or sister, and was actually watching (over video), she could finally get Antoinio out of her house. While [REDACTED] was still on the video call, [REDACTED] grabbed Antoinio's backpack and started walking toward the door with the backpack. Antoinio took the backpack from her and advised her he would take it himself. Once Antoinio stepped outside, [REDACTED] closed and locked the door. She estimated it was approximately 12:30 AM when she locked Antoinio out of the house.

Within five minutes, Antoinio started calling and texting [REDACTED], attempting to convince her to let him back inside. She was still on the video call with [REDACTED] and every time Antoinio called, his call interrupted her video chat with [REDACTED]. [REDACTED] estimated Antoinio was out front knocking on her door, refusing to leave, even when Lyft arrived, for approximately "20 to 30 minutes." [REDACTED] eventually called

the police when Antoinio would not leave.

██████████ stated she had been trying to get Antoinio out of her house for approximately two and a half months and she was never able to. Specifically, on 07/10/2020, ██████████ estimated seven and a half hours elapsed from the first time she told Antoinio to leave until she locked him out while she was on the video chat with ██████████

On 7/13/20 and 7/14/20, I observed interviews conducted with Officer Miller, Officer Macchione, Officer Hampton, Officer Davis, Officer Thompson, Officer Hernandez and Officer Sipes. Officer Miller, Officer Hampton, Officer Thompson, and Officer Davis each individually spoke of how Antoinio ignored commands from Officer Miller directly before he pulled the handgun from his waistband and pointed it in the direction of where Officer Miller, Officer Hampton, Officer Davis, and Officer Thompson were positioned. Officers Miller, Hampton, Davis and Thompson discussed how they feared for their own life, as well as the lives of their fellow officers when Antoinio pulled the handgun from his waistband and pointed it in the officer's direction.

A clearance of Antoinio Armstrong revealed he was clear of active warrants, protection orders, etc. Antoinio did not have any connections to Colorado that could be located. His driver's license, located on his person, was out of Illinois, and his criminal history was out of Illinois and Wisconsin. Antoinio was not listed in any known police reports or incidents in Colorado.

A review of Antoinio Armstrong's criminal history revealed prior arrests for:

2014 / IL: Shoplifting & Bail Bond Violation

2015 / IL: Bond Revocation & Traffic charges

2015 / IL: Marijuana Possession & Traffic charges

2016 / WI: Felony Eluding & Felony 1<sup>st</sup> Degree Reckless Endangerment & Resisting Arrest

2018 / IL: Resisting Arrest & Traffic charges

Antoinio has two prior felony convictions:

2017/WI: Felony Vehicular Eluding

2019/IL: Felony Officer Resisting

Your Affiant obtained a physical description and associated information regarding Antoinio Armstrong (DOB 08/28/1993) from a drivers license query through CCIC, which produced a result from the Illinois Department of Motor Vehicles. This information listed Antoinio Armstrong (DOB 08/28/1993), as being a black male, 5'10", 150 pounds, with black hair and brown eyes, having a Illinois ██████████ and Social Security number ██████████

The above information is based on the domestic violence incident, as well as my review of the body-worn camera videos and officer interviews. Based on all of this information, this affiant determined that criminal charges are appropriate for the defendant's conduct before the police officers fired their weapons.

Your affiant has reason to believe that **Antoinio Armstrong (DOB 08/28/1993), a black male, 5'10", 150 pounds, black hair and brown eyes, having Illinois PIN ██████████ and Social Security number ██████████**, did commit the crimes of **Felony Menacing (4 counts), First Degree Criminal Trespass, Harassment (Makes Repeated Communications at Inconvenient Hours), & Domestic Violence** as contrary to C.R.S. 1973, Sections **18-3-206(1)(a) (4 counts), 18-4-502, 18-9-111(1)(g), & 18-6-800.3** as amended, and respectfully requests that the court issue a warrant for the arrest of **Antoinio Armstrong (DOB 08/28/1993)**.

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Affiant

July 14th, 2020; 5:45 PM by telephone

Subscribed and sworn before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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Notary



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Judge