

HEARING OFFICER, CAREER SERVICE BOARD, CITY AND COUNTY OF DENVER, STATE OF COLORADO

Appeal No. 211-00

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

IN THE MATTER OF THE APPEAL OF:

Appellant: FRANKLIN GALE,

And

Agency: Denver Sheriff's Department, Department of Safety, and the City and County of Denver, a municipal corporation.

NATURE OF APPEAL

The Appellant Sergeant Franklin Gale, ("Gale"), has challenged his dismissal from his position as a Sergeant with the Denver Sheriff's Department and the Department of Safety for the City and County of Denver (the "Agency" or the "Department"). The Agency dismissed Gale due to an incident that occurred on December 11, 1999 while Gale was handling a prisoner in the basement or "sallyport" at the Pre Arraignment Detention Facility ("PADF"). The Agency contends that Gale used excessive force that injured the prisoner and then attempted to use intimidation to coerce other Deputies into covering up his alleged misconduct.

Gale denies all wrongdoing. He alleged in his appeal petition that his dismissal was motivated by discrimination on the basis of race, (Gale is African American) color and political affiliation (Gale is active in the Sheriffs Union). He is requesting that the dismissal be reversed and that he be reinstated to his position as Sergeant with full restoration of seniority benefits, and payment for lost wages and benefits.

INTRODUCTION

The City and County of Denver shall be referred to as the "City". The rules of the Career Service Authority shall be abbreviated as "CSR" with a corresponding numerical citation.

A hearing on this appeal was held on March 26, 27, 28, 29, 30, and April

5 and 6, before Michael L. Bieda, Hearing Officer for the Career Service Board. Gale was present throughout the proceedings, and was represented by his attorney, Mr. Gregory W. Smith, Esq. The Agency and City were represented by Assistant City Attorney Mr. Craig Hess, Esq., with Mr. Elias Diggins serving as the advisory witness on behalf of the Agency and City.

The Agency and City called the following witnesses: Officer Michael Kelley, Denver Police Department; Denver Sheriff's Deputies Gerald Pound, Rebecca Murr, Sergeant Frank Rolando, John Sisneros, Steve Zarnow, Tracy Zarnow, Angela Barra, Captain Maryland Brenneis; Ms. Linda Sue Avery, Correctional Nurse for the Denver city jail; Dr. Andrew Robert Erdmann, M.D.; and Director Fred Oliva, Denver Sheriff's Department.

Gale called the following witnesses: from the Department: Captain Jeff Wood, Deputy Mathew John Talmon, Deputy Rachel Espinosa; Mr. Richard Robert Crespín, inmate; Mr. Robert Joseph Mandonado; and the Appellant, Sergeant Franklin Gale.

Anita Valverde was not called as witness and did not testify.

The following exhibits were admitted into evidence and considered in this decision:

A, E, L, M, N, O, P, Q, R, W, CC, FF, HH, II, JJ, KK, LL, MM, NN, OO, PP, QQ, RR, SS, UU, VV, WW, XX, YY, ZZ, BBB, FFF, GGG, HHH, JJJ, KKK, QQQ, RRR, SSS, ZZZ, 1, 2, AAAA.

The Hearing Officer also did a personal inspection of PADF and the sallyport. The PADF inspection occurred shortly after the commencement of testimony. The Hearing Officer also did two separate inspections of a "scout van" which counsel stipulated was similar in configuration to the actual scout van in use on the night in question. The actual scout van involved in the incident was not available for inspection. The first inspection of the scout van was early in the testimony to allow the Hearing Officer to fully understand the testimony referring to the scout van. The second inspection was at the completion of testimony.

ISSUES ON APPEAL

Whether the Agency proved by a preponderance of the evidence that Gale violated the following Career Service Rules:

- CSR §§ 16-50 A .
- (1) Gross negligence
 - (3) Dishonesty
 - (8) Threatening, fighting or intimidating,
 - (18) Violation of executive order (Executive Order

112)

(20) Other conduct

- CSR §§ 16-51 A. (5) Failure to observe departmental regulations (200.4, 200.15, 300.10, 300.19, and 400.6).
(6) Carelessness.

If so, whether the Agency had just cause to discipline Gale, and whether the disciplinary action taken by the Agency, namely dismissal from employment, was reasonably related to the seriousness of the offense, considering all of the circumstances, as required by Career Service Rules.

Whether the Agency discriminated against Gale, because of his race, color or political affiliation.

JURISDICTION

The alleged incident giving rise to this disciplinary action by the Agency occurred on December 11, 1999. Gale was notified of the Agency's contemplation of disciplinary action on August 30, 2000. A predisciplinary meeting was held on September 12, 2000. Gale was advised of his termination by letter on September 22, 2000. Gale filed his appeal with the Career Service Hearing Office on September 29, 2000. Neither party has contested the jurisdiction of the Hearing Office to hear and decide this appeal.

Based upon these findings the Hearing Officer concludes that this appeal has been timely filed, and that under CSR §§ 19-10 (b) and 19-27, the Hearing Officer has jurisdiction and authority to affirm, reverse or modify the actions of the Agency giving rise to this proceeding.¹ The Hearing Officer further determines that Gale was afforded the Pretermination Hearing set forth by the

¹ CSR §19-10(b) provides:

Actions Subject to Appeal

An applicant or employee who holds career service status may appeal the following administrative actions relating to personnel.

* * *

b) Actions of an appointing authority: Any action of an appointing authority resulting in dismissal, suspension, involuntary demotion, disqualification, layoff, or involuntary retirement other than retirement due to age which results in alleged violation of the Career Service Charter Provisions, or Ordinances relating to the Career Service, or the Personnel Rules.

* * *

CSR §19-27 provides:

The Hearings Officer shall issue a decision in writing affirming modifying, or reversing the action, which gave rise to the appeal. This decision shall contain findings on each issue and shall be binding upon all parties.

* * *

United States Supreme Court in *Cleveland Board of Education v. Loudermill*, et al., 470 U.S. 532, 105 S. Ct. 1487, 84 L. Ed. 2d 494, 53 U.S. L.W. 4306 (1985) and as required by Career Service Rule §16-30.²

SUMMARY FINDINGS OF FACT

In the early morning hours of December 11, 1999 the patrol unit of the Denver Police Department dispatched Officer Michael Kelley and his partner to a disturbance involving an intoxicated individual. Upon arrival, they contacted one Anita Valverde, DOB 10-20-57. Valverde was obviously highly intoxicated. Both Kelley and his partner, Officer Steven Scheitler, were in uniform and were armed. Valverde's two teenage children made the call-in and had asked that Valverde be taken to detox because she was intoxicated, loud and keeping them awake.

When the Officers arrived at the scene Valverde was physically and verbally abusive to them, using profanity, obscenities and other vulgar language.³ To say she was verbally and physically aggressive is an understatement. Valverde was sitting on a couch when the Officers first contacted her. When Officer Kelley's partner asked her to get to her feet so they could take her to detox, she refused, screamed profanities and then kicked Scheitler between his legs, presumably in the area of the groin. Scheitler was not injured but Valverde did make physical contact.

Both Officers eventually were able to bring Valverde to her feet. She continued to struggle and the Officers restrained her by putting handcuffs on her

² CSR §16-30 provides:

Pre-disciplinary Notification of Contemplation of Suspension, Involuntary Demotion or Dismissal and Notice of Pre-disciplinary Meeting.

When required.

Before an employee with career status is suspended, involuntarily demoted or dismissed, the appointing authority or designee shall hold a pre-disciplinary meeting. A pre-disciplinary meeting is not required for verbal warnings or written reprimands.

* * *

³ In their report the responding officers indicated that Valverde was intoxicated, and referred to the officers as "fucking pigs", "fuck you" and other similar profanity and obscenities. She actually assaulted one of the officers by kicking him in the groin and stomach. According to the report, Valverde refused to comply with the repeated instructions of the officers. Valverde continued to struggle against the officers when they tried to handcuff her. When Valverde was placed in the back of the patrol car she repeatedly kicked the back windows trying to damage them. Valverde repeatedly called the officers "fucking morons" and threatened to "kill you motherfuckers." She threatened to "break your fucking face" if they didn't remove the handcuffs. She also threatened to sue the officers and the county. Finally, the officers reported that Valverde threatened them by yelling that she would "kick you in the fucking balls" [See Exhibit E].

with her hands behind her back. After being cuffed, Valverde continued to struggle physically and was verbally and physically threatening and abusive. The Officers accompanied her outside and placed her in the patrol car. She began kicking the insides of the patrol car. Because she had been so physically aggressive, Officer Kelley decided that she would be at risk if transported in a patrol car. Officer Kelley decided that Valverde was not a candidate for detox but that she should be transported by scout van and booked into the city jail. Officer Kelley summoned the Sheriff's Department for a "scout van" from the city jail to come and pickup the suspect. He was concerned that she would damage the patrol car, injure herself, or damage property at the station house once she was transported.⁴

The Denver Sheriff's Department, not the Police Department, operates the scout van. It was dispatched to the scene, and was driven by Deputy Gerald Pound and accompanied by Deputy Rebecca Murr. When they arrived at the scene both Pound and Murr agreed that Valverde was highly intoxicated, belligerent, and physically and verbally abusive. When they contacted her she attempted to kick one of the sheriff's Deputies and was hostile and aggressive. Deputies Pound and Murr removed the police Department's handcuffs, and placed their own on her, cuffing her in front. She was placed into the scout van and transported to the PADF. Valverde continued to be hostile and physically aggressive during the trip to PADF. She continued to yell obscenities and was kicking the insides of the van.

Once inside the basement sallyport at PADF, Valverde refused to exit the scout van. Prior to her arrival, Sergeant Gale had been summoned from upstairs to the sallyport for the purpose of removing her from the van. All of the witnesses agreed that as the Sergeant in command, it was Gale's responsibility and authority to use force if necessary to control and remove the inmate. Gale had recruited three other Deputies to assist him, Deputies M.J. Talmon, John Sisneros, and Steve Zarnow. Gale had been advised by dispatch that the prisoner was hostile and that she had previously assaulted the Police Officers and the Deputies. When the prisoner arrived at PADF, Deputies Murr and Pound further briefed Gale on her previous conduct.

All witnesses agreed that Gale began talking to Valverde while she was still in the van. He attempted to reason with Valverde and tried to persuade her to cooperate and to voluntarily exit the scout van. Valverde repeatedly refused. In the process she was verbally and physically hostile, aggressive and abusive towards Gale and the other Deputies present. She continued to shout

⁴ As a result of her actions, Valverde was charged with Assault, Interference, Disturbing the Peace, and Threatening to Injure a Person or Damage Property. Officer Kelley testified that Valverde was not charged with Resisting Arrest because he would have had to call his supervisor to the scene in order to charge resistance. The arresting Officers decided against this course of action and charged Valverde only with the other charges.

obscenities and racial slurs directed at Sergeant Gale.⁵

Eventually Gale tired of her refusal and opened the inner gate of the van. The witnesses generally agreed that he then reached into the van in an attempt to gain a hold of Valverde. What happened next occurred very quickly and is in dispute. While the witnesses differ as to how Valverde actually exited the scout van, all agree that she did exit the van and in the process ended up lying on the sallyport floor. There is disagreement as to whether Gale actually grabbed Valverde and "threw" her to the concrete floor of the sallyport, or whether, before he was able to get a firm hold of her, Valverde jumped or lunged past Gale, and in the process lost her footing or balance and fell to the floor.

While she was lying on the floor, Gale and Zarnow immediately each took Valverde by an arm and lifted her to her feet. Several witnesses agreed that Valverde was not passive at this point, but was still struggling against both Zarnow and Gale. In fact one witness related how she was still kicking at the Deputies even while lying on the ground. Gale used what is known as a "compliance" hold or "gooseneck" hold on Valverde in order to gain physical control over her. This involved putting Valverde's hand and wrist in an extreme position or angle with the application of pressure so as to inflict controlled pain in order to gain her compliance. The witnesses all agreed that this hold is a standard law enforcement technique and is widely accepted as appropriate in this situation. Usually it does not result in any injury to the prisoner. All of the witnesses agreed that even though Valverde was in handcuffs, she was still not under control and was refusing to comply with the orders of Sergeant Gale. All witnesses agreed that the use of the "gooseneck" hold was appropriate in this circumstance.

After Gale and Zarnow brought Valverde to her feet they escorted her to the elevator and eventually the second floor of PADF. They escorted her in front of the elevator, which was captured on a videotape camera in the PADF and has been admitted as Exhibit QQQ. The video shows Zarnow and Gale escorting Valverde to the elevator in the basement. It shows Gale and possibly Zarnow with gooseneck holds on her. Gale and Zarnow appear to be carrying Valverde or at least supporting a majority of her weight. It supports the testimony of the deputies that she did not walk on her own, but had to be carried

⁵ Deputy Gerald Pound was driving the scout van that transported Valverde to the county jail PADF. He confirms in both his initial report, as well as his subsequent Internal Affairs report that Valverde was hostile, verbally abusive, that she was attempting to kick the Deputies, and was kicking the plexiglass in the vehicle. Pound confirms that once they arrived at PADF, Valverde began yelling racial slurs at Gale. According to Pound, Gale repeatedly tried to talk to Valverde and to calm her down, but she was loud and continued to be aggressive, hostile and abusive. He states in his IA statement that among other racial slurs, Valverde called Gale a "fucking nigger". The other Officers confirmed this as well. According to his testimony, Deputy Pound left the immediate area around the scout van and walked over to lock up his weapon and did not see her actually exit the van. When he returned, he observed Valverde lying on the ground [See Exhibits MM and NN].

to the elevator. Valverde has her face towards the ceiling and it appears that Gale is holding the back of her head or her hair with his right hand. It is inconclusive whether Valverde's head position is the result of Gale applying force to her hair, or whether it is the result of her being carried by the deputies as a result of her continued resistance and refusal to walk. Gale and Zarnow are supporting her weight by her shoulders. It also shows that Valverde was not walking on her own due to what appears to be resistance, but was being carried by the Deputies.

After she was transported to the second floor, Valverde was booked in and put in a holding cell. Two female Deputies did a pat down search of her. During this time in the holding cell Valverde continued to thrash about, and to be hostile, aggressive and combative.

At some point after she was placed in the holding cell, it was determined that Valverde may have been suffering from a shoulder injury and the nurse for the PADF was called to examine her. The shoulder injury was confirmed and Sergeant Gale was then advised. At that point he approved transportation for Valverde to the hospital for further examination and treatment. He approved her transport by way of ambulance instead of scout car. He then ordered all Deputies to prepare reports on the incident. He specifically ordered Pound to address the issue of any prior injuries in his report.

Valverde was later determined by medical examination to be suffering from a third degree "AC" separation of the left shoulder. The medical testimony indicated that such an injury could be caused by a fall on the left shoulder.

Per Gale's orders Deputies Murr, Zarnow, Sisneros, Pound, and Talmon all filed written reports at the time of the incident on December 11, 1999. Gale also filed a report directed to Captain Wood [Exhibit R]. With the exception of Pound, all Deputies and Gale reported that Gale opened the cage door on the van, and that Valverde fell to the ground upon rushing or lunging out of the van. Pound later testified that his written statement is silent on how she exited the van because at that time he was storing his firearm in a locker and did not actually see Valverde's exit from the scout van. There is no credible evidence that Gale ever ordered or otherwise instructed any of the Deputies to file false reports. In fact all of the witnesses emphatically deny that Gale ever issued such an instruction.

An internal investigation into the incident was launched in late December or early January 2000. Deputies Murr, Pound, Sisneros, Talmon and Zarnow, along with others, were all called in to Internal Affairs ["IA"], questioned and asked to give statements. This internal investigation continued off and on for several months and ultimately resulted in the disciplinary action against Gale that is now the subject of this appeal.

The scout van is a rather large vehicle that has been adapted to the transportation of prisoners. Its floor is approximately 2 feet above street level. It has three separate compartments, the front being for the driver and a partner. A wall separates it from the second compartment behind, which is the female section. The female section contains a bench seat that faces forward and can accommodate three female prisoners. The prisoners enter and exit this female section on the passenger side of the van by a side door. The third section is the male section, behind the female section. A wall also separates it from the female section. The male prisoners enter and exit through doors in the back.

Under Colorado State law, a peace officer who witnesses the use of excessive force by another peace officer on another person, is required to report it to his or her immediate supervisor.⁶

Prior Discipline and Warnings

In its letter of discipline, the Agency made no mention of previous discipline of Gale. While there is some mention of a prior disciplinary action in Gale's personnel file [Exhibit RRR], it appears that the action was not sustained. The Agency did not specifically address prior discipline in its case. The Hearing Officer therefore finds and concludes that for purposes of this disciplinary action, Gale has not been previously disciplined.

DISCUSSION AND CONCLUSIONS OF LAW

Gale had twelve years of service with the Department at the time of his termination and was therefore a Career Service Employee. Under Career Service rules he may not be disciplined or terminated without just cause.⁷

Gale is accused of violating the following Career Service Rules, Executive Orders, or Departmental Rules and Regulations:

§16-50 Discipline and Termination

A. Causes for dismissal.

⁶ CRS §18-8-802 is entitled *Duty to report use of force by peace officers*. A "Peace Officer" is defined under CRS §18-1-901 (3)(I). It distinguishes between "Peace Officer level I" and "Peace Officer Level Ia". It appears that a deputy sheriff falls under Level I. The reporting requirement of §18-8-802 refers simply to "peace officer" and could be reasonably read to encompass both Level I and Level Ia. In any case, the excessive force-reporting requirement appears to apply to the Deputy Sheriffs involved in this incident.

⁷ CSR §5-62 provides:

Employees in Career Status

An employee in career status

- 1) may be disciplined or dismissed only for cause, in accordance with Rule 16, DISCIPLINE.

Departmental Rules and Regulations

The following may be cause for dismissal of a career service employee. A lesser discipline other than dismissal may be imposed where circumstances warrant. It is impossible to identify within this rule all conduct which may be cause for discipline. Therefore, this is not an exclusive list.

- 1) Gross negligence or willful neglect of duty.

* * *

- 3) Dishonesty, including but not limited to: altering or falsifying official records or examinations; accepting, soliciting, or making a bribe; lying to superiors or falsifying records with respect to official duties, including work duties, disciplinary actions, or false reporting of work hours; using official position or authority for personal profit or advantage, including kickbacks; or any other act of dishonesty not specifically listed in this paragraph.

* * *

- 8) Threatening, fighting with, intimidating, or abusing employees or officers of the City and County of Denver for any reason, including but not limited to: intimidation or retaliation against an individual who has been identified as a witness, as a party, or as a representative of any party to any hearing or investigation relating to any disciplinary procedure, or a violation of a city, state, or federal rule, regulation or law.

* * *

- 18) Conduct which violates an executive order which has been adopted by the Career Service Board. (Executive Order No. 112 "Violence in the Workplace")

* * *

- 20) Conduct not specifically identified herein may also be cause for dismissal.

Executive Order No. 112 (Violence in the Workplace) provides in relevant part:

* * *

II. General Policy

Violence, or the threat of violence, has no place in any of the City and County of Denver's work locations. It is the goal of the City and County of Denver to rid work sites of violent behavior or the threat of such behavior. It is the shared obligation of all employees, law enforcement agencies, and employee organizations to individually and jointly act to prevent or defuse actual or implied violent behavior at work. The City and County of Denver is committed to maintain a safe work environment free from all forms of violence and harassment.

Violence or the threat of violence, by or against any employee of the City and County of Denver is unacceptable and contrary to city policy, and will subject the perpetrator to serious disciplinary action and possible criminal charges. The city will work with law enforcement to aid in the prosecution of anyone inside or outside of the organization who commits violent acts against employees. To ensure and affirm a safe, violence-free workplace, the following will not be tolerated.

Intimidating, threatening or hostile behaviors, physical assault, vandalism, arson, sabotage, unauthorized use of weapons, bringing unauthorized weapons onto city property or other acts of this type clearly inappropriate to the workplace.

Jokes or comments regarding violent acts, which are reasonably perceived to be a threat of imminent harm.

Encouraging others to engage in the negative behaviors outlined in this policy.

CSR §16-51 provides in relevant part:

§16-51 Causes for progressive Discipline

The following unacceptable behavior or performance may be cause for progressive discipline. Under appropriate

circumstances, immediate dismissal may be warranted. Failure to correct behavior or committing additional violations after progressive discipline has been taken may subject the employee to further discipline, up to and including dismissal from employment. It is impossible to identify within this rule all potential grounds for disciplinary action; therefore this is not an exclusive list.

* * *

- (5) Failure to observe departmental regulations.
- (6) Carelessness in performance of duties and responsibilities.

Department regulations:

Gale is accused of violating the following applicable provisions of the Denver Sheriff Departmental Rules and regulations:

- 200.4 Deputy Sheriffs and employees shall not willfully depart from the truth, knowingly make misleading statements or falsify any report, record, testimony or work related communication.
- 200.15 Deputy Sheriffs and employees shall not fail, either willfully or through negligence, incompetence or cowardice, to perform the required duties of their assignments.
- 300.10 Deputy Sheriffs and employees shall not indulge in immoral, indecent or disorderly conduct which would impair their orderly performance of duties or cause the public to lose confidence in the Department.
- 300.19 Deputy Sheriffs and employees shall not violate any lawful rule, duty procedure or order.
- 400.6 Deputy Sheriffs and employees shall not injure or strike any prisoner except in the defense of themselves or another or to prevent a disturbance or attempted escape and then only using that amount of force necessary and reasonable.

Analysis of Agency evidence

The City Charter, C5.25 (4) and CSR §§2-104 and 2-10 (b) (4) require the Hearing Officer to determine the facts in this matter "de novo". The Colorado Courts have held such regulations to require an independent fact-finding hearing

considering evidence submitted at the *de novo* hearing and a resolution of factual disputes. *Turner v. Rossmiller*, 35 Co. A. 329, 532 P. 2d 751 (Colo. Ct. of App., 1975).

It is well established that the party advancing a position or claim has the burden of proving that position. In civil proceedings, including administrative hearings such as this, that burden is by a "preponderance of the evidence". To prove something by a "preponderance of the evidence" means to prove that it is more probably true than not (See Colorado Civil Jury Instructions, 3:1).⁸ The number of witnesses testifying to a particular fact does not necessarily determine the weight of the evidence (See Colorado Civil Jury Instructions, 3:5).⁹

The Agency claims in its letter of dismissal that Gale used excessive force when removing Valverde from the scout van by throwing her to the ground, thereby injuring her. The letter also alleges that Gale then encouraged the other Officers who witnessed the incident to submit false reports.

The Agency then has the burden of proving the allegations contained in the letter of dismissal by a preponderance of the evidence.

Reliability of key witnesses

Deputy Murr

The Agency's case for just cause rests upon the reliability of two witnesses, Deputy Murr and Deputy Zarnow. However, there are a number of discrepancies in Murr's and Zarnow's statements and testimony that raise issues as to their reliability and credibility. First and foremost, both filed routine written reports in the normal course of their duties as deputy sheriffs, stating unequivocally that Valverde fell from the van. Murr stated in her report: "when Sergeant Gale opened the cage door, inmate Valverde then stood up, pushed the cage door open and lunged out of the van, missing the first step, and fell to the ground" [Exhibit II]. Later, upon being contacted by Internal Affairs, Murr changed her story, and insisted that she saw Gale "throw " Valverde out of the van.

The Hearing Officer, whose job is to consider and weigh the credibility of the witnesses, is presented with a sworn law enforcement Officer, sworn to

⁸ The notes on use of Instruction 3:1 state: Generally, in all civil cases, "the burden of proof shall be by a preponderance of the evidence, . . ." citing C.R.S. § 13-25-127.

⁹ The content of this instruction was approved as an instruction in *Swaim v. Swanson*, 118 Colo. 509, 197 P.2d 624 (1948). The rule stated is also supported by *Green v. Taney*, 7 Colo. 278, 3 P. 423 (1884) and C. McCormick, EVIDENCE § 339, at 957 (E. Cleary 3d ed. 1984).

uphold the law, filing two very different versions of this event. By inference one of those versions constitutes a false report. It should be no wonder then that Murr's reliability is immediately called-into question.

To compound matters, Murr failed to take any affirmative action on her own to correct her initial report or otherwise come forward with what she now claims to be the truth. According to Murr, she filed a false report, itself a violation of departmental rules. Her superior Sergeant Frank Rolando twice advised Murr that if she was truly concerned about the way Valverde was handled that she should contact IA. Yet, Murr never did so. Only after IA contacted her did she change her story and come forward with what she alleges to be the truth. Only when she knew that Gale was under investigation by IA did she point a finger at Gale. Only when the question of how Valverde was injured, including questions of Murr's possible involvement in the injury, did she come forward with accusations against Gale.

Murr claims that Valverde was injured when Gale supposedly threw her from the van. Yet the evidence suggests that Murr herself may have been responsible for Valverde's injuries. A disinterested citizen, Robert Mandonado, testified that he is a neighbor of Valverde and is familiar with her. He witnessed Valverde's arrest on the night in question. From inside his apartment, he observed a female Officer who was accompanying her to the van, "push her (Valverde) by the back of the head and knock her to the ground." Mandonado also gave a similar report to the IA of the Denver Police Department (The Denver Sheriff's Department apparently did not interview this witness). What is even more remarkable is that according to Mandonado, one of the Officers or Deputies at the scene came up to Mandonado after Valverde had been pushed down and told him to close his curtains. Mandonado testified that he was told by the Officer to "mind his own business."

It is significant because Murr was the only female Officer at the scene. The fact that Mandonado was told to close his drapes indicates that the Officers and Deputies were not proud of what had occurred or was about to occur, and did not want any witnesses. What is even more concerning is that none of the Officers involved, Murr, Pound, or Kelley, ever mentioned this shoving incident in any of their statements or their testimony under oath. Even after being contacted by IA and supposedly coming forward with the truth, none mentioned this important fact. Even after knowing that the time and place of Valverde's injury is at issue, they have remained silent. The totality of this evidence suggests that the "blue code" of silence that Deputy Murr blames for her alleged false report may in fact be what she is relying upon to protect herself. More importantly, Murr's failures to be forthright on this information further call into question her reliability and motivations as a witness against Gale.

Additional inconsistencies call into question Murr's reliability as a witness. Deputy Murr did not mention how the prisoner landed in her initial report,

however in her second statement to IA on January 3, 2000, she wrote that after the prisoner landed she "rolled over to her side" implying that she landed face down or on her stomach. Even at this point she fails to mention which side of her body she was on. Shortly after the incident, Murr told one of the "duty" Sergeants, Sergeant Rolando, that Valverde had landed "face down" on the ground. [Exhibit BBB]. Her testimony on this point is also contrary to Zarnow's, who insisted that Valverde landed on her left side in a "fetal" position.

Murr's previous statements are also inconsistent with her testimony at hearing. At hearing she first implied that Valverde landed face down. Knowing that Valverde's position at the time of landing was critical, and that she had previously stated that she landed face down, upon questioning by the Hearing Officer, Murr became evasive and unsure as to Valverde's path and ultimate resting position. Yet she is quite insistent on other details like that Gale "threw her (Valverde)" from the van, that she "flew" through the air, and that Gale pulled her up by her hair. The significance of this statement is that from the medical testimony a fall anywhere but on the left shoulder is inconsistent with Valverde's injuries.

Murr and Zarnow claim to have seen everything clearly, yet differ on this critical point. The difference suggests that the Agency has not demonstrated by a preponderance of the evidence that Valverde was injured on the basement floor of PADF.

There are other aspects of Murr's testimony that are troubling. For example, her understanding and experience as to the use of force with an inmate appears very rudimentary. As a rookie Deputy she admits that she had never before been involved in the use force with a prisoner. When the moment came to use physical force to remove Valverde from the scout van, Murr admits she stepped back out of harm's way to allow the other more experienced male Deputies to handle this female prisoner.

When questioned by the Hearing Officer as to her opinion as to the proper method of extracting the prisoner, she was unconvincing. At first she said she would have tried to talk the prisoner out of the van. When the Hearing Officer pointed out that method had been tried extensively without success, Murr then suggested that the Deputies physically take control of Valverde in such a way that they would be subjecting themselves to being kicked in the face by Valverde.

The configuration of the scout van is such that a deputy standing directly in front of the woman's exit door on the side of the van would have their head and face nearly at the same level as the prisoner's feet. If the prisoner were turned towards them and the door, they would be exposed to a direct kick to the face from the inmate. It would be unreasonable to expect a deputy to stand directly in front of the inmate, especially one like Valverde, whose legs are

unrestrained and who has already shown a great propensity to kick at the Deputies and everything else within reach. Sergeant Gale knew all of this at the time. Murr's testimony that Gale and the others should have simply exposed themselves to this risk of injury, is not only unreasonable, but it belies her own actions that night, when she moved out of harm's way and behind the protection of the male Officers when the van door and gate were first opened.

Murr testified that Valverde was a small woman and therefore she could not have hurt anyone. Yet she herself stepped back when the physical confrontation began. Murr's testimony suggests she fails to recognize or admit that a kick in the face, even by a small person, could cause substantial personal injuries.

Moreover, Rolando testified that in his conversations with Murr that she was very unsure as to what she had seen or to what had actually occurred on the night in question. Yet later she insists Gale "threw" Valverde from the van. Thus it appears that Murr's concern for the way inmate Valverde was handled more likely than not stems from a combination of her lack of experience with aggressive inmates and her apparent confusion as to what occurred, than any misconduct by Gale. It may also have arisen from her concern about being blamed for Valverde's injuries.

Another critical fact weighing against Deputy Murr's reliability is her insistence that Gale pulled Valverde to her feet off of the basement floor by pulling her hair. However, again she failed to mention this in her initial report on December 11, 1999. Instead she stated that Gale and Zarnow took control of the inmate "by taking hold of her arms." In her statement on January 3, 2000 to IA, Murr claims Gale "picked her up by her hair", which she maintained in her testimony. However Zarnow, the only other witness to support Gale's alleged use of excessive force, denies that the hair pulling in the basement ever occurred. He admits that he was in an excellent position to have seen the hair pulling had it actually occurred.

Consistent with their written statements, all of the other Deputies who witnessed the incident also deny that such hair pulling occurred. It is also significant that nowhere in his statements does Pound indicate that Gale was pulling Valverde's hair or otherwise abusing her either physically or verbally. It is also significant that Pound describes Gale and Zarnow as they lifted Valverde off of the ground. Each had an arm as they lifted her to her feet. According to Pound, Gale had Valverde in the "gooseneck" control hold. Thus, Murr's testimony on this critical hair pulling allegation stands alone, is not supported by any evidence and is not credible.

The Hearing Officer finds and concludes that Murr's entire testimony that Gale "threw" Valverde from the van is not credible or reliable.

Deputy Zarnow

Similar problems exist as to Deputy Zarnow. However, unlike Murr, he is a nine-year veteran of the Department. He stated in his initial report: "Sgt. F. Gale opened the scout car female section door. The subject [Valverde] kicked the door and rushed the Officers. The subject then tripped and fell to the ground still kicking, were [sic] Gale took control of the left arm and I took control of the right arm. The subject was still resisting as we escorted the subject up the ramp and into the elevator" [Exhibit QQ]. Like Murr, upon being contacted by IA, Zarnow changed his story and related that Gale actually "threw" the prisoner out of the van [Exhibit RR].

Zarnow testified that Gale had never threatened or intimidated him. Yet he filed a false report either immediately after the incident, or with IA several weeks later. His explanation for filing the first allegedly false report is that he did not want to become a "snitch" and be "blackballed" in the Department. By filing this alleged false report, his career was in jeopardy. Yet, even though his career depended upon it, he took no action to correct the alleged false report. He did not contact IA. He did not contact his Captain or any other superiors. He did not discuss it with Gale. Only when IA contacted him did he suddenly become concerned about what he now claims to be the truth.

Moreover, Zarnow admitted in testimony that he was scared when IA read him a different version of the incident than the one that he had told. He admitted that he believed that if he changed his version to the IA version, "everything would be fine", meaning that he would not be disciplined. In fact neither he nor Murr were disciplined for filing false reports.

Some of the other problems with Zarnow's testimony are:

- Zarnow's testimony conflicts with that of Murr that Valverde initially landed on her face. Although he never mentions it in any of his reports he insists that he remembers that Valverde fell on her left side. This testimony materialized later when it became obvious that the prisoner had to have landed on her left shoulder in order to sustain injury to that shoulder.
- Zarnow admitted that he could not see how Gale grabbed Valverde because Gale's body was blocking his view, yet he insists that he could see Gale "throw" Valverde to the ground.
- The only detail of Zarnow's story to change corresponded to the only different detail that he was provided by IA, namely that Valverde was "thrown" from the van instead of falling. During cross examination, Zarnow admitted that during questioning by IA, Major Jackson advised Zarnow of IA's "version" of the events that night, which was that other witness or witnesses were saying that Valverde had been "thrown" from the van. It is

reasonable to conclude that due to the nature and method of questioning by IA, Zarnow was well aware of the version that IA believed true, and that he could have conformed his statement to that of IA.

It is reasonable to conclude that Zarnow could just as easily have changed his story in order to protect his career. When faced with being blackballed and keeping his job, or being fired, it is reasonable to conclude that he would choose being blackballed over being fired. He admits that he filed a false report so as not to be blackballed. Based on these admissions it is also reasonable to conclude that he would file a false report in order to protect his career.

Internal Affairs

There is also considerable evidence that IA does not always adhere to appropriate investigative techniques. Some of the other Deputies testified that IA intimidated them during the course of its investigation into this matter. Some felt pressured to change their statements to conform to what was perceived to be IA's theory of the case. One witness testified that he was told to "get off the sinking ship" meaning to change his story to the effect that Gale had thrown the inmate from the van. The other deputies were advised of the IA version of events. This method of investigation gives the perception that IA is biased and is predisposed to a particular outcome. It also taints IA's investigation.

Even Director Fred Oliva had concerns about the perceptions of IA by the rank and file Deputies, based upon IA's past reputation concerning investigations. He testified that he was concerned with the tactics used by IA in the past and reassigned Major Carlos Jackson of IA as a result of those concerns. This adds further support for the possibility that Murr and Zarnow were pressured to change their statements and did so in order to protect themselves. It also suggests the possibility that the other deputies who witnessed the incident may have changed their story to a "neutral" (I did not see what happened at the critical moment) position in order to protect themselves.

Excessive Force

There are a number of details that tend to support Gale's position that there was no excessive force used. Zarnow admitted that the compliance holds used by Gale were appropriate, given the inmate's high level of hostility and resistance. Zarnow admitted that the fact that Valverde was handcuffed did not provide adequate protection for the Officers, and that Valverde could have been extremely hazardous to the Deputies that night. Zarnow admitted that Valverde did not walk up the ramp voluntarily, that she in essence had to be carried up the ramp to the elevator, and that she continued to thrash around and tried to get away from them. The videotape, Exhibit QQQ, also independently confirms this.

Zarnow further admitted that he observed no abuse of Valverde while she was being carried up the ramp to the elevator. This included Gale's holding Valverde's head in position either by the back of her head or her hair. Zarnow admitted that given the usual and normal practices in the Department on a daily basis, if Valverde had not eventually been discovered to have injuries, no reports would have been ordered or written. He admitted that the use of the gooseneck compliance hold, by itself would not require a report under normal practices of the Department at the time.

The evidence suggests that Valverde may in fact have been injured prior to the incident in PADF, possibly even at the time of arrest. Certainly the handling of Valverde by Murr as mentioned elsewhere could have led to Valverde's injury at the time of arrest. Especially if Valverde were cuffed in back at the time of the fall, she is likely to have broken her fall with the only thing available, her shoulder, instead of her face. To be sure, the evidence on this question is inconclusive. The injury could have occurred in the holding cell, or in the basement of PADF, in the back of the scout van, at the time of arrest, or even prior to the initial contact by the Officers. The one person who could shed the most light on this question of when she was injured, Valverde herself, did not testify, leaving the Hearing Officer with only circumstantial evidence in this regard.

For example the evidence suggests that neither Valverde nor her teenage children were strangers to Valverde's state of intoxication and her related behavior. According to Officer Kelley, the children were very insistent that their mother be removed from the home and "taken to detox". This suggests that the children were not strangers to the procedure and remedies available to them and that similar confrontation had occurred before. In turn this raises the question as to what events might have transpired prior to the Officers' arrival on the scene that might have caused Valverde's injuries.

Even if Gale did use a degree of force to extract her from the van, given Valverde's continued hostility and high level of resistance, one can only conclude that the degree of force Gale has been shown to use was entirely appropriate, reasonable and necessary. The only written departmental regulation or order pertaining to use of force that was provided to the Hearing Officer was 400.6. The Deputies testified that they are taught in training that the use of force is also permissible to gain the compliance of the prisoner and to maintain discipline. While this is not specifically addressed in 400.6, the rule does allow for use of force to prevent a disturbance. However, Colorado Statutes specifically provide that an authorized official of a jail may use force in order to maintain order and discipline.¹⁰

¹⁰ CRS §18-1-703 (b) provides:

A superintendent or other authorized official of a jail, prison, or correctional institution may, in order to maintain order and discipline, use reasonable and appropriate physical

The appropriate use of force by a law enforcement Officer is a question of fact and depends upon the facts of each particular case. *Little v. Hutchinson*, 9F.2d 275 (8th Cir. 1925); *People v. Fuller*, 756 P.2d 390 (Colo. App. 1987), affirmed in part and reversed in part on other grounds, 781 P.2d 647 (Colo. 1989). In this case, the appropriate use of force by Gale is a question of fact to be determined by the Hearing Officer along with all other factual and legal issues.

Here, Valverde was causing a disturbance within the jail and was refusing to comply with Gale's repeated lawful order to exit the van. Under the circumstances, Gale, as a Sergeant, was the person designated that night to deal with such inmates. He was justified and authorized under departmental rules, departmental policies and training, and Colorado State law, to use that reasonable force necessary to extract Valverde from the Van.

The Agency implies that Gale lost his temper due to the racial slurs being hurled at him by Valverde. There is no question that Valverde was vulgar and abusive and that she repeatedly insulted Gale and the other deputies. However, the other Deputies testified that there was nothing especially unusual about Valverde, and that in fact she was just another Saturday night drunk. Inmates often subject the Deputies to verbal and physical abuse and racial slurs. Gale is a twelve-year veteran of the Department. He testified that he has heard it all, and seen it all, many times, including the racial slurs from prisoners. It is unlikely that Gale would react to such abuse. It is much more plausible that after twelve years he is callused to such obscenities from prisoners.

Inmate Valverde was either very intoxicated, very foolish, or both. She physically challenged and assaulted two well-trained, uniformed and armed male Denver Police Officers at the time of her arrest. She then assaulted one of the two Deputy Sheriffs who were also uniformed and armed. She attempted to damage the patrol car and the scout van by kicking the insides of these vehicles while in custody. Finally, while in handcuffs, in a scout van, in the basement of the jail sallyport, surrounded by at least six uniformed Deputies, she refused to peacefully exit the van, refused to follow instructions, continued to shout obscenities and racial slurs at them, and kicked the sides of the van. Taken in its entirety, the evidence indicates that all of the Officers and Deputies involved, including Sergeant Gale, used excellent professionalism and restraint in the handling of Anita Valverde. The fact that she may have been injured in the course of her continued hostility, resistance and defiance, while unfortunate, is not evidence of excessive force. Several witnesses agreed that at no time did it appear that Gale intended to hurt or injure Valverde.

force when and to the extent that he reasonably believes it necessary to maintain order and discipline, *v. People v. Hutchinson*

The evidence, taken as a whole suggests that even though Gale reached in and attempted to get a hold of Valverde in order to forcefully remove her from the van, he was fully justified under the circumstances in doing so. This action did not constitute excessive use of force by Gale. The evidence further suggests that the most plausible explanation of Valverde's exit from the van is that even before Gale was able to apply any force to remove her from the van, (which force would have been justified), Valverde attempted to jump from the scout van past Gale, and due to her state of heavy intoxication, lost her footing and balance, and fell to the ground. The evidence is inconclusive as to whether she was injured in the fall or at some other point in time either while in custody or prior to being taken into custody.

Threatening and intimidation

The dismissal letter [Exhibit P] alleges that Gale used his position as a supervisor to encourage subordinates to falsify reports. This included instructing Deputies not to write reports and later "implying" that the Deputies should include in their reports that Valverde was injured prior to her arrival at the jail. It further alleges that by providing certain Deputies copies of the reports of other Deputies, Gale attempted to have those Deputies file false reports. Finally it asserts that in a conversation with Pound, Gale encouraged him not to talk to IA or he would be labeled with a "snitch" jacket.

The allegation that Gale threatened or intimidated other Deputies into filing false reports must rely upon the assumption that Gale used excessive force. Stated another way, in order to believe that Gale was attempting a cover-up or to influence the other Deputies, one must first find that he believed he had used excessive force, and that the inmate had been injured as a result of his force. The evidence sustains neither of these assumptions.

The injury to Valverde was not discovered until sometime later, after she was placed in a holding cell, allowed to settle down and was examined by the female Deputies and then the nurse. It was discovered after Gale had initially ordered "no reports". That did not occur for some time, due to Valverde's continued resistance and defiance. According to witnesses, Valverde herself complained little if at all of her injury. She allowed Gale and Zarnow to carry her by the shoulders to the elevator. She did so without displaying pain, discomfort or complaint. This would suggest that she was not injured until later, possibly in the holding cell. More importantly, had little reason to think she was injured at that time.

The information that she had an injury was later relayed to Gale, and he acted appropriately, by immediately ordering that she first be examined by the nurse, and then that she be transported by ambulance to the hospital for treatment. Then he ordered that reports be written due to the injury. Until that point Gale had no information to indicate that Valverde had an injury. The

evidence indicates that Gale had no reason to believe that he had used or might have used excessive force on inmate Valverde. Thus, the decision not to require reports at that point would have been routine. Several of the Deputies even testified that the situation with Valverde was not especially unusual as far as extracting a drunk from the scout van, and that but for the later discovery of her injury, would have been routine. The initial decision to not require reports does not establish an attempt to cover up the incident.

Deputy Murr was a new deputy at the time of the incident with only 9 months on the job, most of which was training. She was inexperienced on the scout van. She claimed she was "intimidated" by Gale but did not say how. The Agency claimed that Gale's allowing her to review the reports of the other Deputies somehow constitutes encouraging her to file a false report.

Murr offered no other evidence that Gale intimidated her in any way or instructed her either overtly or by implication, to file a false report. She admitted that it was "peer pressure" from the other deputies other than Gale that caused her to file the alleged false report. She could not point to any "intimidating" behavior by Gale. She admitted that Gale requested no changes to her initial report. She admitted that Gale did not instruct her as to what to write about the van exit by Valverde.

As for providing her a copy of another deputy's report, the evidence indicates that this is routinely done, although not necessarily approved departmental policy and procedure. According to Sergeant Frank Rolando, it is accepted practice and not unusual for the Deputies to actually discuss their reports with the Sergeant before filing them. The Deputies often refer to each other's reports when preparing their own. As a matter of good practice and investigation as well as departmental policy, the Deputies should not refer to each other's report when preparing their own factual account of an incident. To do so may violate policy, but standing alone it does not prove intent to influence a report, especially with a rookie deputy like Murr. Murr had never before handled a hostile prisoner, and according to her own testimony, had prepared few, if any, written reports prior to December 11.

Moreover, Murr's initial report contained information that was openly contrary to Gale's stated "theory" that Valverde may have already been injured at the time of arrest. In her report she states: "From the time officer Pound and I had inmate Valverde in custody, she did not complain of any injuries." If Murr were intimidated by Gale to file a false initial report, how could she include information to which Gale would obviously object? Murr admitted that Gale never confronted her about this supposedly contrary information. The Hearing Officer concludes that as to Murr, Gale took no actions that would indicate he wanted her to file a false report.

Pound stated that he did not observe the suspect exit the van. He

admitted that Gale did not do anything or say anything to cause him to file an alleged false report. He in fact denied that he filed a false report and insisted his report is accurate. Nevertheless, he claims that he felt intimidated because Gale asked him to address what he observed about the suspect when she was first contacted at the scene as it related to when Valverde may have been injured.

In his statement to IA [Exhibit NN] Pound stated that: "SGT Gale indicated to me that he believed her [Valverde's] injuries occurred before we brought Valverde into B-1. He said he wanted my report to reflect everything that happened when I received her from DPD." [Emphasis added]. The Hearing Officer is not persuaded that Gale was somehow attempting to improperly influence Pound's report. In his second IA report, in response to the question of whether Gale told him what to put in his report, Pound only says that Gale gave his opinion that Valverde was injured at the pickup and that Pound should include detail in his report about what occurred at the pickup.

The totality of the evidence suggests that Gale had every reason to question Valverde's point of injury. As a supervisor for the other Deputies, he had a duty to remind them to address all relevant issues. Although Gale was not aware that Murr had pushed Valverde down on the ground that evening, he did know that Valverde had been very hostile, combative and resistant from the start, and that she had assaulted the Officers and Deputies at the time of arrest. He had made his own observations as to how difficult a prisoner she was. He had reason to question when she was actually injured. Gale had been informed that she resisted at the time of arrest and during transport. After she fell on the basement floor, she continued to resist and to defy the Deputies, not the actions of an injured person. Her shoulder injury was inconsistent with a fall on her stomach. In the holding cell she was continuing to struggle with the Deputies, an indication that she may not have yet been injured. Shortly thereafter she presented with a shoulder injury. A thorough investigation by Gale required that the Deputies report all information that might shed light on her point of injury, especially that which occurred prior to and at the time of arrest.

Gale's request that Pound include information about any possible injuries of Valverde prior to her arrival at PADF could as easily have worked against Gale, if in fact there was no evidence of prior injuries or abuse. This would then suggest that she might have been injured while in the custody of the Sheriff's Department. However, Gale had no way of knowing all that occurred prior to Valverde's arrival at PADF. Gale had to be aware that requesting this information might either implicate or exonerate himself, other Deputies and the rest of the Department on the injury issue. This is an indication that Gale was appropriately making an objective inquiry, rather than attempting to influence Pound's report. There is no credible evidence that Gale had any improper involvement in the preparation of reports by other Officers.

Based upon the foregoing discussion and evidence the Hearing Officer concludes that Gale's instructions to his subordinates in no way constitute either intimidation or an attempt to have Pound or anyone else submit a false report.

Pound had a discussion with Gale on New Year's Eve, a few weeks after the incident. Captain Wood had removed Pound from the scout car that night because it was New Year's Eve, and he wanted someone more aggressive in that position that particular night. Pound was upset over this development and mentioned it to his supervisor, Gale. During the course of the conversation Pound claims he was "uncomfortable" with Gale mentioning the "snitch" issue.

Gale was out of line to bring up the "snitch" issue in the context of an ongoing IA investigation that might involve him. But Pound was also wrongfully accusing Gale of retaliating against him by pulling him from the scout van duty. This was clearly not the case. However, this momentary lack of judgement by Gale, while improper does not rise to the level of a rule violation.

CONCLUSION

Upon full consideration of all of their statements and testimony, the Hearing Officer finds that in this case Murr and Zarnow are unreliable as witnesses. Based upon the totality of the evidence the Hearing Officer finds and concludes:

- It is more likely than not that Valverde was not thrown from the scout van, but attempted to jump from the van and in the process, due to her high level of intoxication, fell to the ground.
- The evidence is inconclusive as to whether Valverde was injured in the fall to the floor of the sallyport or at some other time.
- Gale did not cause Valverde's injuries.
- Gale would have been justified in using force to extract Valverde from the scout van if she had not jumped first.
- Gale did not use excessive force at any time on Valverde. All use of force, including compliance holds and his holding of the back of her head or hair on the ramp to the elevator to prevent her from spitting at officers or otherwise injuring Gale or other deputies was appropriate and permitted by departmental regulations and Colorado law.
- Gale did not engage in conduct that encouraged false reporting by other deputies.
- The Agency has failed to demonstrate, by the required preponderance of the evidence, that Gale violated any Career Service Rules or departmental regulations. Therefore there is no just cause to subject him to discipline.

Analysis of Gale's evidence

Gale has alleged discrimination. However, in light of the above findings

as to a lack of just cause, the issue of discrimination is moot and need not be addressed further.

Violation of Department Regulations

None.

ORDER

For the foregoing reasons, the action of the Agency of dismissing Sergeant Franklin Gale from his employment with Denver Sheriff's Department and the Department of Safety is hereby REVERSED. The Agency is hereby ordered that Sergeant Gale is reinstated to his position as Sergeant with full restoration of seniority benefits, payment for lost wages, back pay and all other benefits.

Dated this 28th day of
June, 2001.



Michael L. Bieda
Hearing Officer for the
Career Service Board

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CERTIFICATE OF MAILING

I hereby certify that I have forwarded a true and correct copy of the foregoing **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER** by depositing same in the U.S. mail, postage prepaid, this 29th day of June, 2001, addressed to:

Franklin Gale
4378 Kirk Court
Denver, CO 80249

Gregory W. Smith
Attorney at Law
1600 Broadway, Suite 500
Denver, CO 80202

I further certify that I have forwarded a true and correct copy of the foregoing **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER** depositing same in interoffice mail, this 29th day of June, 2001, addressed to:

R. Craig Hess
Assistant City Attorney

Ari Zavaras
Department of Safety

F.J. Oliva
Denver Sheriff's Department

V. Granado