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Via Email and U.S. Mail

Jad Lanigan
Chief of Police
Dacono Police Department
512 Cherry St
Dacono, CO 80514

Re: **Sgt. Dan Ferris — Resignation and Objection to Deficient Notice and Withholding of Evidence**

Dear Chief Jad Lanigan:

As you are aware, this firm represents Sergeant Dan Ferris in connection with the Department's pending disciplinary process and proposed termination. We write to inform you of Sgt. Ferris's resignation from the Dacono Police Department, which is effective immediately.

Lack of Adequate Notice and Opportunity to Respond

The process provided to date is insufficient. A public employee facing termination is entitled to meaningful notice of the charges, an explanation of the employer's evidence, and an opportunity to respond before final deprivation of employment. Generalized assertions regarding allegations made by "multiple respondents" do not provide a meaningful opportunity to respond where the City withholds the identities of those witnesses, the substance of their statements, the specific factual findings attributed to each witness, and the documents or evidence allegedly corroborating those statements.

The City's current position leaves Sgt. Ferris unable to determine, among other things:

- what specific facts the City contends were verified;
- which witnesses allegedly verified those facts;
- whether those witnesses had personal knowledge;
- whether the witnesses' accounts are consistent or contradictory;
- whether the report includes exculpatory or mitigating information;
- whether the alleged findings are based on first-hand observations, assumptions, hearsay, or legal conclusions; and
- which specific evidence the City intends to rely upon in support of termination.

A pretermination process cannot be meaningful if the employee is forced to respond to conclusions while the factual basis for those conclusions is withheld.

Withholding the Alan C. Young, Esq. Report Undermines Due Process

The City's reliance on the Alan C. Young, Esq. report, while refusing to disclose the report or the underlying factual detail, creates a fundamental fairness problem. If the report is being used as a basis for termination, then Sgt. Ferris should have been provided the substance of the evidence relied upon so he could meaningfully respond before a final decision was made.

The Asserted Attorney-Client Privilege / Work-Product Position Is Weak, at Best

To the extent the City contends that the Alan C. Young, Esq. report is categorically protected by attorney-client privilege or attorney work product, that position is weak, at best.

The mere fact that the assessment was performed by an attorney does not transform an operational, personnel, or investigative report into privileged legal advice. Privilege depends on the purpose and function of the communication, not the professional title of the person who prepared it. If Mr. Young was acting as an operational consultant, investigator, police-practices assessor, or fact-gatherer, then the factual findings and evidence contained in the report are not insulated from disclosure merely because Mr. Young is an attorney.

Nor does the attorney-client privilege protect underlying facts. Even where legal advice is protected, the City may not rely on factual findings as a basis for termination while withholding those facts from the employee. Likewise, work-product protection is not established by generalized concern that litigation might occur; it generally requires a showing that the material was prepared because of specific anticipated litigation, not merely as part of an operational assessment, internal review, or personnel process.

Accordingly, if the City believes discrete portions of the report contain legal advice, counsel's mental impressions, or protected litigation strategy, the proper course is to identify and narrowly redact those portions while producing the factual findings, witness information, evidence relied upon, and disciplinary rationale. Wholesale withholding of the report while relying on it to terminate Sgt. Ferris is not defensible.

Resignation

Effective immediately, Sgt. Ferris submits his resignation from the Dacono Police Department, forced by the agency's profoundly deficient disciplinary process and its failure to conduct a factually correct, impartial investigation. The systemic lack of due process and the disregard for fundamental fairness throughout this procedure have compromised the integrity of the department's administration, making Sgt. Ferris's continued service untenable. Sgt. Ferris has worked for the Dacono Police Department for over 23 years, dedicating half of his life to serving this community. The way this investigation and subsequent proposed discipline played out shows extreme lack of appreciate and common decency. Sgt. Ferris should have been allowed to resign before the Notice of Intent to Terminate Employment was drafted, allowing him to retire in good standing, which he unequivocally deserved. While Sgt. Ferris departs with great pride in his personal record of dedicated service to the community, he refuses to validate a compromised administrative action and therefore sever all ties with the agency, effective today, May 15, 2026.

Sincerely,

s/Stone L. Sirmans

Front Line Law, LLC

Counsel for Sgt. Dan Ferris

cc: Sgt. Dan Ferris