



City of Wheat Ridge Municipal Building 7500 W. 29<sup>th</sup> Ave. Wheat Ridge, CO 80033-8001 *Non-emergency: 303.237.2220 Direct: 303.235.2913*

**Christopher Murtha**  
Chief of Police

January 16, 2023

Ms. Susan Greene  
The Colorado News Collaborative (COLab)

Ms. Greene,

Per your request pursuant to the Colorado Open Records Act and/or the Criminal Justice Records Act, please find the following summaries of the professional standards investigation reports, disciplinary actions, and complaints involving former Sergeant John Jungclaus.

**19-C-0016**

**3.42.12 Use of Force (NOT SUSTAINED)**

A citizen reported he felt excessive force was used to take him into custody resulting in injury to his shoulder. He further claimed his face was slammed to the ground and his knees were scraped causing them to bleed. A summary of this case is as follows:

On June 6, 2019 a male was called in as an unwanted party at a local hospital. Hospital staff requested police assistance in having him removed from the property. Sergeant Jungclaus was one of the officers who responded to this call for service.

Once on scene, Sergeant Jungclaus began to speak with the male who immediately told Sergeant Jungclaus to shoot him. The male clenched his hand into a fist and ran at Sergeant Jungclaus who extended his arm and used his hand to keep the male at a distance from him. The male rushed at Sergeant Jungclaus a second time telling him to shoot him. Once again, Sergeant Jungclaus used an extended arm to push the male away from him. Sergeant Jungclaus was able to deescalate the male and convinced him to leave the hospital building.

Once outside of the building, the male became uncooperative again. Sergeant Jungclaus attempted to reason with him and even offered him money for bus fare. The male refused to move off of hospital property, so Sergeant Jungclaus placed his hand on the man's arm and began to escort him off the property. The male grabbed a hold of Sergeant Jungclaus' and Sergeant Jungclaus and the male began to struggle. Sergeant Jungclaus took the male to the ground where they continued to struggle. The

male was told he was under arrest and to stop resisting, however, he continued to struggle with officers. At one point, the male kicked another officer in the chest causing her to fall to the ground. The male was eventually taken into custody and transported to jail on criminal charges.

Independent witnesses confirmed the officer's accounts that the suspect was uncooperative and failed to comply with instructions given. The case was found to be within departmental policy, state law, and was reasonable objective under the circumstances. This case was **NOT SUSTAINED**.

### **19-C-0023**

#### **3.42.03 Laws (SUSTAINED)**

#### **3.42.05 Conduct Unbecoming (SUSTAINED)**

On September 9, 2019, Sergeant Jungclaus was working an extra-duty assignment as a Sergeant for the City of Wheat Ridge Police Department. His assignment was to supervise officers apportioned to work the Carnation Festival, which was being held in Anderson Park, located at 4355 Field Street in Wheat Ridge, Colorado. While present in the park, Sergeant Jungclaus became involved in a verbal disagreement with a patron of the festival. The conflict escalated to the point where the citizen was trespassed from the venue and arrested for failing to provide identification, possession of possible illegal drugs, and two active arrest warrants.

The actions of Sergeant Jungclaus, in contacting the citizen, were reported to be based on reasonable suspicion that he was being disorderly and alarming to the public, both in his words and actions. The information obtained in PSU Investigation 19-C-0023 determined that Sergeant Jungclaus lacked the evidence and/or statements needed to make an arrest of the subject for Disorderly Conduct, for which he was trespassed from the event. The decisions made by Sergeant Jungclaus to arrest the subject raises potential liability for the Wheat Ridge Police Department and violated department policies:

**3.42.05 CONDUCT UNBECOMING;** Members shall exercise ordinary common sense and strive to find ways in every contact with the public and while off-duty, to promote the department's values as expressed in its standards (such as the mission, code of ethics, goals and objectives, written standards of conduct and other lawful directives and legitimate expectations). Members shall accept full responsibility for their attitudes, behaviors and the results of their actions. Employees will conduct their personal lives and affairs so as not to bring discredit upon themselves or the Police Department.

**3.42.03 LAWS;** Members shall obey all constitutional, criminal and civil laws imposed on them as a member of the police department and as a citizen of this state and country.

Ultimately, the initial contact with the citizen failed to meet the standard outlined in Disorderly Conduct as defined in Colorado Revised Statutes, Section 18-9-106. The ultimatum given by Sergeant Jungclaus, for the citizen to identify himself, was absent a

clear violation of the law and exposes both Sergeant Jungclaus and the department to charges of a violation of 42 U.S.C. Section 1983, which allows civil action against an officer who was acting “under the color” of law and who was responsible for violating someone’s federal rights.

Based upon a comprehensive review of this incident, Sergeant Jungclaus received a written reprimand which became a permanent part of his personnel file.

**19-C-0024**

**3.42.04 Truthfulness (SUSTAINED)**

**3.42.02 Directives (SUSTAINED)**

**3.42.12 Pursuits (SUSTAINED)**

On August 21, 2019 at approximately 0327 hours, two officers observed two persons sleeping in a vehicle in the parking lot of a local motel. The officers decided to contact the parties because the staff at the motel did not want unregistered guests on the property. The parties were not cooperative in identifying themselves. The officers requested their supervisor, Sergeant Jungclaus, to come to the scene to assist them.

Sergeant Jungclaus arrived on scene and parked his marked police vehicle behind the subject vehicle and activated his overhead emergency lights. Officers advised they were told to “mute up” their body worn cameras by Sergeant Jungclaus which they did. Sergeant Jungclaus then began speaking to the driver, but the occupants still refused to provide any identification. The situation escalated quickly and at one point Sergeant Jungclaus put his arm in the vehicle through the partially opened window and became pinned in the vehicle. Officers on scene became concerned that if the driver drove away, Sergeant Jungclaus could potentially be dragged by the vehicle. The driver eventually rolled the window down enough to allow Sergeant Jungclaus to remove his arm from the vehicle. Officers on scene noted Sergeant Jungclaus was escalating the situation rather than de-escalating and were concerned his demeanor could lead to the use of force.

The driver put the vehicle into gear and drove through a grassy area throwing mud up covering Sergeant Jungclaus and another officer. The vehicle accelerated at a high rate of speed in an attempt to get away. Sergeant Jungclaus immediately got into his patrol vehicle and began to follow the subject vehicle with his lights and siren activated. Officers on scene became concerned that Sergeant Jungclaus went after the vehicle alone and if he were to stop the vehicle, he would be alone in doing so. Officers checked the area for the vehicle and a short time later Sergeant Jungclaus aired he could not find the vehicle.

Sergeant Jungclaus requested all officers on scene meet him in a nearby parking lot to speak with them. During this conversation, officers got the impression that Sergeant Jungclaus wanted to keep the details of this incident quiet and didn’t want officers talking about it with anyone. Sergeant Jungclaus directed an officer to write an arrest warrant for the driver of the suspect vehicle for trespassing even through the driver

wasn't appropriately identified. Officers further reported that Sergeant Jungclaus changed the narratives in their reports.

Officers on scene reported this incident to another Sergeant who initiated an internal report. Sergeant Jungclaus was placed on administrative leave pending the investigation.

The investigation into this matter concluded that Sergeant Jungclaus' conduct was in violation of city policy and department policy and procedure. Sergeant Jungclaus was found to have violated policies 3.42.04 Truthfulness, 3.42.02 Directives and Expectations, 4.05.03 Police Vehicle Pursuits, and 9.39.03 Portable Video Recording. The Interim Chief recommended termination. The Jefferson County District Attorney's Office issued a Brady Letter reference Sergeant Jungclaus and the case was provided to Colorado POST due to the sustained allegation of Truthfulness. Sergeant Jungclaus appealed the discipline in this case, and resigned his position with the Wheat Ridge Police Department.

If you have any questions, feel free to reach out to me.

Sincerely,

A handwritten signature in black ink, appearing to read "Betsy Sailor" with a stylized flourish at the end.

Sergeant Betsy Sailor  
Wheat Ridge Police Department  
Professional Standards Unit