



COLORADO
DEPARTMENT OF
PUBLIC SAFETY

MEMORANDUM

Chief. James M. Wolfenbarger
Colorado State Patrol

DATE: June 7, 2010

TO: Major Barry Bratt

FROM: Captain Ed Clark

SUBJECT: Complaint #10-04-062

On May 7, 2010, I was notified by dispatch that a [REDACTED] wanted a phone call reference a trooper complaint. [REDACTED] stated that Sergeant Aaron Laing abused his authority while off duty by parking in an area that was designated a no parking area.

On May 6, 2010 at approximately 1836 hours Sergeant Laing called me and informed me that I might be receiving a complaint on him. Sergeant Laing stated he was parked behind the outfield fence watching his daughter play softball. Sergeant Laing was in his personal vehicle and off duty at the time. Sergeant Laing stated that three different people came up to him during the softball game and informed him that he was parked in a no parking area. Sergeant Laing stated to me that it was not posted "no parking." Sergeant Laing continued to say that he informed all three people that he would move after his daughter was done playing. Sergeant Laing stated that the third party, later identified as [REDACTED], stated that he was a board member for the Monument Baseball League and as a board member he was telling Sergeant Laing to move his vehicle. Sergeant Laing stated that [REDACTED] accused him of breaking the law. Sergeant Laing then stated that he was a cop and he knew he wasn't breaking the law. At this point [REDACTED] then requested Sergeant Laing's bosses' name. Sergeant Laing stated he told [REDACTED] that "my bosses name is Ed Clark." [REDACTED] asked for my phone number and Sergeant Laing "stated you will have to get that yourself." Sergeant Laing stated that he heard [REDACTED] calling dispatch, and that is when he called me. Sergeant Laing stated that he did move his vehicle and after he had moved [REDACTED] put up some yellow tape to prevent more cars from parking behind the fence. Sergeant Laing also stated another party was parked next to him, but they just seemed to focus on him.

On May 7, 2010 when I came on duty dispatch informed me that I had a phone message. When I

got to the office I called dispatch for the information. Dispatch stated that a [REDACTED] wanted a phone call reference a trooper complaint. I called [REDACTED] at approximately 0800. [REDACTED] stated that Aaron Laing was parked behind the outfield fence and that three different board members had asked him to move his vehicle and that Laing refused to move his car. I asked where did this occur and [REDACTED] stated at the Monument Baseball Fields, 568 25 ½ Road, Grand Junction, Colorado. I asked if this was a public park, and [REDACTED] stated that the fields are owned by Monument Little League and it was private property.

[REDACTED] stated he was a board member for Monument Little League and that on Thursday, May 6, 2010 he had requested Laing to move his vehicle and that he refused to do so. [REDACTED] stated that Laing was a public servant and that he should be held to a higher standard. I asked [REDACTED] if there was a second party parked next to Laing and he stated "yes there was, but that was one of Laing's relatives." I asked if he had gotten her name. [REDACTED] stated "no." I asked [REDACTED] how this would be handled if Laing was not a police officer. [REDACTED] stated that didn't matter and Laing was a public servant and he needed to have a complaint on his record. I asked if he was going to follow up with the other party that was parked there and [REDACTED] would not answer. I asked [REDACTED] why he didn't call the police to come handle the situation. [REDACTED] stated that he didn't feel like he needed to. I asked [REDACTED] why the board doesn't take action against Laing, for example, removing his kids from participating in the league. [REDACTED] stated the reason they are there is for the kids and they wouldn't punish his kids. I asked [REDACTED] as a board member why he didn't have Laing's car towed? [REDACTED] didn't answer and then he stated that I was biased. I informed him that I was handling the complaint and that I was just asking questions. I was trying to explain to [REDACTED] that he had other options that evening to resolve the conflict. [REDACTED] stated that it was obvious that I had already talked to Laing and that I was taking his side. I informed [REDACTED] that I had spoken with Sergeant Laing and that I was just clarifying the points of view. [REDACTED] again stated that Laing was in violation of the law and that he was a public servant and should have known better. I asked [REDACTED] if this area was marked and "no parking" [REDACTED] stated that it was not marked. I suggested that Monument Little League could partner with a tow company for parking violations and that the tow company could provide the no parking signs for them. I did suggest to [REDACTED] to post the area as no parking to prevent this type of situation in the future. [REDACTED] stated that they put yellow caution tape up to prevent cars from parking in this area. [REDACTED] stated that the two other board members had written statements reference the incident. I asked [REDACTED] to write a statement as well and send all three of them to me. [REDACTED] stated that he would.

On May 7, 2010 I responded to Monument Little League and took the below pictures of the area

in which Sergeant Laing was parked.



On May 10, 2010 I called [REDACTED] for some follow up information and to see if he could send me the statements he had referred to. [REDACTED] informed me that he had goggled the State Patrol and he would be filling the complaint through official channels. I informed [REDACTED] that I was Sergeant Laing's supervisor and that the official channel was me. [REDACTED] stated that maybe but he was going to call Denver.

On May 11, 2010 Major Bratt informed me to call Captain Elder to get the information on Sergeant

Laing's complaint. Major Bratt stated that [REDACTED] had called internal affairs to report the complaint and that I would be assigned as the investigator. I spoke with Captain Elder and he recapped the same information that [REDACTED] had told me on May 7, 2010. Captain Elder stated that [REDACTED] felt that Sergeant Laing and I were friends so that is why he called internal affairs. Captain Elder also stated that [REDACTED] now felt that Sergeant Laing did not break any laws.

On May 12, 2010 I received by fax the three statements from [REDACTED]. I called [REDACTED] and informed him that I had received them. I obtained [REDACTED] mailing address and added it to the complaint packet. I asked [REDACTED] what he wanted to see from this complaint. [REDACTED] stated that he was speaking for the whole board and not just himself and they would like a formal apology from Sergeant Laing reference his attitude.

I called [REDACTED] on May 12, 2010 and left a message for him to call me. [REDACTED] called me back at approximately 15:52 hours. [REDACTED] stated that he was a volunteer board member for Monument Little League. He stated that [REDACTED], which is a director for Monument Little League, asked him to have the vehicles that were parked behind the outfield fence to move. [REDACTED] stated that he went out and asked Sergeant Laing to move his vehicle. [REDACTED] then stated that Sergeant Laing starting ranting about the "stupid rules." [REDACTED] stated that Sergeant Laing "made a big deal out of a small issue." I asked [REDACTED] about how long was the interaction with Sergeant Laing and he stated about one minute. [REDACTED] stated that he was just a volunteer and he wasn't looking for any confrontations. [REDACTED] stated he did not know that Sergeant Laing was a trooper until later. I asked [REDACTED] what he would like to see come out of all of this and he stated "I don't wish him any harm at all. My concern is that he seemed very stressed and I would like him to get some help."

On May 13, 2010 I obtained [REDACTED] phone number from Sergeant Laing. [REDACTED] was parked next to Sergeant Laing during the incident. I called and left a message for [REDACTED] at approximately 08:47 hours. [REDACTED] called me right back at 08:50 hours. [REDACTED] stated she was parked next to Sergeant Laing, and that she was sitting in her vehicle with her granddaughter. [REDACTED] stated that people have been parked in this area all season, and that they had been parked there for about an hour when the first person had come up and asked them to move. [REDACTED] stated that she informed the first person that they would move after the game was over. [REDACTED] stated that the second and third party just spoke with Sergeant Laing. [REDACTED] stated that the board members would be argumentative and rude, and that she did not see Sergeant Laing being rude at all.

On May 13, 2010 at approximately 0900 I spoke with [REDACTED]. [REDACTED] was the second board member to ask Sergeant Laing to move his vehicle. [REDACTED] stated that they are trying to improve the area so parking would be permitted in the area but as of right now it was not allowed. [REDACTED] stated that Sergeant Laing asked why he needed to move his vehicle. [REDACTED] explained so that more people don't park in the area. She stated Sergeant Laing continued to state the he was not going to move until after the game. [REDACTED] stated that Sergeant Laing did not raise his voice but he was very rude and defiant. [REDACTED] stated this interaction went on for 5-7 minutes. [REDACTED] stated she went back on got [REDACTED] and then they both went to talk to Sergeant Laing. [REDACTED] states that Sergeant Laing brought up the fact that he was a

cop several times stating he knew he wasn't breaking any laws and that he wasn't going to move his vehicle. ██████ stated that Sergeant Laing told ██████ that he was a State Trooper and that Ed Clark was his boss when ██████ requested the information. ██████ did state that Sergeant Laing refused to give a phone number stating he could get the number himself. ██████ stated that Sergeant Laing did move his vehicle once ██████ was on the phone with dispatch.

I filled out the complaint form on SharePoint, and requested a complaint number. On May 14, 2010 I completed the investigation.

On May 6, 2010 at approximately 18:00 hours Sergeant Laing was parked in his personal vehicle while off duty at Monument Little League. This area was not posted "no parking." Sergeant Laing was requested by three different board members to move his vehicle. Sergeant Laing did tell the board members that he was a police officer, and that he knew he wasn't breaking any laws. Upon request by the board members Sergeant Laing did tell them what agency he worked for and gave them my name as his supervisor. Sergeant Laing did refuse to give them my phone number.

My investigation shows that Sergeant Laing did not violate any laws. Policy 302.02 states that an officer is required to provide a business card when making contact with the public. This policy applies to an on duty officer acting in an official capacity. Sergeant Laing was not on duty and he was being contacted by the baseball league. Sergeant Laing stated the only reason he identified himself as a police officer was because ██████ was getting worked up and he was attempting to calm him down. Sergeant Laing stated that he did not move his vehicle because he had been allowed to park in this area for the entire season, and that the board changes the rules without notice or warning.

It is my opinion that our members should be allowed to enter into civil disputes without fear of retribution from the Colorado State Patrol. Sergeant Laing was singled out by the baseball league. There were two vehicles parked at this location and the league took no action against the driver of the second vehicle. I do feel that Sergeant Laing should have provided my phone number when requested, but I don't feel that not providing the number rose to a policy violation. I recommend that Sergeant Laing abused his authority and had off duty misconduct to be considered "exonerated."