

Performance Review

TO: Justin Ellis
FROM: [REDACTED]
DATE: July 13th, 2020
REVIEWED BY: Lt. Alan Yoder
SUBJECT: Performance Review

Complainant: [REDACTED]
Time of incident: 0816 hours 07/13/2020
Place of incident: Email sent from department issued I-Phone

Background:

Officer Ellis provided untrue information to department supervisors and the SWAT team by email about the reason for his absence from training.

Violations:

Policy 103 Code of Conduct (III)(B)

"Officers shall not engage in conduct that constitutes conduct unbecoming of an officer or neglect of duty. Conduct unbecoming of an officer shall include that which brings the Department into disrepute or reflects discredit upon the officer as a member of the Department or that which impairs the operation or efficiency of the Department or officer."

Incident Summary:

On 07/12/2020 Officer Ellis was exchanging text messages with another Firestone Officer as follows;

Officer – 07/12 1428 hours, "What are you doing this afternoon/evening?"

Officer – 07/12 1533 hours, "Good talk"

Ellis – 07/12 (Unknown Time), "I was in King Soopers, no reception. The kids are gone and we are having a date night.

Officer – 07/12 (Unknown Time), Sent Meme

Ellis – 07/12 (Unknown Time), replied with a Meme
(See attached screen shot)

On 07/13/2020 at 0816 hours Officer Ellis sent an email to the SWAT team stating, "My mother suffered a mild heart attack yesterday and was taken to the hospital. I am currently in Texas with her and will not be back until Tuesday night."

(See attached email printout)

On 07/13/2020 at 1324 hours Officer Ellis and I had a phone conversation while I was driving to SWAT training, about his attendance to SWAT training today. I had not received his email, so he explained he was in Texas or Oklahoma providing a ride to his mother who had had a heart attack. He was giving her the ride from Texas to Oklahoma. He advised she needed to take it easy, and his brother who would normally assist her in Texas has the Corona virus and cannot help, so he was taking her to another sibling's home in Oklahoma.

On 07/16 at approximately 2330 hours was when I had first observed the text messages between the Officer and Officer Ellis.

On 07/27 at approximately 2230 hours Officer Ellis and I were eating dinner after we had both attended SWAT training. I asked him if we could have an awkward conversation and he said we could. I reiterated the above information to him and stated it did not seem plausible with the timing of the last text message and the SWAT email. I told him I feel like he did not want to use the, "My wife is sick" excuse that he used to miss previous SWAT trainings so he made up another reason. I also told him that of the eight SWAT trainings held this year he has only attended three.

Officer Ellis nodded his head and stated that is true, adding he was never in Texas. I explained that since Texas is a Covid hotspot, it exacerbated the problem when he returned to work with flu like symptoms. Officer Ellis explained his wife has heart problems, and they can't figure out why he gets sick all the time. Officer Ellis stated he has thought about stepping down from the team, because he can't make the trainings, but does not want the team to be shorthanded. He reiterated he likes being on the team and does not want to stop but, he needs to take care of his family first.

Officer Ellis first lied to the whole SWAT team through an untrue email, then told the same lie to me by phone.

These lies challenge Officer Ellis' integrity, besmirch his trustworthiness and reflect poorly on our department. Continued unchecked actions like this could cause wide and serious consequences for Officer Ellis, the Firestone Police Department and the Weld County SWAT team.

Corrective action taken:

Officer Ellis will receive this Performance review.

Failure to maintain the standards of conduct suitable and acceptable by the Town of Firestone will result in further and more severe disciplinary action up to and including dismissal.

Garrity is not applicable in this situation.

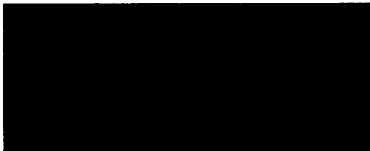
There is not an internal affairs investigation pending on this incident.

Your signature is required on this document to acknowledge that you received a copy.



Officer Justin Ellis

06-21-2020
Date



08/21/2020
Date



Chief David Montgomery

8/24/20
Date

[REDACTED]

From: [REDACTED]
Sent: Friday, July 17, 2020 11:58 AM
To: [REDACTED]
Subject: Fwd: Out of town

Caution: This email originated from outside of the Town of Firestone. Use caution - Do not click links or open attachments unless you recognize the sender and know the content is safe.

[REDACTED]
Weld County Sheriff's Office
Civil Division/SWAT
1950 O Street, Greeley, CO 80631

[REDACTED]
weldgov.com



Begin forwarded message:

From: Justin Ellis <JEllis@FIRESTONECO.GOV>
Date: July 13, 2020 at 8:16:07 AM MDT
To: '[REDACTED]@CO.WELD.CO.US'
<[REDACTED]@CO.WELD.CO.US>
Subject: Out of town
Reply-To: PD SWAT [REDACTED]@CO.WELD.CO.US>

Caution: This email originated from outside of Weld County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My mother suffered a mild heart attack yesterday and was taken to the hospital. I am currently in Texas with her and will not be back until Tuesday night.

Sent from my iPhone

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Justin >

Lame

Sat, Jul 4, 16:56

Do you want me to come help you tomorrow?

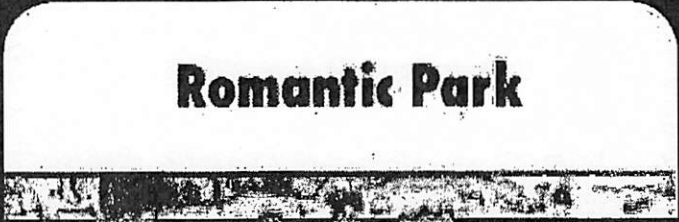
Sunday 14:28

What are you doing this afternoon/evening?

Sunday 15:33

Good talk

I was in king soopers, no reception. The kids are gone and we are having a date night.



Text Message

