



# Completed Internal Investigation Summary

## Colorado State Patrol

**Date of alleged misconduct:** 1/20/2021

**Title and name of the subject of the investigation:** Sergeant Aaron Laing

**Name of the complainant:** [REDACTED]

**Investigator(s):** Sergeant Sean Schlessman

**Blue Team Case Number:** L12022-054

**Completed by Appointing Authority:** Major Mark Mason

**Date Completed:** 11/9/2022

---

### **Allegation(s)(Check all that apply):**

- (Discourteous/Rude/Unprofessional/Inappropriate) Behavior or Comments
- (Failure/Neglected/Incompetent) to Perform Duties
- Abuse of Authority
- Biased Policing
- Civil Rights Violation (Arrest)
- Civil Rights Violation (Search)
- Civil Rights Violation (Other)
- Discrimination
- Excessive Use of Force
- Harassment
- Improper Use of Weapon
- Lying/Dishonesty
- Member Arrested/Charged
- Off-Duty Misconduct
- Sexual Harassment
- Sexual Misconduct
- Theft
- Workplace Violence

### **Summary of the Allegation(s):**

██████████ alleged his supervisor, Sergeant Aaron Laing, made material changes to ██████████ Case Report #ST210023 without ██████████ knowledge. The scope of the investigation expanded to include several other case reports authored by ██████████ and several other members of Sergeant Laing's Smuggling, Trafficking, and Interdiction Section (STIS) team.

### **Statement of Fact(s) and the Investigative Process:**

On July 28, 2022, Captain William Barkley met with ██████████. ██████████ informed Captain Barkley that he was troubled as to why nobody ever spoke to him about a narrative report he wrote expressing concerns regarding a traffic stop that was conducted on January 20, 2021 (case report ██████████). Captain Barkley initiated an investigation that revealed ██████████' report was changed by Sergeant Aaron Laing without ██████████ knowledge or consent, including the removal of several statements and an entire paragraph. The Mesa County District Attorney's Office became involved, and they requested a simultaneous criminal investigation be conducted by the Colorado Bureau of Investigation (CBI). Due to the quickly evolving investigation and severity of the accusations, Major Mark Mason placed Sergeant Laing on paid administrative leave on August 23, 2022, giving specific directives in that notice, including that Sergeant Laing was not to go to the office and that he was to request personal records through Major Mason. Major Mason requested that the Professional Standards Section (PSS) investigate the allegations and potential scope of Sergeant Laing's actions. The investigation quickly revealed Sergeant Laing regularly made changes to his subordinates' case reports, most of which his subordinates were not aware; therefore, PSS conducted a broader review of those case reports, including interviews with their original authors.

The Professional Standards Section Internal Administrative Investigation Report disclosed:

- Sergeant Laing regularly made changes to his subordinates' case reports, most of which his subordinates were not aware. Each of Sergeant Laing's team members generally agreed there was an understanding and agreement with Sergeant Laing that he could make changes to reports without sending them back and without a discussion; however, all of the members stated their understanding of the permitted changes to be grammatical and as improving the readability of the reports, not changing material facts. None of the team members recalled having a case report returned to them by Sergeant Laing. The general consensus was that some of the changes to their reports were not approved by them, nor would they have been approved by them had they been consulted, and those changes materially altered their reports and could place them in danger of perjuring themselves if not discovered. None of Sergeant Laing's team members reported being counseled by Sergeant Laing on how to write better reports, and Sergeant Laing was not able to provide any examples of efforts he made to do so.
- Sergeant Laing altered a report of ██████████ regarding a traffic stop that was conducted on January 20, 2021 (Case Report ██████████) to remove references to the presence of an undercover Homeland Security Investigations (HSI) Dodge Charger driven by an HSI special agent.
- Sergeant Laing gave numerous, contradictory reasons for removing the references to the HSI special agent that undercut his own credibility, and provided unbelievable explanations for his actions numerous times throughout the investigation. These reasons and explanations included:
  - the removed paragraph did not contain any negative or accusatory information;
  - the removed paragraph discussed information already covered in other reports;
  - the removed paragraph exposed sensitive, tactical HSI information;
  - the removed paragraph did not read smoothly and/or did not make sense;

- that ██████████ could not have seen what he reported to see;
  - that Sergeant Laing was involved in a number of distracting personal issues at the time he changed the report;
  - that Sergeant Laing did not intend to submit the report without the paragraph, but rather intended to speak with ██████████ about making changes to the paragraph, but Sergeant Laing forgot to do so and submitted the report with the paragraph entirely removed; and
  - that Sergeant Laing expected that any issues regarding the undercover HSI vehicle would be discussed with prosecutors prior to being presented in court.
- PSS created a spreadsheet comparing the original submitted reports of Sergeant Laing's team members with the final approved report for years 2021 and 2022, which highlighted the significant number of changes Sergeant Laing made to those reports. The simultaneous criminal investigation conducted by the Colorado Bureau of Investigation (CBI) found many of those same changes to the reports.
  - On August 24, 2022, Sergeant Laing emailed a copy of case file ██████████ to Sergeant Laing's daughter's personal email address for the purpose of printing the file. At that time, Sergeant Laing was on administrative leave and was under specific directives, including that he was not to go to the office and that he was to request personal records through Major Mason. During the PSS investigation, Sergeant Laing provided multiple excuses to investigator Sergeant Sean Schlessman for this action including: that Sergeant Schlessman had already collected Sergeant Laing's computer (which did not occur until August 26, 2022) and Sergeant Laing was told he could not go to the office; that Sergeant Laing sent the report from his work computer the day before it was collected; and that Sergeant Laing received Major Mason's directives the day after Sergeant Laing emailed the document. Sergeant Laing told Sergeant Schlessman that he did not ask Major Mason for the document because Sergeant Laing did not think he had done anything wrong at that time.

In response to these issues, Sergeant Laing admitted that he made a mistake and that the practice he had in place regarding checking and correcting reports was not the best practice. Sergeant Laing said that he was not aware of how policy read regarding only the original author being permitted to modify their narrative, and that if he would have known, that he would not have implemented the practice. Sergeant Laing stated that he had not been untruthful, dishonest, or misleading. Sergeant Laing said that he gets an update of the stop specifics from the troopers, and that is the information he uses to make corrections and additions to their reports. Sergeant Laing admitted that he may not talk to his members about the changes to their reports every time, but it's because he has already obtained all of the information from them. Sergeant Laing stated that he had his members' permission to make changes to their reports, but there was never any finite detail as to the scope of that permission. Sergeant Laing indicated that he found out that HSI was part of the stop (██████████), so he asked ██████████ and ██████████ if there was any coordination of the stop with HSI in order to do his due diligence. They assured Sergeant Laing there was no coordination. Sergeant Laing related that he was injured four days after the stop and had to have surgery and recover, and Sergeant Laing forgot to meet with ██████████ about his report. When Sergeant Laing returned, he submitted the case file with the paragraph and other references deleted from ██████████ narrative. Sergeant Laing stated that he would watch videos of the troopers' stops from time to time, maybe while they were watching them, or they would have him watch something with them. Sergeant Laing expressed surprise that the troopers did not recall watching videos with him. Sergeant Laing said that he did not see any negative or accusatory information in the paragraph that ██████████ wrote. Sergeant Laing offered many of the same explanations he did during the criminal and administrative investigations as to why he removed the paragraph. Sergeant

Laing said that he understood this put the CSP in a bad light and that it had to be investigated, and that it was his mistake for not following through. Sergeant Laing stated that he didn't feel that he changed the voice of his members' reports, nor does he put his troopers in danger of perjuring themselves because the changes he makes are factual. Sergeant Laing said that he had discussed the quality of his reports with [REDACTED] on several occasions, but that Sergeant Laing never saw any change with him, so Sergeant Laing assumed it was not important to [REDACTED]. When challenged on why his troopers would give numerous examples of changes he made to their reports that they had no idea where it would have come from, Sergeant Laing stated that he got the information from them. Sergeant Laing said that he would not just add something in or make something up. Sergeant Laing admitted that he has not taken any steps, other than speaking with [REDACTED], to correct his deficiencies in report writing.

Sergeant Laing admitted that, by policy, he did not have the authority to make material changes to his team members' reports. Sergeant Laing admitted to violating policy by emailing the case file [REDACTED] to his daughter's personal email account. Sergeant Laing also admitted to violating policy in the form of General Order #2. Sergeant Laing stated that he did not feel this would affect his credibility or that of his team in court. Sergeant Laing denied being dishonest or lying, abusing his authority, failing/neglecting or being incompetent to perform his duties, being unprofessional or inappropriate in his behavior or comments, or failing to meet the responsibilities of a sergeant. Sergeant Laing stated that he did not feel the information he removed was exculpatory because it was covered in other reports.

### **Finding(s):**

**SUSTAINED:** *The allegation is found to be factual and substantiated by competent evidence.*

**NOT SUSTAINED:** *Insufficient evidence exists to prove or disprove the allegation. This disposition shall also be assigned to any anonymous complaint which, after investigation, lacks corroborative information or evidence.*

**UNFOUNDED:** *The allegation is not supported by the facts, or is determined to be a false allegation.*

**EXONERATED:** *The allegation is factual and did occur, however, the member acted lawfully and properly within State Patrol policy and the scope of acceptable conduct.*

**CLOSED:** *Investigation of the allegation was terminated. The reason for closing the case file will be stated.*

---

(Discourteous/Rude/Unprofessional/Inappropriate) Behavior or Comments - SUSTAINED

(Failure/Neglected/Incompetent) to Perform Duties - SUSTAINED

Abuse of Authority - SUSTAINED

Lying/Dishonesty - SUSTAINED

### **Rationale for Finding(s):**

Based on the information received from the PSS and CBI investigations and from Sergeant Laing, Major Mason reached the following conclusions:

- Sergeant Laing stated that he regularly read and signed CSP policies, directives, and legal training bulletins, and that he was up to date on these prior to being placed on administrative leave.
- Sergeant Laing made material changes to [REDACTED] report ([REDACTED]) without [REDACTED] knowledge or authorization, including the complete removal of a paragraph.
- The changes Sergeant Laing made to [REDACTED] report ([REDACTED]) were potentially exculpatory in nature.
- Sergeant Laing regularly made changes to his subordinates' reports, most of which his subordinates

were not aware.

- There was a general understanding and agreement that Sergeant Laing could make changes to his team members' reports without sending them back and without a discussion, but his members understood the scope of the permitted changes to be grammatical and as improving the readability of the reports, not changing material facts.
- None of the team members recalled having a report returned to them by Sergeant Laing.
- The general consensus was that some of the changes to their reports were not approved by them, nor would they have been approved by them had they been consulted, and those changes materially changed their reports and could place them in danger of perjuring themselves if not discovered.
- Members of Sergeant Laing's team provided specific examples of statements Sergeant Laing added or removed from their reports that were inaccurate and/or not something they would write in their reports, even though Sergeant Laing stated he obtained their permission to include it or that he had personal knowledge of the information.
- None of Sergeant Laing's team members reported being counseled by him on how to write better reports, and Sergeant Laing was not able to provide any examples of efforts he made to do so.
- Sergeant Laing contradicted himself, undercut his own credibility, and provided unbelievable explanations numerous times throughout the investigation.
- Sergeant Laing admitted that he made a mistake and had a bad practice in place for reviewing, changing, and approving reports.
- Sergeant Laing emailed a copy of case file [REDACTED] to his daughter's personal email address.
- Truthfulness and credibility are essential qualities of a trooper.
- Being a credible witness in court is an essential job function of a trooper.
- Brady v. Maryland requires prosecutors to disclose any exculpatory evidence to the defense, including character evidence on the part of officers. This includes sustained acts of untruthfulness.

Ultimately, Major Mason determined that all of the allegations against Sergeant Laing were sustained. Sergeant Laing set up a practice that violated policy and claimed ignorance of the policy's existence. Sergeant Laing removed potentially exculpatory information from a subordinate's case report and claimed that he forgot to speak to him about it. Sergeant Laing made significant changes to all of his subordinates' case reports on a regular basis, far outreaching their understanding of the permission they had granted to him. Sergeant Laing claimed that he received the information he put in the reports directly from his troopers. However, his team members stated Sergeant Laing did not receive permission from them, nor would they have provided approval had they been consulted because the information was inaccurate and/or not something they would write in their reports. The team members stated changes made by Sergeant Laing materially changed their reports. These changes put the troopers in peril of perjuring themselves and destroying their credibility as law enforcement officers. When Sergeant Laing discovered his actions were being scrutinized, he emailed a law enforcement sensitive document to his daughter's personal email account, and again claimed ignorance as to the existence of policy forbidding it. Sergeant Laing claimed that he spoke to his members about their report writing, but none of his team members reported being counseled by Sergeant Laing on how to write better reports, and Sergeant Laing was not able to provide any examples of efforts he made to do so. The Mesa County District Attorney indicated he would not be able to use Sergeant Laing as a witness in any prosecutions because his lack of credibility would significantly compromise future cases at trial.

---



Appointing Authority Signature

Copy Sent to:

- Complainant 11/28/2022 By: Email
- Member By: N/A
- Requestor By:
- Regional Commander 11/28/2022 By: Email
- Professional Standards Case File 11/28/2022 By: Email

Information contained within this document is being released pursuant to Colorado Revised Statute 24-72-303 which requires that a completed internal investigative case file regarding allegations of misconduct of a peace officer involving a member of the public be open to public inspection.