



Sheriff Richard A. Reigenborn

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Memorandum

TO: Commander P. Gregory
FROM: Sergeant T. Junglaus
DATE: 07/06/2021
RE: CC20201 – 00

Background:

On 06/14/2021, a letter to me from Inmate [REDACTED] that contained an Adams County Complaint form was sitting on my desk. The letter referenced an incident that occurred on 05/16/2021. On 06/14/2021 at 1043 hours, I conducted an interview with Inmate [REDACTED] regarding this incident in the interview room of the Adams County Detention Facility at 150 N. 19th Ave., Brighton CO, 80601 where he is housed as an inmate.

This investigation includes a recorded interview with [REDACTED]. The complaint record includes a summary of that recorded interview. The associated information is a summary only, for the complete interview, please see the attached recording.

Inmate Complaint Record:

Inmate [REDACTED] told me that he had pressed the contact button in the day space (which he refers to as the “panic button”). Detention Specialist [REDACTED] in the C-Module tower answered the intercom and informed [REDACTED] that he needed to wait for the deputies. [REDACTED] told me that he eventually knocked on the door to the day space to attract the attention of the deputies. [REDACTED] also said that he told the deputies that he was having [REDACTED], a symptom that he explained he often has due to [REDACTED] and what he refers to as being a [REDACTED].

According to [REDACTED] the deputies told him that the [REDACTED] would not take him and that there was nothing they could do for him at that time. [REDACTED] then told me that he advised the deputies if he was not taken to the [REDACTED] that he would start kicking the door and acting out, which he described as, “Showing [his] ass.” [REDACTED] told me that he was panicking and admitted that it was his intent to be disruptive.

HEADQUARTERS
4430 S. Adams County Parkway
1st Floor, Suite W5400
Brighton, CO 80601
303.654.1850

**DETECTIVE AND
PATROL DIVISION**
4201 East 72nd Ave. Suite C
Commerce City, CO 80022
720.322.1313

JAIL DIVISION
150 North 19th Ave.
Brighton, CO 80601
303.654.1850

TRAINING DIVISION
23600 East 128th Ave.
Commerce City, CO 80022
720.523.7500

██████████ told me that the deputy whom he was speaking with (later identified as Deputy ██████████). When Deputy Pacheco returned, ██████████ was ordered to place his hands behind his back. ██████████ said that after being handcuffed he asked why he was being handcuffed for transportation to the ██████████. According to ██████████ it was then that he was informed he would be housed in the ██████████ for making suicidal comments reference ██████████.

██████████ said that upon hearing that he was to be housed in the ██████████ he intentionally quit walking and began to argue with the deputies requesting the intervention of a Sergeant. ██████████ said that he didn't remember what happened next. I asked him if it was because he was getting upset, and he said that it was both that as well as the fact that he, "██████████."

I asked ██████████ what kind of a ██████████ he had, and he told me that he has, ██████████ He also went on to explain that he has very high anxiety and that he is 1) ██████████ and; ██████████, and; ██████████ and; ██████████. ██████████ added that he had ██████████ He went on to explain that he ██████████s that a person is there or that a person is responsible for an action even though it might be another person. ██████████ also told me that he is sometimes unable to remember things that people tell him.

██████████ told me that he, "Stopped in his tracks," while en route to the ██████████. He also told me that the deputies ordered him to walk and that he refused to walk any further. ██████████ told them that he would not go any further because he believed them to be lying and that he was, "1000 percent sure that [he] never said that," ██████████

██████████ went on to explain that he felt deputies were frustrated with him because he is a ██████████ and that he has been to the ██████████ almost every day that he had been housed in the Adams County Detention Facility. He explained that he begins to feel like something is wrong with him and begins to panic that it is a serious medical condition. He went on to explain that his ██████████ produces its own symptoms. He added that when he is not incarcerated, ██████████ is given ██████████ for his ██████████ (at 10:33).

I asked ██████████ if it was upsetting when the deputies told him that he would have to go to the ██████████ when he was trying to deal with his perceived medical problem, and he said, "It was very upsetting." He added that it seemed hurtful and that he felt like he was being taken advantage of due to his ██████████

██████████ then explained that after he stopped walking and he refused to go to the ██████████, that the deputies, "Slammed him against the wall," of C-Hallway. ██████████ then took it upon himself to lower himself to the ground. I asked how he went down to the ground and he told me that he went down "nice and easy". ██████████ then told me that he was lowered by the handcuffs by the deputies, and that the handcuffs cut his wrists.

██████████ said that when he was on the ground, he was laying on his stomach and that one of the deputies placed his knee in an area that was describe as ██████████, "Back/neck," by ██████████. ██████████ maintains that he then told the deputies that he could not breathe. ██████████ then requested that they remove the knee from his person. ██████████ said that at that same time, a Sergeant ordered them to place him on his side. ██████████ position was moved, and he then vomited.

██████████ said that he was placed into the restraint chair and transported to the ██████████. ██████████ was removed from the restraint chair and a medical examination was performed. According to ██████████ it was determined that he was experiencing a ██████████ and not a ██████████. He was sent back to C-Module, and a sergeant interviewed him and took pictures of his wrists. ██████████ couldn't remember exactly what was said, but he did remember that the sergeant took his information for a report.

██████████ told me that the deputies were Deputy ██████████ and Deputy Pacheco. Other than the fact that Deputy Pacheco delivers his commissary to him in a manner that he feels is too slow, and that his room is too messy after inmate cell searches, he's had no other incidents with the deputies.

Evidentiary Review:

I used IAPro to look up the incident under the assumption that a Use of Force would exist due to the use of the restraint chair. In IAPro, I found UOF2021-0095 that was generated on 05/16/2021 and details the incident described by ██████████

Although there were several photos of ██████████ wrists, only one showed any sign of injury. The photo of the top of ██████████ left wrist does show a red mark consistent with a pair of handcuffs or some other restraint pressing on the area. There is no cut or abrasion to the skin, but there is a red mark that appears to be unaccompanied by any swelling.

There are several videos associated with this incident. The video entitled 3-2021-05-16 08-55-00-570 is of the C-Module Lower Corridor (Camera #49). It takes place on 5/16/2021 starting at 08:55:07 and shows the body of ██████████ complaint.

In the video, Deputy Pacheco and ██████████ exited C-Module with inmate ██████████ at 09:02:21. At 09:02:29, ██████████ was placed against the wall by deputies. It does appear in the photo as if he was intentionally leaning his head toward the wall. The amount of force used did not appear to be excessive and it appeared ██████████ was more "pressed" against the wall than "slammed" against the wall. It appeared at 09:02:41 that ██████████ was being held very firmly against the wall.

At 09:02:50, Sergeant ██████████ and Sergeant ██████████ entered the C-Module hallway and walked in the direction of ██████████. At 09:03:02, other deputies began to arrive in the C-Module Hallway. At 09:03:10, when sergeants were nearly in position, it appears as though ██████████

was trying to turn, and he was being prevented by Deputy Pacheco and Deputy [REDACTED] [REDACTED] was still standing at that point in the video. At 09:03:19, sergeants arrived on scene.

At that point in the video, [REDACTED] appeared to be engaging in conversation with sergeants on scene. He was no longer facing the wall, and at 09:04:16 deputies began to leave the scene. At 09:04:49, [REDACTED] abruptly dropped to his knees. The movement was quite sudden and took less than a second. At 09:04:56, Sergeant [REDACTED], who had arrived on scene with several deputies, turned and began to walk out of the C-Module Hallway before turning to go back. At 09:05:17 [REDACTED] moved to a supine position. Due to the number of deputies surrounding him, I am unable to determine whether it was the deputies or [REDACTED] that was the cause of this position being used. It appears that [REDACTED] was moved onto his side at 09:05:29, but the view is obscured.

At 09:06:46 deputies arrived with the restraint chair. At 09:06:57 there appeared to be a very momentary struggle as [REDACTED] was lowered into the restraint chair. At 09:07:51, additional deputies left to return to their posts. At 09:08:24, deputies accompanied by shift sergeants, transported [REDACTED] off camera.

Analysis:

The photographic and video evidence do not support the claim made by [REDACTED]. There was no evidence that he sustained sufficient injury to his wrists to cause bleeding. Moreover, [REDACTED] did not slowly lower himself to the ground, he abruptly dropped. The amount of time that he may appear to have spent in a prone position was not sufficient to cause danger to [REDACTED] and although he did not rise to the level of a combative inmate, his behavior appeared to be defensive resistive.

By [REDACTED] own admission, he made a conscious choice to disregard the lawful orders given to him by the deputies. Although [REDACTED] contends that he did not say that he was planning [REDACTED], due to the symptoms he described to me in his complaint, he has an unreliable ability to recollect events.

A Use of Force memorandum was completed by Sergeant [REDACTED]. In that memorandum a use of force analysis was completed and submitted to the chain of command. Sergeant [REDACTED] found the use of force to be within policy considering the events as they unfolded.

Based upon the evidence available, I concur with the findings by Sergeant [REDACTED]. Inmate [REDACTED] made a conscious effort to defy the lawful orders given to him by deputies Pacheco and [REDACTED]. According to my observations, the video footage showed periods where based upon the actions of [REDACTED] deputies would have been authorized the use of either soft empty hand techniques or hard empty hand techniques at the height of his resistance. Despite these circumstances, deputies used the minimum amount of force required to control [REDACTED] who admits that he was suffering from a mental health crisis at the time of the incident. I hereby recommend this complaint be closed at intake.