

PUBLIC RELEASE

LARIMER COUNTY SHERIFF'S OFFICE
PROFESSIONAL STANDARDS SECTION



Confidential

Personnel Investigation

Case IA2022-00062

Contents

IA report (8 pgs.) (Sgt. Peranteaux)

Warning: This report is for official departmental use. This document is restricted to viewing by authorized department members only. This report is not to be disseminated in part or whole whatsoever. Improper use of this official Internal Affairs document may result in disciplinary action up to and including termination

RELEASE DATE: 01/20/2023

RELEASED BY: S08022



**LARIMER COUNTY SHERIFF'S OFFICE
PROFESSIONAL STANDARDS SECTION**

Investigative Report and Findings
Internal Affairs Case #IA2022-00062
Prepared by Sergeant Brian Peranteaux

Date/Time of Incident: May 21, 23, 28 and June 17, 2022
Location of Incident: Larimer County Jail
Case Report Number: IA2022-00062
Complainant: Corporal [REDACTED]
Involved Employees: Deputy Francisco Beltran, Jail Operations

Case Origin

I was notified by Lt. Josh Fast that Deputy Francisco Beltran was going to be placed on Administrative Leave for documenting the required jail housing area status checks, but not performing the duty of walking the status check. I was requested to review the allegations against Deputy Francisco Beltran.

Complaint

Deputy Francisco Beltran is in violation of LCSO Policy 10000.2.8 (Truthfulness) for not being truthful when making an official entry report in the Jail Management System for a required housing area status check.

Deputy Francisco Beltran is in violation of LCSO Policy 10000.3.1 (Duty Responsibilities) All employees will perform their duties as required by policies, procedures, responsibilities or orders. Beltran failed to follow policy.

Deputy Francisco Beltran is in violation of LCSO Policy 10000.4.8 (False Report) creating the Status Check events indicating that he initiated a Status Checks and completed the event to indicate that the Status Check was performed. The entries were falsified, and the Status Checks were not performed within policy.

Documentation Review

I reviewed Jail CCTV video footage for four separate housing areas on four different dates. I also reviewed Jail Rosters which further indicate Beltran was the sole deputy working those housing

areas. The captured video is for May 21, 23, 28 and June 17, 2022, between the hours of 0545-1800 hours.

Review of Personnel Files

Hired October 22, 2020

IA2021-00039- A grievance was filed alleging excessive use of force by multiple deputies against an inmate – Found to be Proper Conduct for all the deputies involved.

MakeNote Entries

033021- **Unsatisfactory** (Initiative/Motivation)

Refused to work six days in a row, three days were his final check out days, the other three days would be with his newly assigned platoon.

033121- **Unsatisfactory** (Work Habits and Responsiveness to Direction / Feedback)

The Field Training Officer reported to his supervisor that he had particularly poor interaction with Beltran during a training day.

Two entries were made with general comments, one included his coming in on his day off to assist the platoon.

111121- **Unsatisfactory** (Work Habits and Responsiveness to Direction)

Beltran missed in-service training despite multiple briefing and email reminders. Beltran stated he forgot.

121321- **Satisfactory** (Quality / Quantity of Work)

Discovered contraband on an incoming inmate

Complainant Statement

On June 22, 2022, Corporal [REDACTED] signed a Confidentiality Warning form. I requested [REDACTED] complete a written statement describing his allegation against Beltran. The statement was provided to me via email.

I stopped by West Charlie at 1430 hours to check-in. Deputy Beltran told me he needed to use the restroom. Beltran left the area. I checked the Jail Management System (JMS) to see when the last status was logged and if I needed to walk. The status was started and ended at 1430. Beltran came back at 1434 and told me he needed to walk. I thought this was odd but didn't say anything about it. Also, the status start and end times being the same stood out to me. Later, I relieved Beltran for his late break. I looked through the shift log and noticed statuses weren't logged several times during the day. I wrote some of the times down for the missing statuses. I also wrote down a few times I found statuses with the same start and end times, due to not following

documentation best practice. My next break was in the Service Block. While covering the break, I reviewed video footage and found Beltran logged two or three statuses he did not walk. After the break, I made Sergeant Deana Hinton aware of my findings. Sgt. Hinton pulled up video of the entire shift and located additional statuses logged and not walked.

Witness Statement

On June 22, 2022, Sergeant Deana Hinton signed a Confidentiality Warning form. I requested Hinton complete a written statement describing her involvement. The statement was provided to me via email.

On 061722, Corporal ██████ advised me "we may have a problem with Beltran". He went on to explain he suspected he was not walking his status checks even though he was logging them. He indicated the suspicion came to mind when he arrived in the area and the status on the bottom half of the hour had been logged, but when Beltran came back from his break, he stated he still needed to walk. Corporal ██████ thought his statement and behavior was odd so did a brief audit of his status checks in the Service Block when he was giving his second afternoon break. He confirmed his suspicion and brought his findings to me. I compared the housing log for West Charlie to camera footage and found he did not walk some of the status he logged, did partial status checks (missing some cells all together), or started his walks several minutes after he logged them. I also looked at his shift from 052822 and found similar irregularities. I reported my findings to Lt. Fast.

Interview With Deputy Francisco Beltran

On June 21, 2022, at 1025 hours, I arranged an interview with Beltran. He was notified that he could have an attorney or FOP representation during the interview. The interview time was set for 1300 hours this same day. I interviewed Deputy Francisco Beltran in the Internal Affairs office at the Larimer County Jail. Beltran was notified of the Internal Affairs Investigation, He was also notified again that he could have an attorney or FOP representation present during the interview, he declined. Beltran was also notified that our interview would be recorded. Beltran was placed on Administrative Leave by Lt. Josh Fast on June 17, 2022 and signed a Notification of the Internal Affairs Investigation and Confidentiality Warning form.

I began the interview by asking Beltran to provide me with his definition of a Status Check. Beltran stated, "A Status check is, dependent on which housing area, you physically inspect every single cell, you're looking for living, breathing flesh if the inmate is there as well as structural integrity of that cell. Depending on the housing area how often you would do that."

I told Beltran he is aware of what a Status Check is because he gave me a good definition of a Status Check.

I asked Beltran, why have you not been doing Status Checks. Beltran responded, "first thing I want to make extra clear is that, depending on how you want the interview to go, I'm more than willing to talk about the rationalization in my mind and why I allowed myself to become

complacent in this manner. However, before I do that, I want to make 100% clear that I take full ownership for everything and me discussing this I want there to be no misconception that I might be justifying the situation. Not at all. I take full ownership of it, there is nobody to blame. I have no ill will towards anybody, none of my supervisor's. Matter of fact, they were very gracious in the way they handled it and very supportive. I just want to make sure that's the first thing on the record."

Beltran seemed to be very forthcoming, and I told Beltran that he seems squared away and I'm surprised something like this would come up. I asked Beltran to tell me why.

Beltran stated, "since this happened, this is obviously the only thing that's been on my mind. I haven't thought of anything else. I really sat down and started asking myself why I would allow myself to do something that I normally knew was not ok. I'm glad we're having this meeting now and it wasn't like next day you're in the office because I don't think I would have this sort of answer. I started to internally meditate and see the kind of person I am. I really want to provide the full context of why I believe I did this."

It started late junior high, early high school when I got in sports, I started to develop the mentality of go, go, go. Specifically in football, I really got the mentality of if you want to be successful in anything your do, you have to be an initiator, you have to be a team player, you have to step into a situation, you have to trust people. You go and get into it, high pace, high motor. That's how I've always been since then. And, I think subconsciously because of that it has been great and afforded me many opportunities that a lot of my peers have not gotten. Not just in this work but previous work and college, high school and all those things. But the flip side of that has been, something that I've suppressed because I don't want to deal with it or haven't wanted to, but it's manifested into this. Has been the opposite when I'm in a situation, not just at work but in life in general where I'm not engaged. I convince myself that I'm not doing engaging stuff, I have allowed myself to become complacent and tricked myself into believing it's not that big of a deal and it's ok. And that's what it was that day. I'm in a housing area I have seven people, I'm talking to them pretty frequently through the intercom, they are coming in and out. Video court, I'm seeing them, it's ok, it's ok if I don't do that. Again, I'm not justifying anything I did, it's still wrong. But that's what was going through my mind, so, that's where I'm at now, that's what I've learned about myself, I have to come to grips with the fact that not everything I do in work, even though this line of work anything can happen, you have to be on your toes.

The fact of the matter is, it's not always going to be like that. And times when it's not and I'm doing mundane things even if it's for 12 hours, I have to stay focused and stay engaged on the task even if it seems medial to me at the time and that's the biggest thing I've learned. Don't even take my word for it, go ask my deputies or supervisors despite this event what kind of deputy I am. I feel confident they would tell you I'm not lazy, I don't take short cuts, I jump in and do stuff. Like I said, I do have that flaw when I allow myself to not become engaged. The fact of the matter it's a 3-4-minute status, talking about this specific incident, I come back I have

12 minutes to sit there, I can be doing stuff that's engaging and meaningful in that time and still fulfill my responsibilities. And I tricked myself to believe that I wasn't.

I told Beltran that my job is to look at the totality of the situation, I didn't just look at the West Charlie housing area which he referred to during the interview. I looked at the rosters to see where else you may have worked in single deputy housing areas. I looked specifically at West Adam for the date of May 28, 2022. I observed very similar behavior, you missed a lot of statuses. At times you would do a status on one side of the housing area, at times you would walk past the cells without looking into the cells.

I reviewed a video clip which was obtained through the jail CCTV with Beltran. The focus area was the North Ida housing area for the date of May 23, 2022, and specifically at 1115 hours. I described what I saw to Beltran, at 1115 hours Corporal Thomas completes a thorough status check, I told Beltran this is what I should see on video at least every 15-minutes. Beltran returns from lunch 1117 hours and Thomas leaves the housing area at 1119 hours. I told Beltran, I see you on your cellphone, you should not stay on your phone, its acceptable to glance at your phone if the inmates are locked down but you are on your cellphone for the next 15 plus minutes. I showed Beltran a video clip time stamped at 1130, I asked Beltran to describe what you are doing, again the computer monitor is clearly visible to the camera. Beltran responded, "logging a status." I asked Beltran, what did you do next, Beltran responded, "I don't walk that status." I reminded Beltran; you are still on your cellphone and did not even glance into the housing area. I told Beltran, you know how long a status check takes 2-3 minutes, Beltran stated, "even shorter here" referring to the North Ida housing area. I forwarded the same North Ida housing video to 1131 hours that depicts Beltran physically extend his right hand to the keyboard and completed the status event in JMS, again he fails to even look into the housing area. Beltran responded, "yeah I've done that." I reviewed another similar video clip showing a status check not being completed within policy, Beltran nodded yes, and did not disagree with what he viewed.

I repeated the word complacency that Beltran had used earlier in our conversation. I told Beltran that it could be complacency, it's also being untruthful, failing our duties and responsibilities and false reporting and not following Post Orders. Beltran again nodded yes and did not disagree.

Beltran stated, "they are clear violations, you're not going to find me trying to find a workaround saying I was distracted. I said it's complacency, not trying to justify it, it's on me. I'm grateful nobody got hurt. I would never be able to ever lay down had my complacency led to somebody hanging in the shower 15 extra minutes because I did not get up and walk." Beltran did not have anything additional to add. I explained the investigation process to Beltran, and this concluded our interview.

Report Summary

I reviewed four shifts that Deputy Beltran worked in a housing area, the date gap between shifts is due to Beltran being off shift for FMLA, vacation time or he was working in a two-deputy

housing area. In addition to the shift that was reported to me, I selected three additional shifts to ensure a thorough representation of Beltran's work habits are represented in my investigation.

It was alleged by Corporal [REDACTED] that Deputy Beltran was not completing status checks in the West Charlie housing area on June 17, 2022. I reviewed the Jail CCTV footage, and the pod activity logs for the West Charlie housing area. The West Charlie housing area is a 15-minute status check. Deputy Beltran was working this housing area and failed to complete a total of 12 status checks between the hours of 0600-1800 hours. These status checks were started and completed in JMS but not physically walked.

I reviewed the Jail CCTV footage, and the pod activity logs for the West Adam housing area for May 28, 2022. Deputy Beltran was working this housing area and must complete a status check at least every 30-minutes. Between the hours of 0600-1800 a total of five status checks were documented as started and completed in JMS, but they were not physically walked. One status check was not completed nor physically walked for a total of six missed status checks.

I reviewed the Jail CCTV footage, and the pod activity logs for the North Ida housing area for May 23, 2022. Deputy Beltran was working this housing area and must complete a status check at least every 15-minutes, this area is the male intake area. Between the hours of 0600-1800 a total of 12 status checks were documented as started and completed in JMS, but they were not physically walked. Three status checks were partial status checks and Beltran physically walked a small portion of the housing area. This is a total of 15 status checks that were not completed within policy.

I reviewed the Jail CCTV footage, and the pod activity logs for the South Frank housing area for May 21, 2022. Deputy Beltran was working this housing area and must complete a status check at least every 30-minutes. Between the hours of 0600-1800 a total of Three status checks were documented as started and completed in JMS, but they were not physically walked.

During my interview with Beltran, I asked him for his definition of a status check. Without hesitation Beltran stated, "A Status check is, dependent on which housing area, you physically inspect every single cell, you're looking for living, breathing flesh if the inmate is there as well as structural integrity of that cell. Depending on the housing area how often you would do that." Beltran stated, he takes full responsibility and there is nobody else to blame. He also said, I was logging the status and not walking the status.

MakeNote entries reflect several areas noted as unsatisfactory

Findings Pertaining to the Investigation for Internal Affairs Case #2022-00056

Over the course of four shifts, a total of 33 status check events were created as started/ended in the Jail Management System (JMS). Each status check requires two separate and deliberate entries in JMS. Each entry should represent the time you start the status check and the time the status check is completed. For any event that is entered in JMS, it is forceable that you could be delayed in either creating or ending an event due to distractions, this would be explained in the section for Notes on the same JMS screen, Beltran did not make entries in this field. For most of the status check entries that Beltran entered, he waited a few minutes prior to completing the

event. This was a deliberate act, and he knew it was a way to make it appear that the documentation was accurate.

In the North Ida housing area, the Jail Genetec Security Desk CCTV camera is permanently mounted approximately 7 feet to the left and to the rear of the housing computer and has zoom capabilities. From this vantage point, it is clear when a deputy leaves the mini control area to perform other duties. Beltran was captured throughout this shift starting the status check event, and a few minutes later, ending the event. I was able to utilize the zoom function to focus on JMS and saw him make the entries. Many times, Beltran documented a status check and was observed on his cellphone and did not even glance towards the inmates under his control.

North Ida is the male intake area, it houses inmates on a variety of watches, alcohol, drug and suicidal inmates, our obligation for the safety of these inmates is extremely high in this area and status checks are not voluntary. It should be noted that throughout the four shifts that I reviewed, each of Beltran's supervisors enter the area multiple times to perform supervisory duties to include assisting Beltran with status checks.

Although multiple jail CCTV videos are attached to this investigation showing a falsification of reports, Beltran's work habits are clearly visible on video labeled North Ida May 23, 2022, at 1130. It shows one example of a clear deception of the status check being created and completed without a physical status check being completed to confirm the safety of inmates.

LCSO Policy 10000.2.8 (Truthfulness) was in fact untruthful when making reports in JMS

LCSO Policy 10000.3.1 (Duty Responsibilities) Did not perform his duties as required as directed by policies, procedures or post orders.

LCSO Policy 10000.4.8 (False Report) Created the Status Check events indicating that he initiated a Status Checks and completed the event to indicate that the Status Check was performed. The entries were falsified, and the Status Checks were not performed within policy.

Therefore, I recommend that all three violations be found as *Improper Conduct*

Respectfully submitted,



Brian Peranteaux, Sergeant
Professional Standards Section

June 23, 2022
Date