

Parker Police Department Use Of Force Report

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
12/24/2021	12/24/2021	19:15
Record ID Number	Incident/Case No	IA No
2540	[REDACTED]	UOF2021-067
Date/Time Entered	Entered By	
12/25/2021 01:26	OFFICER Chris Valko - 2113	

Incident Summary

While attempting to take a domestic violence suspect into custody, he resisted by attempting to shut the door on police and back into his apartment. Officers used empty hand controls and the suspect attempted to free his hands by pulling away and evade police control. Once in custody the suspect was escorted to a nearby patrol unit. During the walk to the patrol vehicle the suspect repeatedly pulled away from officers and repeatedly stated that he was not getting in the patrol vehicle. Once at the patrol vehicle the suspect refused to enter the back seat. Officers attempted to deescalate the situation by explaining to the suspect the process of the arrest and explained that he was unable to refuse to be arrested. The then suspect stated [REDACTED] To prevent the suspect from [REDACTED] and interrupting transport a VP200 was used during transport.

Incident Location

Addresses

[REDACTED]

- Location of Occurrence: Town of Parker

Use of Force Details

Reason For Using Force	Service Being Rendered	More Than 1 Citizen Involved
Restrain for subject's safet	Arresting	No
Weather Condition	Light Condition	Distance to Citizen
Dry	Night - Lighted	1 feet to 3 feet
Citizen Injured	Citizen Hospitalized	Citizen Arrested
No	No	Yes
Citizen Build	Citizen Height	Citizen Influence Assessment
Muscular	6'1" to 6'3"	[REDACTED]
Department Member(s) Injured	Department Member(s) Taken to Hospital	
No	No	

Crisis Details

Nature of Crisis

• Unknown

Crisis Behaviors

• Disorderly / disruptive behavior

- Belligerent / uncooperative behavior

[REDACTED]

Techniques

- At least one attending officer was CIT certified
- Reportable force
- Verbalization
- Certified crisis intervention officer arrived on-scene
- Certified crisis intervention officer was dispatched
- Handcuffs

Final Disposition

- Arrested

Reporting/Involved Citizen

[REDACTED]

Date of Birth: [REDACTED] Race: White Ethnicity: Non-Hispanic Gender: Male

Addresses

[REDACTED]

Phone Numbers

[REDACTED]

Role: [None Entered]

Type of Resistance Citizen Used Against Department Member

- Defensive Resistance
- Passive Resistance

Injuries Sustained By Citizen

Injury	Region	Injury Location
No injuries noted or visible		

Incident Department Members

OFFICER Chris Valko - 2113

Assignment at time of incident: OFFICER Operations Division/Patrol Video Footage: Available and ON

Role: [None Entered]

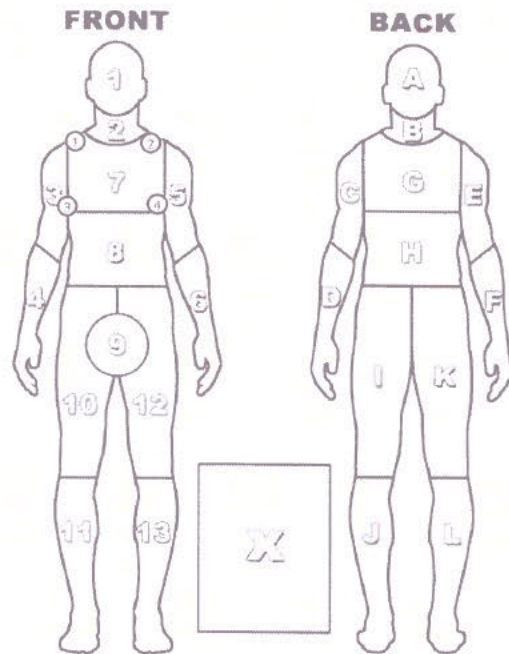
Policy Outcome: Not yet entered

Force used by this Department Member against Citizen

- RIPP Restraint - Force Effective: Yes

Less lethal force used by this Department Member against Citizen

Force Used	Force Effective	Region	Point of Contact
RIPP Restraint	Yes	7, 7, 7, 7	1, 2, 3, 4



Injuries Sustained By Department Member

Injury	Region	Injury Location
No injuries noted or visible		

Department Member Witnesses

OFFICER Ian Drew-Bell - 1702

Assignment at time of incident: OFFICER Operations Division/Patrol/Swings B

Video Footage: Available and ON

Role: [None Entered]

OFFICER [REDACTED]

Assignment at time of incident: OFFICER Operations Division/Patrol

Video Footage: Available and ON

Role: [None Entered]

Tasks

No tasks to show

Running Sheet Entries

No running sheet entries to show

Attachments

Date Attached	Attachment Description	Attachment Types
01/29/2022	2021-011620 Officer Valko, Officer Drewbell, Officer [REDACTED] Officer [REDACTED]	doc

Assignment History

No assignment history

Chain of Command History

Routing Number: 1

From OFFICER Chris Valko

To SERGEANT [REDACTED]

Cc:

Date/Time Sent 12/25/2021 01:43

Instructions From [OFFICER Chris Valko] To [SERGEANT [REDACTED]]

Please review

Comments/Response From [SERGEANT [REDACTED]]

Please add Officer [REDACTED] as a witness as well. Please describe the resistance in a bit more detail outside of the car as far as not complying with getting into the car and the statements he made.

Routing Number: 2

From SERGEANT [REDACTED]

To OFFICER Chris Valko

Cc:

Date/Time Sent 12/26/2021 03:22

Instructions From [SERGEANT [REDACTED]] To [OFFICER Chris Valko]

Please add Officer [REDACTED] as a witness as well. Please describe the resistance in a bit more detail outside of the car as far as not complying with getting into the car and the statements he made.

Comments/Response From [OFFICER Chris Valko]

Information added per request.

Routing Number: 3

From OFFICER Chris Valko

To SERGEANT [REDACTED]

Cc:

Date/Time Sent 01/12/2022 17:09

Instructions From [OFFICER Chris Valko] To [SERGEANT [REDACTED]]

Please review

Comments/Response From [SERGEANT [REDACTED]]

[Forwarded by SERGEANT [REDACTED]

Routing Number: 4

From SERGEANT [REDACTED]

To SERGEANT [REDACTED]

Cc:

Date/Time Sent 01/14/2022 11:09

Instructions From [SERGEANT [REDACTED]] To [SERGEANT [REDACTED]]

Im sending this to you for your review since you know what needs to be in the summary. It still looks lacking to me.

Comments/Response From [SERGEANT [REDACTED]]

Please explain the continued resistance to getting in the patrol car after the subject was in custody as that was also a driving factor for the decision to apply the VP2000. Thanks.

Routing Number: 5

From SERGEANT [REDACTED]

To OFFICER Chris Valko

Cc:

Date/Time Sent 01/15/2022 18:37

Instructions From [SERGEANT [REDACTED]] To [OFFICER Chris Valko]

See previous

Comments/Response From [OFFICER Chris Valko]

Please review

Routing Number: 6

From OFFICER Chris Valko

To SERGEANT [REDACTED]

Cc:

Date/Time Sent 01/26/2022 23:26

Instructions From [OFFICER Chris Valko] To [SERGEANT [REDACTED]]

Please review

Comments/Response From [SERGEANT [REDACTED]]

Sgt [REDACTED] was on scene when the VP200 was applied to the subject. As stated the subject was verbally and passively non-compliant. The subject expressed his desire to not be arrested and was not cooperative while walking to the patrol car. Once there he was told to get into the car and he refused. A struggle began and a break was taken to explain to the subject that he was not going to be released no matter what he said. Verbal de-escalation was attempted however the subject still refused to get into the vehicle on his own. The subject then made statements [REDACTED]. The decision was made to apply the VP200 to keep the subject safe based on his actions and statements made. Once the VP200 was applied, the subject immediately calmed down and even apologized for his actions. This reviewer finds that the use of force was within Parker Police Policy as well as Colorado Revised Statutes.

Routing Number: 7

From

SERGEANT

To

SERGEANT

Cc:

Date/Time Sent

01/27/2022
01:32

Instructions From [SERGEANT] To [SERGEANT]

Please review for use of VP200

Comments/Response From [SERGEANT]

I (Sgt.) as a certified Krav Maga Instructor, have reviewed the reports and body worn camera of this incident. In his report (December 23, 2021), Officer Valko notes meeting with several witnesses and the victim in this case. Through his investigation, Officer Valko believes that he reaches probable cause to arrest the adult male suspect (stemming from an incident that reportedly occurred on December 21, 2021). As a result, he attempts to reach the suspect but is not initially able to contact him. On December 24, 2021, at 1915 hours, Officer Valko and the above listed officers attempt contact at the suspect at . In my opinion, the contact/arrest that occurs at the front door (including the entry into the apartment) is in question. I believe that further investigation for potential Constitutional and case law issues may be necessary. (Please see full UOF review attached) If by further investigation it shows the initial entry/contact/arrest is lawful, it appears that the force used by Parker Police Officers during this incident was reasonably objective and appropriate under the totality of circumstances. It also appears that the force used was within Colorado Revised Statutes (CRS), SENATE BILL 20-217, and Parker Police Department Policy and Procedures.

Routing Number: 8

From

SERGEANT

To

COMMANDER

Cc:

Date/Time Sent

01/29/2022
15:02

Instructions From [SERGEANT] To [COMMANDER]

UOF review

Comments/Response From [COMMANDER]

I agree with Sgt. and his review. The UOF was appropriate if the arrest was proper and lawful. The arrest was based on probable cause for a domestic violence and restraining order violation from an incident that occurred on Dec 21, 2021 and reported on December 23, 2021. The arrest occurred on December 24, 2021. It is unclear from the BWC if the suspect ever steps out of his apartment, and it appears he remained in the home. In my opinion there was not exigent circumstances nor articulation of any exigent circumstances, and ID of the suspect although it appears Officer Valko knew it was him. In addition, a "threshold arrest" has conflicting case law but in general it appears it has been ruled protected and part of the home regardless of a suspect opening the door. Officer Valko was in PTO at the time, and I am waiting for the Coaching and Training report to see if the issue was already addressed in PTO. I am requesting further review of this incident.