



# Memorandum

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**TO:** Susan Greene (Colorado News Collaborative)  
**FROM:** Steve Black  
**DATE:** 05/12/2023  
**SUBJECT:** CCJRA Request for Kenneth Amick

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This summary is in response to the requested information for the CCJRA request, received by the original requestor on December 27, 2022 at 1016 hours, for all records of all completed internal affairs investigations (requiring disclosure) pertaining to Kenneth Amick that might affect his credibility.

### **Investigation 2019-REV-0017**

On 052919 at about 0920 Officer Amick was conducting a classroom portion of firearms training at the police department's firearms range. During what was supposed to be a dry fire exercise, Amick accidentally discharged a round from handgun he was training with. The weapon had been pointed in a safe direction and only did damage to the interior and exterior side of the walls. Officer Amick self-report to one of the watch commanders. The Commander and the Professional Standards sergeant responded to the range to meet with him. Officer Amick gave a statement regarding the instruction and what he was doing at the time. There was one non-GPD student present. A statement was obtained from the student, and it was consistent with Officer Amick's recollection of the events.

The department launched an administrative review of the accidental discharge was conducted. A review of the training course and materials was made. The instruction being given was an approved course and conducted properly with the exception of the oversight concerning the loaded gun. It was determined that the cost to repair the damaged wall was minimal since no damage was done to any structural or mechanical components. Lastly, the video cameras on sight corroborated what had happened in the classroom.

It was determined that Officer Amick violated three policies concerning firearms safety, failure to adhere to policy, and the City of Greeley policy on conduct. Having had no previous incidents during his long tenure as a firearms instructor, he received a letter of reprimand for the violations.

### **Investigation 2019-RTR-0032**

On 082919 at about 1733 Officer Amick was on patrol and initiated a traffic stop on two motorcycles that had committed traffic violations. One of the motorcycles (MC) drivers stopped the other continued going. The driver that stopped was a fully patched Bandidos

outlaw MC gang member. The MC driver that continued was identified as patched "supporter" of the Bandidos. Officer Amick called for a backup car because he was concerned the other MC rider would circle back on him. The rider who stopped (subject 1) got off of his MC and was ordered back onto the MC. He refused Amick's orders to do so. Furthermore, he continued to put his hands into his clothing despite being told not to do so. Officer Amick decided to do a pat down for weapons. Subject 1 began to resist this pat down and struggled against the officer. Amick had to take him to the ground. He continued to struggle and kept reaching into the clothing.

During this time the Bandidos supporter (subject 2) did come back to the stop location and began to approach on foot. Amick ordered him to stop and put his hands on his head and he complied. An off-duty Weld County Detention Deputy stopped to assist. Officer Amick issued a warning that subject 1 was going to be tased if he did not comply. Officer Amick did end up deploying his taser which had the desired effect. The second Greeley officer arrived on scene and assisted getting subject 1 handcuffed. Subject 2 was found to have a claw hammer on his belt and a hatchet attached to the handlebars of his MC.

Subject 1 was found to have a baggy of meth on his person. Subject 1 complained of pain to his knees and kidney and believed that he was struck by the officer. He said that he resisted because he was scared and trying to get rid of the methamphetamine.

The administrative review of this incident found that Officer Amick used a reasonable level of force during the arrest and that level of force was appropriate and necessary. Once the resistance stopped, the use of force ceased as well. The BWC video corroborated Amick's statement. Furthermore, there was no evidence of any strike being delivered to the kidney area of subject 1. There was no policy violation(s) found and the incident was handled in compliance with GPD directives and state law. No adverse action taken against the officer.

### **Investigation 2020-RTR-0029**

On 10/20/2020 at about 1804 hours in about the 2000 block of 30th Street, a Greeley Police Officer conducted a traffic stop on a vehicle. The officer immediately recognized one of the passengers as man who was wanted for kidnapping and aggravated assault and was known to carry weapons. The officer tried to detain the suspect inside the car, but he got out and fled on foot. The officer called for emergency back up and gave chase on foot. The subject ran to a strip mall where he found a running vehicle and tried to carjack it. The owner of the car was close by and interceded. The citizen stated that he punched the suspect 3-4 times and was able to put the car back in park and get the keys out. At this time, the stop officer arrived giving commands for the suspect to get his hands up and exit the car. He did not comply and tried to close the windows.

The officer deployed his Taser which proved effective at immobilizing him. By this time, additional officers arrived including officer Amick. With the effects of the taser wearing off, the officers tried to work in tandem to extricate him from the car the suspect was

resisting and holding tightly onto the steering wheel. Officer Amick attempted to deliver two knee strikes to the subjects legs but they had no effect. Finally, using pressure point compliance techniques, the subject complied and released his grip on the steering wheel. The only injuries the subject received were the two taser probes and a minor injury to his lip that was caused by the owner of the car.

The administrative review of this incident found that the officers used a reasonable level of force during the arrest and that level of force was appropriate and necessary. Once the resistance stopped, the use of force ceased as well. There was no policy violation(s) found and the incident was handled in compliance with GPD directives and state law. No adverse action taken against the officers.

### **Investigation 2020-CMPL-0008/ COMP22-4-13/ INV22-4-10**

On 12232020 Officer Amick and three other Greeley Police Officers were assigned to a special enforcement unit. They were tasked with looking for stolen vehicles. Officers were conducting surveillance in the 1800 block alley between 6th and 7th Avenue. While completing surveillance at that location, officers observed a white Mazda RX8 with no license plates turn into the alley and park in the backyard of 1811 6th Ave.

Officers moved into the property and were able to confirm that there was a stolen white Dodge truck and the VIN to the Mazda had a registered owner of Ehrlich Chrysler and Dodge car dealership in Fort Morgan. Officers also located a crane that was believed and later confirmed to be stolen which was previously attached to the stolen Dodge truck. Officer Amick and his partner contacted Mr. Salinas at the back door of the residence. Salinas was asked about the stolen vehicle and crane on the property which Mr. Salinas denied any knowledge of. Mr. Salinas was also asked about the Mazda, and he advised that he drove the Mazda. Mr. Salinas stated his sister was the owner of the Mazda, but he was unable to provide and registration or proof of ownership.

An officer was able to contact the subject's sister, and she advised that the vehicle was owned by her and her husband but stated that it was never registered, and it was purchased in 2018. She advised that the subject was driving her vehicle without permission. She requested that the officer take the vehicle from the subject because he was driving a vehicle, he had no permission to be driving, the vehicle did not have plates, and it did not have insurance. The officer asked her if she would be able to provide proof of ownership and she stated she believed she had the title to the vehicle.

Ultimately, the ownership of the car could not be determined, and it was decided the vehicle would be towed until ownership could be established.

While officers were conducting research to verify the owner of the Mazda, the subject was with the three other officers pacing back and forth and had to be told multiple times that he needed to stay by the fence on the property to stay out of the way of the other officers and the civilian tow truck driver who was trying to load the crane. The subject

continuously failed to follow instructions from the officers. At one point the subject told an officer "I don't give a fuck what you say". The subject began walking closer to this officer and another officer observed that the subject was clenching his fists, and at that point he made the decision to place the subject into handcuffs and advised him verbally that he was being detained. These two officers each grabbed onto the subject's arms at which point he tensed up his body and refused to place his hands behind his back. Officers had to force the subject to the ground to place him into handcuffs. While on the ground the subject began to exclaim that he could not breathe.

While officers were still trying to determine if the Mazda was an unreported stolen vehicle, the tow truck arrives at the residence to remove the confirmed stolen property. The tow truck driver advised that he would need the Mazda moved for him to be able to recover the confirmed stolen crane. Officer Amick advised that he would be able to move the Mazda, he obtained the keys for the Mazda from another officer, and he got into the vehicle and drove it out of the way of the tow truck drivers.

The decision was made to also tow the Mazda as officers were unable to determine the owner of the vehicle that way if the subject's sister did in fact own the vehicle and had a title she would be able to claim it in that manner. An officer completed a vehicle inventory for the tow. During his inventory of the vehicle, the officer located a firearm in a black Kia case. The subject was determined to be a previously convicted felon and was charged with the illegal possession of the firearm. On 03/23/22 at approximately 1000 hours, Mr. Salinas came into the Greeley Police Department to with the sergeant of the professional standards unit. The subject wished to make a complaint about the arrest that occurred two years prior. The subject provided the sergeant with his version of the events to include mistreatment by the officers and conduct that he felt was inappropriate on the part of the officers who were present. His complaints were based upon four things.

An administrative investigation was begun by the Professional Standards sergeant. The subject outlined the four areas of his complaint being that he was targeted by the officers, that he was thrown to the ground, and he was put in jail for something that he did not do, and that his constitutional rights were violated. The results of the investigation into this incident found that the officers conduct was appropriate in all areas including the four specific issues the subject brought up. There was no policy violation(s) found and the incident was handled in compliance with GPD directives and state law. No adverse action taken against the officers.

### **Investigation 2021-IA-0003/2021-VPR-0001**

Early in January 2021, a local parolee, was involved in numerous crimes in the area. It became known throughout the Greeley Police Department that he was wanted on several serious felony charges. Information was further distributed throughout the department advising that he was armed and had made statements that he would not go back to

prison. Furthermore, he made statements he would "shoot any cop he comes into contact with."

January 19, 2021 10:52 AM Greeley detectives receive a tip that this subject was currently in a room at the Heritage Inn, Evans Colorado, with an associate. Information received was he was armed with a handgun. Surveillance was established and he was followed when he left from the hotel. Surveillance was lost and then re-established on I25 near Meade. and then at about 2:20 PM they lose the subject's vehicle in the area of I-25 and Mead. The subject becomes involved in a traffic accident and carjacked another car and flees the scene. The stolen vehicle he is driving is witnessed by officers entering Greeley once again and is eventually located in the 1700 block of 12th Ave.

Officers establish surveillance on the residence on that block. Later, the subject is observed getting into a different vehicle, a blue Toyota Forerunner driven by a known friend of his. Officers and detectives follow the Forerunner and attempted a high-risk traffic stop in the 1600 block of 20th St. The driver yields to the officers and stops. The subject forces the driver from the car and then flees the stop in the Forerunner. Fleeing at a high rate of speed. The officers initiated a traffic pursuit to try and get the subject into custody. He eventually crashes into another vehicle at the loaf and jug convenience store in Evans.

The subject attempts to carjack a BMW, which is parked in front of the store. This was not successful when the owner refuses to cooperate. During this time, it is plainly visible that he is armed with a handgun. Officer air over the radio and shout warnings that he has a gun. He runs again and enters another vehicle where an innocent owner is using the vacuuming station from a car wash. The subject is confronted by multiple including officers, including Officer Amick. Warnings and commands were verbally given. He is shot when he brandishes the handgun at officers while inside the vehicle. He is able to exit the car with the gun in his hand and is engaged by officers once again. The subject died at the scene. Officer Amick was one of the officers on scene who discharged their weapons due to the lethal threat posed by the subject.

The Weld County Critical Incident Response Team, under the direction of the Weld County District Attorney's Office was the lead investigative agency for this incident. A comprehensive investigation was conducted by this investigative team. The Weld County District Attorney determined that the use of lethal force by all Greeley Police Officers was legally justified.

At the conclusion of the criminal investigation by the District Attorney's Office, the police department began an administrative investigation of the entire incident. The administrative review found that the officers and nearby citizens in this situation faced an immediate lethal threat from the subject and that the use of deadly force against him was not only reasonable but necessary. The internal investigation found that there was no

policy violation(s) found and that the officer's actions were in compliance with GPD directives and state law. No adverse action taken against the officers.

### **Investigation 2021-RTR-0012**

On 021421 officers responded Days Inn Hotel at 5630 10<sup>TH</sup> Street on a reported domestic violence assault. The officers determined that the subject had assaulted his girlfriend and she had likely sustained serious bodily injury as part of the assault. Officer Amick and a police supervisor responded to a residence in the 900 block of 39<sup>th</sup> Ave to attempt to contact the suspect. Officers Knocked on the door and it was answered by the suspect's mother. She advised the officers that she was taking "him" to the hospital because he had a large slash on his neck. The situation, as described by the mom, sounded serious.

At one point the subject was observed inside the house. The subject's mom was holding the door open, and Officer Amick entered the home and moved towards the bathroom. The mom tried block him. The sergeant followed Amick into the house. Amick attempted contact with the subject, but he moved away from them and into the bathroom. where he was contacted by Officer Amick. It was obvious that the subject needed medical attention due to a visible wound. While Amick was dealing with the subject, the sergeant was speaking with his mom who was telling officers she did not want officers in the house, and she accused Officer Amick of putting a choke hold on her. The suspect was taken into custody.

A week later on 022121 the subject's mother contacted the police sergeant wanting Officer Amick's name. This and his badge number was provided. The sergeant asked if she wanted to pursue a formal complaint and she said she was not ready to do that. She did, however, allege that she had gone to UHealth urgent care and was diagnosed with a concussion and alleged the concussion was the result of her interaction with Officer Amick. She was advised that he (sergeant) was the contact point if she wanted to make a formal complaint in the future.

Although the mom said that she did not want to initiate a formal complaint the department decided that an administrative review of the incident needed to be conducted in any case. First, the question about Officer Amick entering the home was examined. The analysis determined that there were sufficient emergency circumstances going on to legally justify entry into the home. Second, the question of Officer Amick causing injury to the complainant was examined. In watching the BWC video at no point did Officer Amick strike her. Furthermore, choke hold was delivered. It was clear from the video evidence that this was fabricated. The only physical contact between them was Amick brushing by and him putting his hand on her upper chest/shoulder area and moving her out of the way so that he could move past her.

The determination of the investigation was that the officers acted properly in entering the home under the circumstances and the allegation of assault against Officer Amick was unfounded.

### **Investigation 2021-RTR-0009**

On 021521 officers were dispatched to the area of 2837 35<sup>th</sup> Avenue parking lot on a reported fight with weapons. As officers were responding dispatch aired that the suspect had left the scene and gave a vehicle description. There was also information aired that he potentially had a firearm. One of the Greeley officers spotted the suspect car and made a traffic stop. The suspect was slow to obey officer commands but eventually did so. Officer Amick handcuffed the suspect and began walking him to his car. As Amick was walking the suspect he began to resist. He initially tried to pull away, but Officer Amick restrained him from that. He stopped and began to push back against the officer. At one point the suspect grabbed one of Amick's thumbs and began to squeeze also dipping his shoulder and twisting. The suspect continued to struggle and was taken to the ground. The suspect had not yet been patted down and it was unknown if he had a gun as the 911 caller thought. During this, the subject sustained some abrasions to his face. He was medically cleared and then taken to jail.

The administrative review of this incident found that Officer Amick used a reasonable level of force during the arrest to prevent injury to himself or escape of the prisoner. That level of force was appropriate and necessary. Once the resistance stopped, the use of force ceased as well. There was no policy violation(s) found and the incident was handled in compliance with GPD directives and state law. No adverse action taken against the officers.

### **Investigation 2021-REV-0010**

On 041521 the Greeley Police Department received an email from a citizen who wanted to lodge a complaint about an unknown officer and what she perceived to be reckless driving of that officer. She described an incident where she observed a police car driving too fast without emergency equipment and swerving in and out of lanes of traffic. She alleged that the officer activated his lights only to go through red lights before shutting them down just to avoid having to sit through a red light. She provided specific date (041321), time, location and GPD unit information.

Due to the nature of the complaint, the department initiated an administrative review of the complainant's allegations. The complaint was assigned to supervision to investigate. It was determined that Officer Amick was the officer driving that unit on the date/time/location of the observed driving. The supervisor learned that Officer Amick was one of the officers dispatched to an armed robbery of a store involving a firearm. This was in the 3200 block of 10<sup>th</sup> Street. Information was being provided that the suspect took off on foot into the residential area behind the Dairy Queen restaurant.

The description of the driving provided by the citizen correlates to a "code2" or expedited response that allows officers to, when confronted by a controlled intersection, to clear the intersection by the use of emergency equipment and then shut said equipment down. This response is used when continuous use of full lights and sirens emergency equipment (code3) is not necessary.

Officer Amick was aware that an armed suspect had fled into a residential area. He was needed there quickly to assist with setting up a perimeter to contain the suspect, but he did not need to respond with a full "code3" response.

The AVL system for officer Amick's car was located and it showed that at approximately three locations Officer Amick's car was exceeding the posted speed limit, at times during his response to the robbery. Policy for code 2 response requires that the officer travel at the speed limit while responding. Whether a siren was used during the time he cleared the intersection remains unclear.

The final supervisor analysis determined that while not egregious, the exceeding of the speed limit was a violation of policy on emergency operation of vehicles. Officer Amick received counseling for the violation.

### **Investigation 2021-IA-0007**

On 060721, at about 1545 hrs, Officers Amick, and two other officers responded to the City round building at 1000 10th Street to contact a male party possibly making threats and acting strangely toward city employees at the annex building across the street on the corner of 11th Avenue and 10th Street. An employee in that building had activated a silent panic alarm causing dispatch to respond officers to investigate.

The first officer on scene contacted the subject, in the round building and Officers Amick and the third officer arriving shortly after. During the contact Officer Amick requests a clearance and is advised the subject has an active felony warrant. He is also advised that there is a flag on him for threatening police officers in the recent past. Amick advises the officer who established the contact, and he lets the subject know there is a warrant for his arrest. The video for each officer's BWC shows the subject alternating between aggressive and compliant. Officers suspect he is under the influence of drugs. The initial officer asks Amick to take the arrest as his (Amick's) vehicle is close by. Amick begins to approach the subject to place him under arrest and the subject tells Amick that, "You can hug me first, then you can search me".

Amick steps up to him and gives him a brief hug, then turns him around and places handcuffs on him. Amick completes the pat down and removes several articles from his pockets and hands them to the third officer. Officer Amick begins to walk the subject toward the doors to exit. After a few steps Amick abruptly stops and brings his left arm up and across in front of the subject's throat and tells him, "You're not gonna grab my hand, ok? You're not gonna grab my hand". Amick maintains his hold around his throat for about 11-12 seconds, according to the BWC. The officer who was first on scene is immediately telling Amick to "Take it easy, Take it easy" and "Let him go." The officer also reaches up to where Amick's hand is on the subject's shoulder in an attempt to get Amick to loosen his grip, to release the hold. Amick finally releases his hold on him as he goes down the floor on his knees. The subject drops his head, appearing to be stunned or

regaining his bearings. Officers later describe the look in his eyes to be "deer in the headlights" look.

He remains on his knees recovering another 20-25 seconds and then is helped to his feet by the other officers, along with Amick. Amick and the initial officer then head toward the doors with the subject in control and get through the door to the north sidewalk in front of the building. As they get to the sidewalk and take a few steps toward Amick's vehicle in the parking lot Amick begins to yell, "See how you're grabbing my hand, let go of my hand, let go of it, let go of it!" and begins to deliver three knee strikes to his left thigh. He then pushes him down to the sidewalk and pins his head to the ground with his left hand pressing on the right side of his face. Amick holds him down in this manner for over thirty (30) seconds when third officer on scene then takes hold of Wilson's right arm and helps him to stand up with Amick and walks him to Amick's vehicle.

The subject complains that he was "assaulted" and requests a supervisor to respond. A police sergeant responds to the scene and contacts the subject in the back seat of Amick's vehicle. He tells the sergeant he believes he was assaulted and that he was "lifted up and choked out" during his arrest. Upon clearing the scene, both cover officers contact the sergeant and advise him that they needed to report that they believed that Amick used excessive force and "choked out -----(subject name)" and delivered knee strikes that were inappropriate./unwarranted.

Due to the nature of the allegations, it was determined that an internal investigation needed to be done. However, it quickly became apparent that the incident may have risen to the level of a crime. Therefore, the administrative investigation was delayed until the conclusion of a criminal investigation. On or about 062821 the Weld County DA decided to file a felony charge against Amick. It was at this point the Greeley Police Department's internal investigation was started.

The investigation was conducted by the department's professional standards sergeant. Aside from the video evidence (BWC, city buildings) and other officer observations, an important piece of information was from the department's training sergeant. He concluded Officer Amick's use of the choke hold to control Wilson in the lobby of the round building was likely prohibited by policy, has never been trained, and is a violation of law, as well (based on the DA's decision). The use of knee strikes, which are part of the department's training and authorized techniques under certain circumstances, are more tangential considering the choke hold.

The administrative investigation of this incident found that the Officer Amick used an unreasonable, inappropriate, and unnecessary level of force during the arrest of the subject. The DA's office determined that his actions rose to the level of criminal conduct. The department sustained six policy violations concerning violation of the use of force policy, dereliction of duty, and other standards of conduct. This resulted in Amick's termination from the police department.