

Lt. D. Stepl 91068

11K

x-6665

1419

INITIAL INQUIRY REPORT

Date Received: 04-24-05	Time: 1840	Complaint: Station Informal: <input type="checkbox"/> Station Formal: <input type="checkbox"/> IAB Formal: <input type="checkbox"/>
Incident Date: 04-23-05	Time: 2345	Complaint Nature: RR127/Responsibility to Serve the Public
Incident Location: 3317 E. Colfax Avenue	Internal Affairs Number:	Initial Inquiry Number: 1419
Complainant #1: [REDACTED]	Home Address: [REDACTED]	Home Phone: [REDACTED]
	City, State, Zip: Littleton, Colorado 80109	
Complainant #2: None	Work Address: None	Work Phone: None
	Home Address:	Home Phone:
Witness #1: None	City, State, Zip:	
	Work Address:	Work Phone:
Witness #2: None	Home Address:	Home Phone:
	Work Address:	Work Phone:
Officer #1: Officer John Witkowski	Badge: 93012	Assignment: Traffic Operations
Officer #2:	Badge:	Assignment:
Officer #3:	Badge:	Assignment:
Officer #4:	Badge:	Assignment:

Complaint Narrative

The complainant contacted the DPD, IAB on 3 X 6665.

Mr. [REDACTED] stated that he was a patron at the BlueBird Theatre. After the concert he notified Officer Witkowski that he was in fear of his safety, by a Neo-Nazi group, who were standing outside the building after the show.

Mr. [REDACTED] alleges that Officer Witkowski would not assist him in getting safely to his vehicle.

Police Commander's Name & Phone # given to Complainant as a Contact: Captain E. Rubin/86003

Action Taken

D/C Recommendation: Unfounded Exonerated Not-Sustained Sustained

Report Completed by: Sgt. W. Greene/91068

Reviewed By: District/Unit Lieutenant: Lt. Myerson	District/Unit Commander: NOT SUSTAINED
Not Sustained	Capt. Rubin/8603

Division Chief: AC [Signature]

Copy forwarded to IAB on: 2005 APR 28 AM 11:55

Copy Received by PSU on: 2005 APR 23 11:00 AM

Instructions: A copy of this completed form, Citizen Letter from Commander, statements, along with a copy of any SSR entry made, must be forwarded to the Internal Affairs Bureau. Lieutenant, Captain/Commander, and Division Chief must review report for completeness and concurrence.

INITIAL INQUIRY REPORT

Date Received: 04-24-05	1840	Complaint:	Station Informal: <input checked="" type="checkbox"/>	Station Formal: <input type="checkbox"/>	IAB Formal: <input type="checkbox"/>
Incident Date: 04-23-05	2345	Complaint Nature: RR/127 Responsibility to Serve the Public			
Incident Location: 3317 E Colfax	Internal Affairs Number:		Initial Inquiry Number: 1419		
Complainant #1: [REDACTED]	Home Address: [REDACTED]		Home Phone: 720-[REDACTED]		
	City, State, Zip: Littleton, CO 80109				
Complainant #2: None	Work Address: None		Work Phone: None		
	Home Address: [REDACTED] Home Phone: [REDACTED]				
Witness #1: None	City, State, Zip: [REDACTED]		Work Address: [REDACTED] Work Phone: [REDACTED]		
	Home Address: [REDACTED] Home Phone: [REDACTED]				
Witness #2: None	Work Address: [REDACTED]		Home Phone: [REDACTED]		
	Home Address: [REDACTED] Home Phone: [REDACTED]				
Officer #1: Officer John Witkowski	Badge: 93012	Assignment: Traffic Operations			
Officer #2:	Badge:	Assignment:			
Officer #3:	Badge:	Assignment:			
Officer #4:	Badge:	Assignment:			

Complaint Narrative

Mr. [REDACTED] was at the Bluebird Theatre to listen to a concert. There were two groups: Total Chaos and Broken Bones. The band Total Chaos is an anti-Nazi group, while the band Broken Bones has a strong Nazi, Skin-head following. After the concert was over, the complainant heard one of the Skin-heads talk about assaulting the band members in Total Chaos. The complainant related that Officer Witkowski told everyone they had to leave the Bluebird Theatre. Mr. [REDACTED] stated that he was fearful, because if the Skin-heads assaulted the band members, they may also assault him, because of his ethnicity. He stated that the Skin-heads were between the group of people he was with and their cars; they had to pass the Skin-heads to approach their vehicles. Mr. [REDACTED] informed Officer Witkowski of the situation and that he was afraid for his personal safety. Although Mr. [REDACTED] was able to get to his car without incident, He stated that Officer Witkowski ignored his request for assistance.

Police Commander's Name & Phone # given to Complainant as a Contact: Captain Eric Rubin 86033 720-865-6910

Action Taken

On 5-8-05, I (Lieutenant Gibson) called [REDACTED] [REDACTED] at his listed telephone number and left a message on his answering machine; the call was not returned. On 5-11-05, I called and was able to talk to [REDACTED] [REDACTED] I asked him about the events that transpired on 4-23-05, at the Bluebird Theatre. His comments are essentially the same as those he gave to Sergeant Walt Greene in Internal Affairs.

On 5-12-05, Lieutenant Gibson took a written statement from Officer Witkowski.

"On 4-23-05, while working the Bluebird Theatre at 3317 E. Colfax Avenue in an off-duty capacity, I don't remember any male party asking me to walk him to his vehicle because he was scared of the Skin-heads that attended the show. I made sure the venue was cleared out and stood out in front of the building to ensure the safety of the patrons departing." Officer Witkowski stated that he did not remember talking to an Asian male, nor does he remember talking to anyone who stated they were afraid of the Skinheads and needed assistance.

D/C Recommendation: Unfounded Exonerated Not-Sustained Sustained

Report Completed by: Lt. M. J. [REDACTED] 72092

Reviewed By: District/Unit Lieutenant: Lt. M. J. [REDACTED] 72092 District/Unit Commander: [REDACTED]

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May 12, 2005
SUBJECT

Division Chief:	
Copy forwarded to IAB on:	Copy Received by PSU on:

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DPD 626 (10/02)

Recommendation

Not Sustained.
No corroborating
witness for the
officer or the
complainant
Lt Giles 5-16-05



John W. Hickenlooper
Mayor

CITY AND COUNTY OF DENVER

DEPARTMENT OF SAFETY

DENVER POLICE DEPARTMENT
ADMINISTRATION BUILDING
1331 CHEROKEE STREET
DENVER, COLORADO 80204-2787
PHONE: (720) 913-2000

May 16, 2005

[REDACTED]
Littleton, CO. 80109

Dear Mr. [REDACTED]

The Internal Affairs Bureau of the Denver Police Department received the complaint you initiated on April 24, 2005 regarding Officer John Witkowski # 93012. The involved officer's commanders then reviewed the case.

Included in this investigation were statements from you and the involved officer. Taking into consideration the totality of the circumstances, there is not sufficient evidence to support your allegation that Officer Witkowski failed to assist you, in what you perceived to be a threatening situation. However, this inquiry will be placed in the officer's personnel file and will become a permanent part of his record.

Thank you for bringing this matter to our attention. It is through input from citizens such as yourself, that we are better able to identify training and disciplinary needs of the Department.

If you have any further questions regarding this matter, please feel free to contact Lieutenant Michael Gibson of Traffic Operations, at (720) 865-6907.

Sincerely,

Gerald R. Whitman
Chief of Police

By:

Captain E. Rubin 8663

Captain Eric Rubin
Traffic Operations Bureau
MG/mgg

2005 MAY 31 AM 8:56

PROFESSIONAL STENOGRAPHERS