

November 30, 2022

Derek M. Solano
748 Main Street
Springfield, Co 81073



RE: Notice of Administrative Leave

Dear Derek Solano,

Effective immediately, you are being placed on paid administrative leave pending an investigation into an incident that took place on or about September 16th, 2022, and circumstances surrounding your hiring process thereafter. The purpose of this leave is to give the Town of Springfield an opportunity to investigate these issues with minimal disruption to the workplace and to consider if disciplinary action, up to and including termination, may be appropriate.

While on administrative leave, you may not come to the workplace, perform any work, or access work email or systems. During the period of this administrative leave, you are required to remain available during the hours 8am to 5pm Monday through Friday so that you can meet with me or with others involved in this investigation, if instructed to do so. Please note that you may be required to attend these meetings on short notice.

Effective immediately, while on administrative leave, you must store all department property at the office and must not retain any identification documents, badges, firearms, munitions, weapons, keys, or any other items related to your functions that were issued by the department.

Failure to meet these requirements could result in disciplinary action, up to and including termination.

Sincerely,

A handwritten signature in black ink, appearing to read "Clay J. Klipfel".

Clay J. Klipfel, Chief of Police

* * * * *

(Your signature acknowledges that you have had the chance to review and comment on this notice – not that you necessarily agree with it.)

A handwritten signature in black ink, appearing to read "Derek M. Solano".

Employee's signature

11/30/2022

date



Springfield Police Department

748 Main Street / P.O. Box 4
Springfield, Colorado 81073
Office (719) 523-6241 Fax (719) 523-0103

Clay Klipfel
Chief of Police

Derek Solano
Sergeant

To : Chief of Police
From: Sergeant Derek Solano

Dear Chief, it has been an honor and privilege to work under your command, and for the City of Springfield. I respectfully put in my resignation from the Springfield Police Department, due to current life circumstances.

Very Respectfully.

CLAY KLIPFEL
CHIEF OF POLICE
RECEIVED DEC 07 2022



Springfield Police Department

748 Main Street / P.O. Box 4
Springfield, Colorado 81073
Office (719) 523-6241 Fax (719) 523-6956
CLAY KLIPFEL, CHIEF OF POLICE



INTERNAL AFFAIR INVESTIGATION REPORT

I.A. CASE#: IA22-001

INVESTIGATING OFFICER: CHIEF CLAY J. KLIPFEL

OFFICER INVESTIGATED: SERGEANT DEREK M. SOLANO

DATE OF INCIDENT: SEPTEMBER 16TH, 2022

DATE REPORTED: NOVEMBER 29TH, 2022

INITIAL REPORT/SUMMARY:

On 11/29/2022 at approximately 1200 hours I, Chief Clay J. Klipfel, with the Springfield Police Department, after a recruiting trip to Pueblo, was notified by Springfield Police Sergeant Derek Michael Solano, that he needed to speak with me about an issue. The following incident took place prior to Sgt. Solano's appointment as an officer for the Springfield Police Department.

I spoke with Sgt. Solano and he stated the following;

On or about September 16th, 2022 Derek Solano was at a sporting goods store in Denver, Colorado to purchase a firearm. The store was Mile High Shooting Accessories 5831 Ideal Drive Frederick, CO 80516. At the time Derek was not a sworn police officer for this agency or any other law enforcement agency. While purchasing the firearm Derek stated that he was paying for the firearm and he had his old Denver Police Department Identification Card inside his wallet. Derek stated that he did not present the card, however, the store employee noticed it and asked him about it. Derek stated that he advised the party that it was his old Denver PD ID. The store employee asked to see the ID and asked Derek if he would like to be put on a promotions list. Derek stated that he advised the party that he was not with Denver PD at the time but agreed to let the employee place him on the promotions list. Derek stated he paid for the firearm and left. Derek stated at no time did he represent himself as a law enforcement officer, and stated he advised the employee that he was not with Denver PD anymore.

Derek stated that he was later contacted by a Denver Police Sergeant who asked him if he still had possession of a Denver PD Identification Card. Derek advised the Sgt that he did in fact still have his ID, however, it was from the previous Chief and he did not realize he still had it until he had recently found it when he returned from active duty in the Army in Texas. The Sergeant stated that he needed to retrieve the ID from Derek and Derek stated that was fine and the ID was returned.

On 09/22/2022 an Officer with the Denver Police Department issued Derek a Denver Municipal citation for Petty Theft.

Derek was then later contacted by a court representative and was advised that his charge was inappropriate and the charge would be dismissed. When Derek arrived at his court appearance on 11/28/2022 he was notified by the District Attorney handling the case that the charges would not be dismissed at the time. Derek was notified that the charge was not appropriate but the District Attorney's office requested a new court date for a new disposition as they would be filing a different charge that was appropriate. When Derek asked what the charge would be he was told that they could not divulge that information until they consulted with their supervisors.



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CLAY KLIPFEL, CHIEF OF POLICE



Derek advised that he did not report this information until this date to anyone at the Springfield Police Department prior to 11/29/2022.

INVESTIGATION COMMENTS:

On 11/30/2022 Derek M. Solano was issued a letter notifying him that he was placed on Paid Administrative Leave pending the investigation. Derek signed the letter and stated he understood.

Upon looking at the background information and documents provided by Derek during his initial hiring I found the following facts;

Derek was issued the citation on 09/22/2022.

Derek started his hiring process upon his submission of his Application on 10/04/2022.

Derek filled out his Personal History statement and submitted a signed notarized copy of his "Certification and Penalty" on 10/11/2022.

Derek completed his Psychological Exam with Psychological Dimensions on 10/19/2022.

After reviewing Derek's Personal History Statement/Background questionnaire it was observed that Derek did not disclose the above charges or anything related to the charge in his application. In the PHS there is a section that specifically asks if Derek had committed, was ticketed, charged, or convicted of Petty theft. The section also specifically states if you have ever committed Petty theft even if you have not been charged or convicted of it. Derek did not declare any Petty theft allegations against him.

After reviewing the psychological examiners report, it does not state anywhere in the report that Derek declared anything related to the incident.

On 11/30/2022 I notified the Town Manager; Merna McGinnis of the situation and that Derek had been placed on administrative leave as per her guidance. I also notified Town Mayor Tyler Gibson of the incident and his guidance was also to place Derek on Paid Administrative Leave and Mayor Gibson was advised that he had been. I was also instructed to contact the Town Attorney Don Steerman for guidance.

This report was forwarded to Baca County Undersheriff Chris Griffin for an independent review and the internal affairs investigation was completed by Undersheriff Griffin.

On 12/2/22 I received Undersheriff Chris Griffin's IA report on the incident. The internal affairs investigation report is attached.

On 12/6/22 I requested Sgt. Solano make a meeting with me on 12/7/22. This meeting will take place at the Springfield Police Department. This meeting's purpose is to advise Sgt. Solano of the findings of the IA investigation, advise him of the possible disciplinary actions, and conduct a Loudermill Hearing as per Sgt. Solano's rights.

On 12/8/22 there will be a City Council meeting with an executive session to hear this case.



BACA COUNTY SHERIFF'S OFFICE

SHERIFF AARON SHIPLETT

OFFICE (719) 523-4511 265 EAST 2ND AVENUE FAX (719) 523-4587
SPRINGFIELD, CO 81073

12/02/2022

Springfield Police Department CASE# IA22-001

Springfield Police Chief Clay Klipfel,

Objective:

On 11/30/2022 you made an official request for Baca County Sheriff's Office (BCSO) to perform an Internal Affairs Investigation (I.A.) into current Springfield Police Department (SPD) Sergeant Derek Solano. The basis for the I.A. is that Sgt. Solano may have failed to disclose a recent criminal charge on his pre-employment Personal History Statement (PHS) that he completed and submitted as part of his peace officer hiring process with the Springfield Police Department on or about 10/11/2022.

Background:

On or about 11/25/2022, I, Baca County Undersheriff C. Griffin, completed and turned over an employment eligibility background investigation packet to the Springfield Police Department concerning SPD Sgt. D. Solano. During the background investigation known criminal offense(s) located in Sgt. D. Solano's background were examined and were found to not be POST disqualifying. The criminal offense(s) examined were those offense(s) that were discovered upon review of the PHS, CCIC/NCIC queries such as Judicial Case History and Criminal History queries. Deficiencies on these queries exist because some records are not obtainable or discoverable due to potential expungements, seals, deferred judgements and the potential for municipal charges that may have different records reporting standards.

Investigation:

While reviewing what appears to be your preliminary Internal Affairs Investigation Report SPD Case# IA22-001 I find the following allegations and facts.

1. On or about 11/29/2022 you and Sgt. D. Solano were out of the area on government related travel.
2. During that travel time, Sgt. D. Solano disclosed to you that he had been charged with a criminal case for petty theft by the Denver Police Department.
3. The charge was for an alleged violation of law or municipal ordinance occurring on or about 09/16/2022 with a summons service date of 09/22/2022.

4. The basis for the charge appears to have been due to Sgt. Solano's continued possession of a Denver Police Department (DPD) Identification Card after his employment with DPD ceased.
5. It appears that DPD became aware of Sgt. D. Solano's possession of the DPD Identification Card after what may have been an inadvertent display of the ID during a purchase at a sporting goods retail store on or about 09/16/2022. The opportunity, cause and potential consideration for the display of the DPD identification are not of material interest to this I.A. and are matters subject to criminal review, if warranted, by law enforcement and prosecuting attorneys in the jurisdiction where the alleged incident occurred.
6. Sgt. D. Solano was allegedly advised by a "court representative" that the charge was potentially going to be dismissed.
7. Sgt. D. Solano advised you that during a court date concerning the matter on 11/28/2022 that the charge was not dismissed but was being considered for charging amendments.
8. No theft charges were discovered or examined as part of Sgt. D. Solano's initial background investigation

Page 14 through 16 of Sgt. D. Solano's PHS contain a lengthy list of potential criminal violations and required Sgt. D. Solano to "List ALL incidents that were committed REGARDLESS of whether you (he) were (was) contacted or not contacted, cited, arrested or charged with a crime." More specifically, next to every violation are boxes for "Committed", "Ticketed", "Arrested", "Convicted", and "Not Applicable" in which Sgt. Solano was requested to place an "X" if any of them applied to his history. Page 16 specifically lists numerous types of theft violations. None of the aforementioned boxes within the applicable theft violations listed contained an "X" or any other type of marking. The PHS also allows the candidate to explain any of the applicable markings shortly thereafter on pages 26, 27 and 28. Pages 26, 27 and 28 appear to be blank. A review of the directions and markings, or lack thereof, in this particular case, would lead a reasonable investigator to believe that Sgt. D. Solano was asserting that none of those violations had occurred in his past. This investigator believes that the content and directions in this portion of the PHS are clearly legible and understandable. Therefore, a failure to complete any applicable segment of this section that had reasonably occurred in Sgt. Solano's past should be considered as a potential intentional omission.

Included with Sgt. D. Solano's PHS is what appears to be a Certification and Penalty document drafted on what appears to be official SPD letterhead. The document appears to be designed to inform Sgt. D. Solano of potential consequences relating to the information provided or omitted from his PHS. The document appears to be signed by Sgt. D. Solano and notarized on 10/11/2022.

On 12/01/2022, as part of this I.A. BCSO requested DPD to produce certain documentation relating to DPD case 2022-490175. A General Offense Hardcopy was produced by DPD which confirms that on or about 09/22/2022 SPD Sgt. D. Solano AKA Solano, Derek Michael DOB 04/03/1992 was summoned/cited and immediately released for 2399-0 Theft-Other-Completed. This case does appear

to be based in whole or in part on his continued possession of a DPD identification card that was to be surrendered to DPD on the date of his separation from that agency.



This investigator has reason to believe that Sgt. D. Solano either knew or reasonably should have known about the theft charge prior to the completion and submission of his PHS to SPD. The severity or insignificance, changes and ultimate disposition of the pending theft charge would likely have been pertinent in the overall application and hiring process Sgt. D. Solano was subjected to, are in this investigator's opinion, irrelevant at this time. The issue at hand is that Sgt. D. Solano, for whatever reason, failed to disclose the pending criminal case verbally or in writing until after his employment with SPD was secured and his background investigation was completed.

Findings:

FOUNDED INTENTIONAL-WILLFUL-SUBSTANTIATED OMISSION OF MATERIAL FACT ON PHS

Recommendations:

1. Take disciplinary actions in compliance with SPD policy and any other applicable provision of policy, procedure or law.
2. Confirm or exclude applicability of Senate Bill 19-166 (§24-31-304(2.5))
3. Fulfil any other reporting requirements mandated by rule, order or law.


 Undersheriff C. Griffin
Bac County Sheriff's Office
265 East 2nd Avenue
Springfield, Co. 81073
Email: cgriffin@bacasheriff.us
Telephone: (719) 523-4511

"Evil is powerless if the good are unafraid"



DENVER POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

LAW ENFORCEMENT USE ONLY

GO# 2022-490175 NOT APPROVED

2399-0 THEFT - OTHER

This is a copy of an electronic report. All electronic reports are subject to change at any time. **THIS COPY OF THE REPORT IS FOR LAW ENFORCEMENT USE ONLY. IT IS NOT FOR PUBLIC RELEASE OR RELEASE TO THE MEDIA. THIS REPORT REMAINS THE PROPERTY OF THE DENVER POLICE DEPARTMENT AND MAY NOT BE SHARED WITHOUT THE EXPRESS PERMISSION FROM THE OFFICE OF THE CHIEF OF POLICE.**



DENVER POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

LAW ENFORCEMENT USE ONLY

GO# 2022-490175 NOT APPROVED

2399-0 THEFT - OTHER

General Offense Information

Operational status: **ARREST/CITATION - NOT PRESENTED/REFUSED BY DA**

Reported on: **Sep-19-2022 (Mon.) 1310**

Occurred on: **Sep-16-2022 (Fri.) 1100**

Report submitted by: **P05104 - HERKO, JOSHUA P.**

Org unit: **INTERNAL AFFAIRS BUREAU**

Address: **[REDACTED]**

Municipality: **DENVER** County: **DENVER**

District: **5** Beat: **523** Grid:

Family violence: **No**

Offenses (Completed/Attempted)

Offense: # **1 2399-0 THEFT - OTHER - COMPLETED**

Location: **RESIDENCE/HOME**

Offender suspected of using: **NOT APPLICABLE**

Bias: **NONE (NO BIAS)**



DENVER POLICE DEPARTMENT

**GENERAL OFFENSE HARDCOPY
LAW ENFORCEMENT USE ONLY**

GO# 2022-490175 NOT APPROVED

2399-0 THEFT - OTHER

Related Event(s)

AB 2022-969530

Related Person(s)

1. ARRESTEE # 1 - SOLANO, DEREK MICHAEL

(Case Specific Information)

Sex: Male

Race: WHITE

Address: [REDACTED]

Municipality: DENVER , Colorado 80249

District: 5 Beat: 523 Grid:

Phone Numbers

CELLULAR: [REDACTED]

Particulars

Occupation: POLICE OFFICER

Employer: DENVER POLICE DEPARTMENT 3340 PARK AVENUE WEST

Ethnicity: HISPANIC

Height: 5'10 Weight: 225 lbs.

Eye color: BROWN

Hair color: BROWN

Master Name Index Reference

Name: SOLANO, DEREK MICHAEL

Sex: Male

Race: WHITE

Ethnicity: HISPANIC

Address: [REDACTED]

Municipality: DENVER , Colorado County: DENVER 80249

District: 5 Beat: 523 Grid:

Phone numbers

BUSINESS/WORK: [REDACTED]

HOME: [REDACTED]

CELLULAR: [REDACTED]

Charge Summary

Charge # 1

Offense date: Sep-16-2022 (Fri.) 1100

Offense : PETTY THEFT UNLAWFUL[025334]

Charge statute: M 38-51.8

Charge severity: Unclassified



DENVER POLICE DEPARTMENT

**GENERAL OFFENSE HARDCOPY
LAW ENFORCEMENT USE ONLY**

GO# 2022-490175 NOT APPROVED

2399-0 THEFT - OTHER

Domestic Violence: No
Court date: Oct-24-2022 (Mon.) 800

Linkage factors

Resident status : **RESIDENT**
Age range : **30-49 YEARS**
Armed with : **UNARMED**
Offense: **2399- 0 THEFT - OTHER - COMPLETED**
Arrest date: **Sep-22-2022 (Thu.)**
Arrest type: **SUMMONED/CITED AND IMMEDIATELY RELEASED (NOT JAILED)**

Related Business(es)

1. VICTIM # 1 - DENVER POLICE DEPARTMENT

Address: [REDACTED] Apartment: **ROOM 510**
Municipality: **DENVER , Colorado 80202**
District: **6** Beat: **611** Grid:
Phone number: [REDACTED]
Type: **LAW ENFORCEMENT**

Particulars

Security: No

Contact Name	Affiliation	Phone Numbers
Contact # 1: JOSHUA HERKO	INTERNAL AFFAIR	[REDACTED]

Linkage factors

IBR Business Type: **GOVERNMENT**
Victim of: **2399- 0 THEFT - OTHER - COMPLETED**



DENVER POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

LAW ENFORCEMENT USE ONLY

GO# 2022-490175 NOT APPROVED

2399-0 THEFT - OTHER

Narrative Text

Type INITIAL REPORT/NARRATIVE

Subject NARRATIVE

Author P05104 - HERKO, JOSHUA P.

Related Date Sep-23-2022

Investigation disclosed, on the listed date at the listed time the arrestee maintained possession of a Denver Police Department issued identification card that was due to be surrendered on the date of his separation from the department.



DENVER POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

LAW ENFORCEMENT USE ONLY

GO# 2022-490175 NOT APPROVED

2399-0 THEFT - OTHER

***** END OF HARDCOPY *****