

**DOUGLAS COUNTY SHERIFF'S OFFICE  
INTERNAL AFFAIRS**

**PROGRESS REPORT 26IA-009**



**COMPLAINANT:**



**MEMBER:**

Deputy Michael Kluth

**INVESTIGATOR:**

Sergeant Adam Cummings

**ALLEGATION:**

PP-C-102 (I) Sexual Misconduct  
PP-C-101 (III) (U) On- and Off-Duty Conduct  
PP-C-101 (III) (CC) Exercising Discretion  
PP-C-101(IV)(A) Commission of a Deceptive Act:

State of Colorado, County of Douglas  
Certified to be a full, true, and correct  
copy of the original in my custody

Darren Weekly

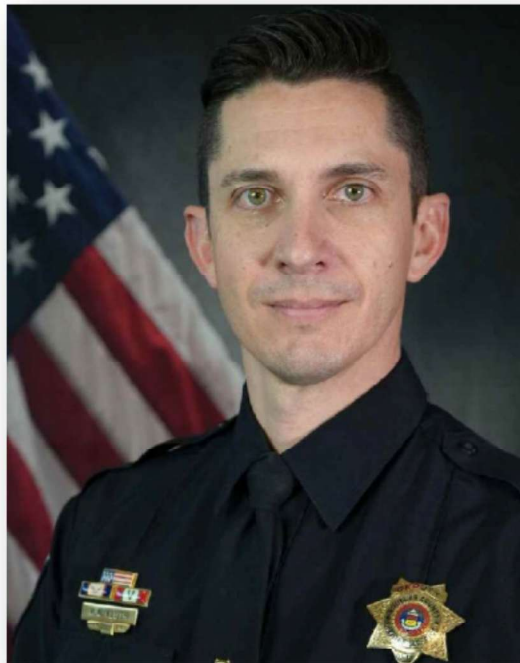
Sheriff of Douglas County

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**DATE OF ALLEGATION:**

September 2024 - Current



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**DOUGLAS COUNTY SHERIFF'S OFFICE**  
**INTERNAL AFFAIRS**

**PROGRESS REPORT 26IA-009**

**BACKGROUND:**

On February 20<sup>th</sup>, 2026, the Douglas County Sheriff's Office Internal Affairs Division received information stating Deputy Michael Kluth engaged in a sexual relationship with [REDACTED] a [REDACTED] teacher, while he was on duty and assigned as the School Resource Officer (SRO) at [REDACTED] Elementary School.

**NARRATIVE:**

On Friday, February 20<sup>th</sup>, 2026, Commander Jenny McMillan received information from Commander Derek Castellano alleging SRO Michael Kluth had an affair with a teacher at [REDACTED] Elementary School. Commander Castellano emailed a progress report to Commander McMillan, who then shared the progress report with me. Commander Castellano's progress report was saved and uploaded to IAPro.

According to Commander Castellano's progress report, he was contacted by Jonny Grusing, the Director of School Security with the Douglas County School District. Jonny informed Commander Castellano he received a complaint from [REDACTED] Elementary. According to Jonny, [REDACTED] approached Jonny on February 18<sup>th</sup>, 2026, during a school lock down drill, and reported Deputy Kluth had an affair with a teacher, at the school, last year. [REDACTED] reported the affair occurred on school grounds, inside Deputy Kluth's patrol vehicle, while he was on duty. Commander Castellano reported that Deputy Kluth is currently assigned to [REDACTED] High School but was previously assigned to [REDACTED] Elementary.

According to Commander Castellano's report, Jonny identified the involved teacher as [REDACTED]. Jonny also said some of the female staff members reported Deputy Kluth was flirtatious with office staff members and several staff members reported this information to [REDACTED] but Jonny didn't know their names.

**Phone interview with [REDACTED]**

On February 20<sup>th</sup>, 2026, I conducted an interview with [REDACTED] via telephone. The interview was recorded using my body worn camera. The following information is a synopsis of that interview. It is not a verbatim transcript, nor is it necessarily in the order in which statements were made. It is authored for ease of reading and clarity. For additional detailed information, please review the recorded interview uploaded and saved to AXON.

I began the interview by informing [REDACTED] I received the complaint regarding Deputy Kluth. [REDACTED] told me Deputy Kluth was the SRO assigned to [REDACTED] Elementary the previous school year. [REDACTED] said [REDACTED] observed several relationships Deputy Kluth had when he was the

**DOUGLAS COUNTY SHERIFF'S OFFICE  
INTERNAL AFFAIRS**

**PROGRESS REPORT 26IA-009**

SRO at [REDACTED] Elementary and heard from other principals regarding similar concerns related to Deputy Kluth's behavior in other schools. [REDACTED] described Deputy Kluth's behavior as, *"flirtatious and beyond the scope of his responsibility"* with one of the school staff members in the office. [REDACTED] described it as a big distraction of time. [REDACTED] identified two other principals who said Deputy Kluth had similar relationships with a few staff members in their buildings. [REDACTED] said the other two principals included the principals of [REDACTED] and [REDACTED] Elementary Schools.

[REDACTED] said [REDACTED] recently found out, from a current employee, that Deputy Kluth was having an affair with a teacher who used to work in the school [REDACTED] Elementary). [REDACTED] said, *"But – um – it sounded to me from that – things that that teacher had heard – um – that the [REDACTED] who was involved from our staff say was that they were – um – having times during lunch periods, and other parts during the school day – um – when they were in his patrol car, possibly having sex, or at least engaged in other activities. Um – and – like during the school day having things happen."* [REDACTED] expressed concern with Deputy Kluth's new assignment at a High School, stating, *"I don't have any evidence of this at all, so it was only a concern of – if he is doing this with – you know – pretty young staff members, if that would be something he would continue with in high school girls."* [REDACTED] also said [REDACTED] was concerned with Deputy Kluth's level of authority while interacting with female staff members that goes beyond what should be a traditional workplace relationship. [REDACTED] said the principal at [REDACTED] relayed similar behavior with another person in their office and the principal at [REDACTED] told [REDACTED] Deputy Kluth reached out to one of the teachers, via social media, in an attempt to develop a relationship outside of school. [REDACTED] said that teacher found it awkward that Deputy Kluth reached out to [REDACTED] using social media. [REDACTED] identified the principal at [REDACTED] and the principal at [REDACTED]

When I asked [REDACTED] about [REDACTED] observations of Deputy Kluth's behavior, [REDACTED] said [REDACTED] observed Deputy Kluth spending a lot of time with certain women in the office and flirtatious behavior. [REDACTED] said [REDACTED] didn't know anything about the sexual relationship with the teacher and [REDACTED] just learned that information recently. [REDACTED] told me [REDACTED] didn't believe [REDACTED] addressed [REDACTED] concerns directly with Deputy Kluth, but recalled speaking with Dave Marty and/or Jonny by saying, *"Hey, we got a lot of time spent in our office, can we talk with him about what his responsibilities are, because he spent a lot of time in the front office talking with certain female staff members."* When I asked [REDACTED] if [REDACTED] ever spoke with any of Deputy Kluth's supervisors about [REDACTED] concerns, [REDACTED] told me [REDACTED] only spoke with Dave Marty, whom [REDACTED] identified as the school's security [officer].

Next, I asked [REDACTED] for the identity of the person who brought the sexual relationship information to [REDACTED] attention. [REDACTED] identified one of the [REDACTED] teachers, [REDACTED]. [REDACTED] also identified the teacher who was in a sexual relationship with Deputy Kluth as [REDACTED]. [REDACTED] said [REDACTED] now works at [REDACTED] Elementary. [REDACTED] confirmed [REDACTED] had never spoken with [REDACTED] about this complaint, but learned the following information from [REDACTED]

# DOUGLAS COUNTY SHERIFF'S OFFICE INTERNAL AFFAIRS

## PROGRESS REPORT 26IA-009

- Deputy Kluth and [REDACTED] had an on-going affair throughout the school year.
- Deputy Kluth and [REDACTED] were having relations during the lunch hour.
- The lunch hour relations sometimes occurred in Deputy Kluth's patrol vehicle.
- Deputy Kluth spent a lot of time in the [REDACTED] classroom.
- Deputy Kluth and [REDACTED] relationship ended when they had a disagreement over leaving their spouses.

After the interview with [REDACTED] Commander McMillan and I responded to interview both [REDACTED] and [REDACTED] Commander McMillan responded to [REDACTED] Elementary to interview [REDACTED] and I responded to [REDACTED] Elementary to interview [REDACTED] Both interviews occurred simultaneously, and information was relayed between Commander McMillan and me, as needed.

### Interview with [REDACTED]

On February 20<sup>th</sup>, 2026, Commander McMillan responded to [REDACTED] Elementary to interview [REDACTED] Commander McMillan's interview was recorded using her body worn camera. Commander McMillan also authored a progress report detailing her interview with [REDACTED] The following information is a synopsis of that interview. For additional detailed information, please review the body worn camera footage uploaded and saved to AXON and Commander McMillan's progress report saved to IAPro.

According to [REDACTED] [REDACTED] and Deputy Kluth formed a friendship through school-based interactions. Their communications gradually expanded outside of work and eventually developed into an intimate relationship.

[REDACTED] reported their relationship lasted from approximately September 2024 through October 2024, with the last non-work-related communication occurring on December 10<sup>th</sup>, 2024. [REDACTED] said [REDACTED] was in a vulnerable emotional period because [REDACTED] had separated from [REDACTED] [REDACTED] Additionally, [REDACTED] said their intimate meetings occurred off school property, typically in [REDACTED] vehicle or Deputy Kluth's personal vehicle, and described their relationship as consensual.

[REDACTED] reported meeting Deputy Kluth several times after work at the RTD lot near the Douglas County Sheriff's Office Highlands Ranch Substation. [REDACTED] also said [REDACTED] met with Deputy Kluth in Castle Rock, near a friend's archery property, and again at another RTD garage. [REDACTED] initially denied any on-duty misconduct or activity in Deputy Kluth's patrol vehicle but eventually admitted their first physical contact occurred around noon at a park near [REDACTED] Elementary. [REDACTED] said Kluth arrived in his patrol vehicle and was in uniform during this interaction. [REDACTED] said Deputy Kluth got out of his vehicle and kissed [REDACTED] while [REDACTED] remained inside [REDACTED] vehicle. [REDACTED] said this occurred between [REDACTED] two [REDACTED] classes.

[REDACTED] also acknowledged frequent messaging with Deputy Kluth during working hours and characterized the amount of communication as, "probably inappropriate." [REDACTED] said most of their communication occurred through Instagram and Snapchat. [REDACTED] believed no inappropriate images

**DOUGLAS COUNTY SHERIFF'S OFFICE**  
**INTERNAL AFFAIRS**

**PROGRESS REPORT 26IA-009**

were exchanged but was uncertain. [REDACTED] recalled [REDACTED] final communication with Deputy Kluth occurred, via DCSD email, regarding [REDACTED] concern about being [REDACTED]. [REDACTED] said Deputy Kluth sent [REDACTED] an email regarding his [REDACTED]. According to [REDACTED] the email read, "we're all good" and Deputy Kluth wished [REDACTED] "health and happiness."

[REDACTED] confirmed [REDACTED] and Deputy Kluth met once or twice during [REDACTED] lunch period but denied any sexual activity on school grounds or inside Deputy Kluth's patrol vehicle. [REDACTED] also indicated Deputy Kluth had professional boundaries. [REDACTED] denied being coerced by Deputy Kluth and asserted Deputy Kluth did not use his position to influence [REDACTED]. [REDACTED] also said [REDACTED] didn't believe Deputy Kluth would exhibit this same behavior with a student.

On Friday, February 20<sup>th</sup>, 2026, [REDACTED] sent an email to Commander McMillan containing eight attachments. The attachments contained email communication between Deputy Kluth and [REDACTED]. Only one email is relevant to this investigation. That email was from Deputy Kluth to [REDACTED] dated November 15<sup>th</sup>, 2024 and contains the following message: *Nothing there Wish you health and happiness.*

**Interview with [REDACTED]**

On February 20<sup>th</sup>, 2026, I conducted an interview with [REDACTED]. The interview was recorded using my body worn camera. The following information is a synopsis of that interview. It is not a verbatim transcript, nor is it necessarily in the order in which statements were made. It is authored for ease of reading and clarity. For additional detailed information, please review the recorded interview, uploaded and saved to AXON.

[REDACTED] began by telling me [REDACTED] has worked at [REDACTED] Elementary since [REDACTED] first [REDACTED] class became freshmen in high school. [REDACTED] said [REDACTED] left momentarily but returned and has been back in the school for three years.

[REDACTED] said [REDACTED] worked with [REDACTED] because [REDACTED] and [REDACTED] were the [REDACTED] teachers before [REDACTED] left to work at [REDACTED] Elementary in 2025. When I asked [REDACTED] to tell me about [REDACTED] relationship with [REDACTED], [REDACTED] said [REDACTED] currently doesn't have a relationship with [REDACTED] but they were friendly last year. [REDACTED] said [REDACTED] and [REDACTED] knew about each other's personal lives, but they did not socialize outside of work.

Next, I asked [REDACTED] to tell me what [REDACTED] knew about [REDACTED] relationship with Deputy Kluth. [REDACTED] said, "It could have been fabricated by the person, but what I was told – to me – is that there was an affair that was happening over a period of – I want to say at least a couple months." When I asked [REDACTED] who told [REDACTED] this information, [REDACTED] told me [REDACTED] told [REDACTED] this. When I asked [REDACTED] to tell me what [REDACTED] said to [REDACTED], [REDACTED] said, in part, "So many things. Um, just that they had an – a sexual relationship that [REDACTED] thought was very serious, and to the point where [REDACTED] thought that he might leave his significant other." [REDACTED] said both Deputy Kluth and [REDACTED] were

**DOUGLAS COUNTY SHERIFF'S OFFICE**  
**INTERNAL AFFAIRS**

**PROGRESS REPORT 26IA-009**

married during the time of the affair, and when the relationship ended, [REDACTED] was extremely upset. [REDACTED] recalled the affair occurred in October 2024.

[REDACTED] also said [REDACTED] told [REDACTED] [REDACTED] was nervous to tell [REDACTED] about the affair because [REDACTED] knew [REDACTED] was divorced because of infidelity. [REDACTED] said, *"And, so the comment [REDACTED] made to me was – almost a direct quote – was, um, I was really nervous to tell you because I know that you had been – you know – cheated on or whatever, and you have kids, and – and [REDACTED] like – so I felt really bad when we're sitting there doing it in his car with a picture of his wife and kids right there."*

[REDACTED] told me there was another witness who knew more about the affair, but the witness didn't want to be identified and refused to participate in an interview with me. [REDACTED] also told me it was [REDACTED] belief there was email correspondence using the school district's email accounts between [REDACTED] and Deputy Kluth. When asked to elaborate, [REDACTED] told me it is [REDACTED] belief that [REDACTED] has a problem with telling the truth and for that reason, [REDACTED] takes [REDACTED] statements with a grain of salt. However, [REDACTED] claimed to be [REDACTED] and sent an email to Deputy Kluth asking him how confident he was with his [REDACTED]

When I asked [REDACTED] if [REDACTED] had any knowledge of Deputy Kluth and [REDACTED] engaging in inappropriate conduct while they were on duty. [REDACTED] responded by asking, *"Does a lunch break constitute that?"* [REDACTED] then told me [REDACTED] believes Deputy Kluth and [REDACTED] met up at some point on their lunch break, but [REDACTED] doesn't know what happened on their lunch break. [REDACTED] said, *"So, I – I don't want to speak directly to that because I don't want to say something – but it was implied."* [REDACTED] said [REDACTED] told [REDACTED] the first time [REDACTED] and Deputy Kluth met, Deputy Kluth kissed [REDACTED]. [REDACTED] also said [REDACTED] thinks [REDACTED] and Deputy Kluth met at a park on one occasion, and [REDACTED] made a comment about *"having relations"* in Deputy Kluth's car. When asked, [REDACTED] said [REDACTED] was talking about Deputy Kluth's patrol car. [REDACTED] then clarified this is an assumption made by [REDACTED] because [REDACTED] was talking about things that happened in the middle of the day. [REDACTED] also said, *"Whether – but like I said – whether this is true, couldn't tell you."*

[REDACTED] then told me [REDACTED] thought it was funny to provide graphic details but refused to share what graphic details [REDACTED] shared. Eventually, [REDACTED] said, *"Um, his – the comment that [REDACTED] made was – I'm pretty sure that he broke it up – broke it off with me, because I was honest with him about the fact that he couldn't make me orgasm. That was the direct quote."*

When I asked [REDACTED] what else [REDACTED] shared with [REDACTED] about [REDACTED] relationship with Deputy Kluth, [REDACTED] said, *"Just that they were intimate. They exchanged messages, I know. Whether those were texts – or whatever – some sort of social media, I know there was lots of that. Um, and then [REDACTED] was very, very upset when he broke it off with [REDACTED] and made it very awkward the rest of the year because he was still here and they were – like – avoid each other."*

When I asked [REDACTED] if [REDACTED] observed any other inappropriate conduct with Deputy Kluth and other teachers, [REDACTED] said, *"No."* [REDACTED] also said [REDACTED] was very jealous because [REDACTED] thought Deputy

**DOUGLAS COUNTY SHERIFF'S OFFICE  
INTERNAL AFFAIRS**

**PROGRESS REPORT 26IA-009**

Kluth was "very flirty" with other people.

**Interview with Deputy Kluth:**

On February 20<sup>th</sup>, 2026, Commander McMillan and I conducted an interview with Deputy Kluth inside the Douglas County Sheriff's Office Internal Affairs Division recorded interview room. The following information is a synopsis of that interview. It is not a verbatim transcript, nor is it necessarily in the order in which statements were made. It is authored for ease of reading and clarity. For additional detailed information, please review the recorded interview, uploaded and saved to AXON.

I began the interview by providing Deputy Kluth with a Notice of Complaint. After reviewing the Notice of Complaint, Deputy Kluth signed the form. I then read Deputy Kluth a Garrity Advisement. Deputy Kluth signed the Garrity Advisement. In addition, I informed Deputy Kluth the interview was being recorded. Commander McMillan then emphasized the importance of answering questions honestly and completely.

Deputy Kluth has been employed with the Douglas County Sheriff's Office since 2007. Deputy Kluth was hired as a specialist and attended the Jefferson County Academy in 2009. Deputy Kluth then worked in the Detentions Division for approximately two years before transferring to the Patrol Division. Deputy Kluth worked as a School Resource Officer from 2011 until 2016, at which point he transferred to the Investigations Division where he worked on the Juvenile Unit and conducted arson investigations. Deputy Kluth was then assigned to the RAVEN task force before returning to the Patrol Division. Most recently, Deputy Kluth was assigned as an SRO and worked at [REDACTED] Elementary, [REDACTED] Elementary, [REDACTED] Elementary, and [REDACTED] Elementary. Deputy Kluth recently transferred to [REDACTED] High School, beginning in the 2025-26 school year.

After Deputy Kluth provided a brief synopsis of his employment history with DCSO, I informed him he was being interviewed about his relationship with [REDACTED]. I then asked Deputy Kluth to tell me about his relationship with [REDACTED]. Deputy Kluth told me [REDACTED] was a [REDACTED] teacher at [REDACTED] Elementary last year (2024 school year). Deputy Kluth told me he started at [REDACTED] in the beginning of the 2024 school year, and [REDACTED] quickly began flirting with him. Deputy Kluth said [REDACTED] began by inviting Deputy Kluth into [REDACTED] classroom to read to [REDACTED] students. Deputy Kluth said [REDACTED] was by far the most adamant [teacher] to invite him into [REDACTED] classroom to read to [REDACTED] students. Deputy Kluth then said, "So, um, I kind of figured something was up and should have known better."

Deputy Kluth said in October [REDACTED] contacted him on Instagram. Deputy Kluth was curious how [REDACTED] found him because he doesn't use his last name on Instagram. When Deputy Kluth asked [REDACTED] how [REDACTED] found him, [REDACTED] said, "I'll never tell you." Deputy Kluth also said he was [Instagram] friends with other people from the school, so he accepted [REDACTED] friend request. Deputy Kluth said [REDACTED] quickly began sending him explicit messages and photos and made comments

**DOUGLAS COUNTY SHERIFF'S OFFICE**  
**INTERNAL AFFAIRS**

**PROGRESS REPORT 26IA-009**

about wanting to do things with him. Specifically, Deputy Kluth said [REDACTED] told him [REDACTED] wanted him to come in before work so [REDACTED] could give him a blow job. Deputy Kluth then made the following statement:

*I told [REDACTED] absolutely not. Well, I – I didn't tell [REDACTED] – I didn't tell [REDACTED] that I wouldn't. I wasn't interested with [REDACTED] Um, I sincerely regret ever going down that path with [REDACTED] Um, I – I did participate with the back and forth adult type conversations. Um, and [REDACTED] – yeah – [REDACTED] would egg me on to come in before work, um, early to receive oral sex from [REDACTED] I never took [REDACTED] up on that. [REDACTED] always offered, I said no, not doing that. Never doing anything with you on duty. That is, no, that's a hard no. So, um, over the next approximate month, um, we did have an affair outside of work, outside of school, approximately three times.*

Deputy Kluth then told me he met [REDACTED] two or three times because [REDACTED] wanted to talk during [REDACTED] lunch break, and [REDACTED] wanted to meet him off school grounds. Deputy Kluth said since he roved between schools he met [REDACTED] once or twice at Foothills Park and once or twice at Pronghorn Park. Deputy Kluth said those meetings were approximately five to ten minutes, during which time they discussed what they were doing and why they were doing it. Deputy Kluth admitted [REDACTED] kissed him. Deputy Kluth said [REDACTED] got up into his car and kissed him during at least one of those events and he let [REDACTED] do it. Deputy Kluth admitted he shouldn't have let [REDACTED] kiss him. Deputy Kluth estimated this to happen in November of 2024, and during that time he knew he needed to end his relationship with [REDACTED] Deputy Kluth described [REDACTED] as being "very clingy" and [REDACTED] told Deputy Kluth [REDACTED] was going through a divorce. Deputy Kluth said [REDACTED] messages became increasingly "clingy and aggressive" and [REDACTED] wanted to know why he wasn't meeting [REDACTED] Deputy Kluth said he told [REDACTED] he was going to block [REDACTED] if [REDACTED] didn't stop.

Deputy Kluth said both he and [REDACTED] agreed, from the beginning, they weren't having an affair for love, and it was only a physical relationship. Deputy Kluth said he wasn't going to leave his wife for [REDACTED] and it became clear to him [REDACTED] expected more from him, and he wasn't willing to give [REDACTED] more. Deputy Kluth said, "So when I told [REDACTED] that wasn't going to happen, um, [REDACTED] became pretty [REDACTED] angry at me. Um, [REDACTED] drunk texted me, or Instagram messaged me, on my personal account several times, um, about how awful I was." Deputy Kluth said he tried to keep things amicable because they worked at the same place and he tried to back off, but [REDACTED] started accusing him of having an affair with [REDACTED] teacher at [REDACTED] and with other women at the school. Deputy Kluth said, "And I wasn't, um, and it just became very awkward for me to be around."

Deputy Kluth then described an incident where [REDACTED] asked him to read a picture book about police officers to [REDACTED] students. Deputy Kluth said [REDACTED] glued images of his face to it, and he thought it was really weird and disturbing, but he still read the book to [REDACTED] students.

Deputy Kluth then told me [REDACTED] wanted to meet him at Pronghorn one last time, at which point he told [REDACTED] he was done with the affair because he wanted to work on his marriage. Deputy Kluth

**DOUGLAS COUNTY SHERIFF'S OFFICE**  
**INTERNAL AFFAIRS**

**PROGRESS REPORT 26IA-009**

said [REDACTED] told him [REDACTED] understood but then tried to kiss him through his window for approximately two minutes. Deputy Kluth said during those two minutes he repeatedly asked [REDACTED] "please get out of my car." Deputy Kluth said he didn't let [REDACTED] kiss him and they both went their separate ways.

Deputy Kluth then described another incident where [REDACTED] began texting Deputy Kluth while [REDACTED] was intoxicated with [REDACTED] co-worker friend, [REDACTED]. Deputy Kluth said [REDACTED] sent him a picture of [REDACTED] and began teasing him by telling him [REDACTED] was going to have sex with [REDACTED]. Deputy Kluth said the next day, [REDACTED] told him she had [REDACTED] with [REDACTED]. Deputy Kluth also said [REDACTED] told him [REDACTED] had [REDACTED] with another deputy for an hour, but Deputy Kluth never asked who the deputy was because he didn't want to know.

Deputy Kluth then told me [REDACTED] told him [REDACTED] thought [REDACTED] was [REDACTED] but Deputy Kluth had a [REDACTED] approximately four or five years ago. Deputy Kluth said it was clear to him that [REDACTED] was trying to manipulate him back into a relationship. Deputy Kluth thought there might be a chance he got her [REDACTED] because he understands [REDACTED] aren't always successful, so he had his [REDACTED]. Approximately one week later, he received the results, so he sent [REDACTED] "a little blurb" informing [REDACTED] of his results. Deputy Kluth said [REDACTED] responded by telling him it didn't matter because [REDACTED] wasn't [REDACTED] anymore. Deputy Kluth said at that point, he blocked [REDACTED] and began avoiding [REDACTED]. Although Deputy Kluth could not recall how he communicated his result to [REDACTED]. Deputy Kluth said he might have sent [REDACTED] an email using his school district email account.

Deputy Kluth said the [REDACTED] position became available and he transferred. Deputy Kluth said he has nothing but healthy relationships at [REDACTED] and said, "I would never do that shit again. I learned my lesson with the one person there at – at – at [REDACTED] – or [REDACTED], excuse me."

Deputy Kluth then said he told his wife about his affair with [REDACTED] but his wife doesn't know [REDACTED] name. When I asked Deputy Kluth who else knows about the affair, Deputy Kluth said, "Um, I have a friend that is at [REDACTED] [REDACTED] that I did divulge this to, yes." Deputy Kluth identified his friend as [REDACTED] and said [REDACTED] works at the front desk. Deputy Kluth then told me [REDACTED] was jealous that he was friends with the front desk people. Deputy Kluth said, in part, "And [REDACTED] is an attractive [REDACTED] and I could see why, if I am around the front office – rumors and whatever start, or they – they're two attractive people, they must be – assumptions could be made, right?"

When I asked Deputy Kluth how many times he had sex with [REDACTED] Deputy Kluth said he had sex with [REDACTED] approximately three or four times. Deputy Kluth said he had sex with [REDACTED] on private property in Castle Rock. He also said he had sex (maybe twice) with [REDACTED] in her vehicle in the parking garage near the Highlands Ranch Substation, and one time in his truck at the RTD in Lone Tree. Deputy Kluth said all these sexual encounters occurred when he was off duty. Deputy Kluth said when they had sex in the parking garage near the Highlands Ranch Substation, he parked his

**DOUGLAS COUNTY SHERIFF'S OFFICE**  
**INTERNAL AFFAIRS**

**PROGRESS REPORT 26IA-009**

truck at the Substation and walked over to the parking garage. Deputy Kluth said he was not wearing his uniform and the sexual contact happened in a secluded area where nobody could see.

When I asked Deputy Kluth if he ever had any sexual encounters with [REDACTED] in the county owned car, Deputy Kluth replied, "No." I then asked if [REDACTED] ever performed any sexual acts on him while he was on duty (other than kissing). Deputy Kluth responded by saying, "No."

During the course of the interview, Commander McMillan asked Deputy Kluth if he has done this with anyone else, such as any teachers or school staff members. Commander McMillan also specifically asked Deputy Kluth if he did this with [REDACTED]. Deputy Kluth responded by saying, "No, [REDACTED] just a friend. We've had, um – I mean – we have had feelings for each other, but it – it was, uh, mutual. We're both frustrated, but – um – it was, I – Um, full disclosure – [REDACTED] and I were in a relationship as well, um, but it quickly ended and, um, that was stupid, let's not do that again, let's (unintelligible) friends, so." Deputy Kluth said nothing ever happened with [REDACTED] on duty and said they met at a hotel one time. Deputy Kluth then expressed concerns about [REDACTED] because [REDACTED] is married. Deputy Kluth said the sexual relationship happened on his personal time, and it started in January 2025. When Deputy Kluth was trying to recall when his affair with [REDACTED] happened, I asked, "I'm just going to ask you, Mike, is it still happening now?" Deputy Kluth responded by saying, "Pretty much, yeah." I then asked Deputy Kluth how often he meets with [REDACTED]. Deputy Kluth said, "About once a month." Deputy Kluth denied having any other affairs with anyone else and denied having sex while on duty or in uniform.

At that point, Commander McMillan said, "So, if we told you – you – we had information that you had a sexual or intimate relationship with [REDACTED] in a park during lunch, what would you say? During – like – a lunch break?" Deputy Kluth responded by asking, "Like, more than kissing?" Commander McMillan said, "Yeah. Think real hard about this – about your answer here." Deputy Kluth responded by saying, "I might have – I might have felt [REDACTED] – you know. I did. I touched [REDACTED], at least." I then asked, "And, what else?" Deputy Kluth said, "I, for a split second, reached down the front of [REDACTED] pants, and touched [REDACTED] - and it was very brief." Deputy Kluth then said, "Sorry I didn't tell you guys that from the get go." Deputy Kluth then said they were parked, car to car, with both car doors open, blocking everybody's view. Deputy Kluth said he kissed [REDACTED] and [REDACTED] asked, "is that it?" Deputy Kluth said he made a poor judgement call. Deputy Kluth said he quickly touched [REDACTED] "down there" before saying he had to go. Deputy Kluth admitted to digitally penetrating [REDACTED] when he put his hand down [REDACTED] pants. Deputy Kluth said he shouldn't have done that and felt really guilty about doing it. Deputy Kluth said this happened the first or second time they met, and it happened sometime in October. When Commander McMillan asked if [REDACTED] reciprocated anything to him, Deputy Kluth said he didn't remember [REDACTED] doing anything, but [REDACTED] might have touched him over his clothes.

**DOUGLAS COUNTY SHERIFF'S OFFICE  
INTERNAL AFFAIRS**

**PROGRESS REPORT 26IA-009**

At that point, Deputy Kluth denied ever having [REDACTED] inside his patrol vehicle, other than when [REDACTED] leaned in to kiss him. Deputy Kluth also denied having intercourse or oral sex with [REDACTED] during this time. Deputy Kluth said this incident happened at Foothills Park.

At that point, we took a break in the interview. When we reconvened, I served Deputy Kluth with an amended Notice of Complaint to include the policy, Commission of a Deceptive Act. The amended Notice of Complaint was given to Deputy Kluth based on the abovementioned information. Deputy Kluth signed the amended Notice of Complaint. I then told Deputy Kluth we specifically asked him if he had any sexual relationships with [REDACTED] outside of kissing, and he denied it on multiple occasions before he admitted to touching [REDACTED]. I then asked Deputy Kluth, "Why didn't you just lead with that?" Deputy Kluth was silent for approximately one minute before he said, "I was trying to protect [REDACTED] Um, I – I – I should have led with that." When I asked Deputy Kluth how he was trying to protect [REDACTED] Deputy Kluth told me [REDACTED] was working, but on a break, and he was also working. Deputy Kluth acknowledged he doesn't get a break.

At that point, Commander McMillan served Deputy Kluth with a POST Notification Form advising Deputy Kluth POST might be notified whenever there is untruthfulness, which Deputy Kluth signed. Prior to ending the interview, Deputy Kluth was placed on administrative leave, with pay.

**CONCLUSION:**

Allegation #1 – PP-C-102 (I), Sexual Misconduct, states:

*It is the policy of this office that its employees shall not engage in any conduct towards others that would be deemed sexual misconduct and/or harassment. The office has a zero-tolerance policy for sexual misconduct of any kind directed at inmates, either y staff or other inmates.*

***Sexual Misconduct:***

*Sexual misconduct includes, but is not limited to, any unwarranted acts or attempts to commit acts that involve sexual contact, sexual abuse or assault, sexual harassment, or invasion of privacy or sexually implicit or explicit communication whether in:*

- *Written form: Such as cartoons, posters, calendars, notes, letters, e-mail, text messages, social media or other forms of electronic communication; or*

**DOUGLAS COUNTY SHERIFF'S OFFICE**  
**INTERNAL AFFAIRS**

**PROGRESS REPORT 26IA-009**

- *Verbal form: Such as comments, jokes, gestures, foul/obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated requests for dates.*

***Sexual Contact/Intimacy***

*The intentional touching, either directly or through clothing, of the genitalia, anus, groin, breast, inner thighs, or buttocks. It is considered sexual intimacy if employees engage in conversation or correspondence with inmates or arrestees that suggests a romantic or intimate relationship.*

This investigation revealed Deputy Kluth engaged in the intentional touching of [REDACTED] intimate parts ([REDACTED]) while he was on-duty and in uniform while employed with the Douglas County Sheriff's Office. Deputy Kluth admitted to having an affair with [REDACTED] in September and October of 2024 and initially admitted to kissing [REDACTED] while on duty. Deputy Kluth admitted to having sexual intercourse with [REDACTED] three or four times when he was off duty. During the interview, Deputy Kluth admitted to digitally penetrating [REDACTED] when they were parked at Foothills Park when [REDACTED] was on a break from work. Deputy Kluth acknowledged he does not get breaks during his shift and admitted to engaging in this behavior while on duty. Engaging in sexual contact while on duty, in uniform, and acting in an official capacity is inconsistent with the expectations of conduct for members of the Douglas County Sheriff's Office.

Based on the preponderance of the evidence, the allegation of this policy, Sexual Misconduct, is **sustained**.

**Allegation #2 – PP-C-101 (III) (U) On- and Off-Duty Conduct**

*Members must not engage in any activity or conduct, on- or off-duty, which discredits them, the county, or the Office.*

This investigation revealed Deputy Kluth engaged in sexual contact with [REDACTED] teacher at [REDACTED] Elementary in September and October of 2024. Deputy Kluth admitted to having an affair with [REDACTED] after meeting [REDACTED] when he was assigned as the SRO at [REDACTED] Elementary. In addition, Deputy Kluth admitted to having an off duty affair with another school staff member, [REDACTED] from January 2025 until current. Although there is no evidence or information to suggest Deputy Kluth poses a risk with high school students, school district staff members asserted they were concerned about Deputy Kluth working around high school students because of his flirtatious behavior. Deputy Kluth's behavior was described as so flirtations Because Deputy Kluth engaged in sexual misconduct while he was on duty, and in uniform, his conduct not only discredits Deputy Kluth, but it also brings discredit to the SRO program and the Douglas County Sheriff's Office.

**DOUGLAS COUNTY SHERIFF'S OFFICE**  
**INTERNAL AFFAIRS**

**PROGRESS REPORT 26IA-009**

Based on the preponderance of the evidence, the allegation of this policy, On- and Off-Duty Conduct, is **sustained**.

Allegation #3 – PP-C-101 III ( CC) Exercising Discretion

*All members are expected to rely on good judgment. Official decisions must be reasonable, well-articulated, warranted and justified and, of course, consistent with applicable law. Members who engage in conduct that is, or reasonably appears to be, excessive, unwarranted, and/or unjustified may be investigated for either a specific act of misconduct or an allegation of failure to exercise appropriate judgment and discretion.*

This investigation revealed Deputy Kluth failed to exercise appropriate judgement and discretion when he engaged in sexual contact with [REDACTED] while on duty. Deputy Kluth acknowledged he met with [REDACTED] several times during working hours, despite knowing the nature of their relationship. Deputy Kluth's decision to meet with [REDACTED] during work time, while having an extramarital affair, demonstrated poor judgement and is inconsistent with DCSO's expected professional conduct.

Based on the preponderance of the evidence, the allegation of this policy, Exercising Discretion, is **sustained**.

Allegation #4 – PP-C-101(IV)(A) Commission of a Deceptive Act:

*Members shall not knowingly make a misleading or inaccurate statement relating to their official duties. Members shall not willfully, intentionally, or knowingly commit a materially deceptive act, including but not limited to verbally departing from the truth, making a false report, falsifying official criminal justice records, or intentionally omitting information.*

This investigation revealed Deputy Kluth knowingly omitted material information and initially provided misleading statements regarding his on-duty sexual contact with [REDACTED]. During the interview, Deputy Kluth repeatedly denied engaging in any sexual activity beyond kissing while on duty. It was only after further questioning by Commander McMillan that Deputy Kluth acknowledged he intentionally touched [REDACTED] [REDACTED] and digitally penetrated [REDACTED] while [REDACTED] was on duty and in uniform. These admissions directly contradicted his prior statements.

Deputy Kluth's repeated denials and omissions constitute a deceptive act, as defined by this policy. However, it is noted as a mitigating circumstance that Deputy Kluth ultimately disclosed the information during the same interview after additional questioning. Although Deputy Kluth's admission was delayed, his admission confirmed violation of department policy.

***DOUGLAS COUNTY SHERIFF'S OFFICE***  
**INTERNAL AFFAIRS**

**PROGRESS REPORT 26IA-009**

Based on the preponderance of the evidence, the allegation of this policy, Commission of a Deceptive Act, is **sustained**.