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LARIMER COUNTY SHERIFF'S OFFICE

PROFESSIONAL STANDARDS SECTION

Confidential

Personnel Investigation

Case IA2022-00063

Contents

IA report (6 pgs.) (Sgt. Peranteaux)

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LARIMER COUNTY SHERIFF'S OFFICE
PROFESSIONAL STANDARDS SECTION

Investigative Report and Findings
Internal Affairs Case #IA2022-00063
Prepared by Sergeant Brian Peranteaux

Date/Time of Incident: July 4, 2022

Location of Incident: Larimer County Jail

Case Report Number: IA2022-00063

Complainant: Robert Sanchez Jr

Involved Employees: Deputy Gannon Brown, Jail Operations

Case Origin

On July 6, 2022, I received an email from Corporal Brooks Oppie which stated, Inmate Robert Sanchez Jr claimed that Deputy Gannon Brown injured his elbow when he was physically moved from the booking lobby to a booking holding cell on July 4, 2022.

Complaint

Deputy Gannon Brown is in violation of LCSO Policy 31728.10.6 (Unreasonable and inappropriate force used against any person)

The physical technique that Brown used to relocate Sanchez to a booking cell is not a taught method for escorting an inmate.

Documentation Review

I reviewed Jail CCTV video footage which does not have the capability to record audio. The captured video from July 4, 2022, at 2100 hours is the time

Review of Personnel Files

Hired July 30, 2020

Brown has not been listed as an involved employee in any Internal Affairs investigations.

MakeNote entries: Several positive comments were written by jail security supervisors.

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Complainant Interview

Inmate Robert Sanchez Jr was interviewed in the Two North Conference room at the Larimer County Jail on July 5, 2022, at 1245 hours.

I introduced myself to Robert Sanchez to inform him I was investigating his allegation against an employee that he was injured while in the booking area. I explained to Sanchez that I had reviewed the jail video footage and had additional questions. I asked him to describe what occurred and to talk about his injury and if he knew when or how it happened.

Sanchez stated, "I'm not talking to anybody. I'll talk to a lawyer when I get out." I gave Sanchez my business card with the corresponding Internal Affairs Investigation number. After the interview concluded, Sanchez stated he did not have any injuries and he was going to speak to an attorney to represent him for his current charges unrelated to his time in booking. This concluded the interview.

Interview with Deputy [redacted]

[redacted] was interviewed in the Internal Affairs office at the Larimer County jail and Signed the Notification of Confidentiality Warning on July 6, 2022, at 0608 hours.

[redacted] was assigned as a booking movement deputy working the night shift of July 4, 2022. I briefly explained what I was investigating to include Inmate Sanchez claimed his elbow was injured when he was placed in a booking cell after speaking with Pretrial.

I asked [redacted] to describe what he observed. [redacted] stated, Pretrial was speaking to Sanchez they interview seemed to go well and he stopped answering questions when asked about his parents. Sanchez began to swear at Maggie with Pretrial and she ended the interview. We told Sanchez he was going back into the cell. Sanchez said, "really back in the cell," I told him yes.

Brown cut me off and moved Sanchez back into the cell. Sanchez was classified as a 1:1 Red Tag for spitting on a Corporal earlier in the day. Sanchez was returned to the cell and didn't physically resist. It looked like Sanchez' feet were off the floor when he was moved. I don't recall the language that Sanchez was using but I thought we were going to escort him back to the cell. End of interview.

A review of the video shows [redacted] was behind the booking counter for most of this incident. [redacted] stated "Brown cut me off" that is not the case. [redacted] did not look prepared to go hands on if necessary and stood behind the other two deputies. The video does not indicate that Sanchez was elevated above the floor.

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Interview with Deputy [redacted]

[redacted] was interviewed and Signed the Notification of Confidentiality Warning on July 6, 2022, at 0533 hours.

[redacted] was assigned as a movement deputy on July 4, 2022, at the Larimer County Jail. I told [redacted] that Inmate Sanchez claimed his elbow was injured when he was placed in a booking cell after he spoke with Pre Trial. I asked [redacted] to tell me what she observed since she was standing close by during the Pretrial interview. [redacted] stated, Sanchez was classified as a 1:1 Red Tag inmate so I was standing near Pretrial. Sanchez became belligerent when he was asked a question about his parents. Sanchez told Pretrial that it was not any of her business. I saw Deputy Brown walk in and he must have heard the end of the interview. We were going to return Sanchez to his cell. I don't remember what Sanchez said, I think he was using foul language. Sanchez became angry and stood up real fast. That's when Brown bear hugged him and walked him back to the cell. Sanchez looked like he was resisting being moved. It went very fast; I didn't expect it to go that fast. Medical checked on Sanchez because Sanchez was yelling a lot. It could have been handled a different way; yes it was affective. We got him back in the cell, I don't know if Sanchez was going to escalate more than he did. I thought we were going to use control holds to move him to a cell. End of interview.

Interview with Deputy Gannon Brown

On July 6, 2022, at 0525 hours I Interviewed Deputy Brown in the Internal Affairs office at the Larimer County Jail. Brown signed a Notification of the Internal Affairs Investigation and Confidentiality Warning form.

I explained to Brown that Inmate Robert Sanchez Jr claimed his elbow was injured when placed in a booking holding cell on the evening of July 4, 2022, after the Pretrial interview was terminated.

I verified that Brown has not completed Body Worn Camera training and was not wearing one on the evening of July 4th. Brown stated he was passing through booking when he observed Sanchez sitting in the booking lobby. I could tell by his language that he was not answering questions posed by a Pretrial staff member. Sanchez made the statement; I don't need to answer those questions. Pretrial told Sanchez that this conversation will end if you refuse to answer my questions, she told him "I'm trying to help you." Sanchez continued not to answer her questions so Pretrial ended the interview. At that point we decided that he was uncooperative, and we were going to put him back in booking cell number ten. Sanchez was an isolation inmate, that's why he was being housed in booking cell 10. I said, "Mr. Sanchez please stand up and go back to your cell." Sanchez stated, "are you seriously going to put me back in that cell again." I said, "yes sir, that's what's happening right now. Stand up and go back to cell ten." Sanchez responded, "man I'm not going anywhere, fuck you," this that and the other. He stood up, started using more profanity, getting aggressive and it was directed at us. As he stood, he took off his glasses and appeared to square off to me. The totality of the circumstances here was, he initially

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said he was going to refuse my order to return to the cell. He took off his glasses which indicated to me that he didn't want them damaged. I thought, this guy may be serious and become physically aggressive with me. Earlier in the day Sanchez had spit on a Corporal. I pointed again and said "sir, this is your last chance, you need to turn around a walk back to the cell immediately and lockdown." He just stood there and said "no, I'm not doing that." I don't recall what else he said. But, at that point, this guy it abundantly clear that he was not going to follow directives. I was one of three officers, but I was the closest to him. I lunged forward, grabbed him by his shoulders, he kind of shied away as I was moving towards him, so I did not see a need to do a takedown. I simply turned him around and started walking him towards the booking couches. At no point did he try to turn around and fight me or offer any resistance. As we got closer to the cell, he started pushing back into me a little bit. I continued walking with him, I did not shove him into the cell. I let go of his shoulders as soon as he entered the cell. He stood just inside the of the doorframe when I closed the door. I was going to document his uncooperative behavior on a behavior report. I went back to the cell to make sure he was ok, I asked Sanchez if he had any injuries. Sanchez was yelling a lot and said, "yea I got injuries, my elbow." I asked to see his elbow, Sanchez said, "I'm not showing you, my elbow." I told him, if your injured we need to take care of it. I told Sanchez we can have a nurse look at it. Sanchez responded, I'm not crying about it. About a minute later, I had a nurse check on Sanchez. Sanchez told the nurse I'm not worried about it and refused to show the nurse his injury. I pulled a report number and wrote a report (2022-005573). I asked Brown if Sanchez made contact with any part of the door frame. Brown responded, the door was completely open, and Sanchez did not make contact with the couches, door or wall.

I asked Brown what he could have been done differently and Brown responded, I should have had a plan, I should have coordinated with a partner. I would have backed up and coordinated with my partners and used standard procedural control holds to escort Sanchez back to the holding cell. I may have called for additional. Brown did not have anything else to add. End of interview.

Report Summary

I reviewed Jail CCTV video footage from the booking area on the evening of July 4, 2022, Brown used a modified bearhug push technique that is not excessive from a tactic's standpoint. Sanchez was not shoved into the cell; he was placed in the cell and Sanchez did not lose his footing and did not strike any portion of the cell doorframe. Although Sanchez initially claimed he was injured he declined medical attention minutes after the incident. Sanchez told me he was not injured when I spoke to him in housing a couple days after this incident.

The physical technique that Brown used to relocate Sanchez to a booking cell is not an approved method for escorting an inmate. Brown performed an untrained bearhug technique that puts us at potential risk, if things were to go sideways; you don't truly have a control hold. Brown realizes time is on our side and he should have taken the time to have a plan. The other two deputies that were involved were both surprised and unprepared when Brown took control of the inmate. After

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Brown reviewed the booking video showing this technique, he agreed this was an error in judgement and will do better in the future.

Findings Pertaining to the Investigation for Internal Affairs Case #2022-00063

LCSO EMPLOYEE CONDUCT AND RESPONSIBILITIES 31728.10.6 Unreasonable and inappropriate force used against any person.

Brown used a modified bearhug push technique that is not a trained tactic for deputies to use when escorting inmates. The force used was inappropriate, but it was not an excessive use of force. I would recommend additional training, at a minimum a conversation with a tactic's instructor.

Therefore, I recommend that this violation be found as an ***Unfounded Complaint***.

Respectfully submitted,



Brian Peranteaux, Sergeant
Professional Standards Section

July 8, 2022
Date

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