



PLATTEVILLE POLICE DEPARTMENT
CHIEF OF POLICE

400 Grand Avenue
Platteville, Colorado 80651
970.785.2215 (p) • 970.785.6113 (f)

Re: Notice of Investigation

Sgt. Vazquez,

November 8, 2022

The Platteville Police Department has opened an internal investigation into your conduct during the critical incident that occurred on September 16, 2022, namely the felony stop of a suspect in the vicinity of Highway 85 and Weld County Road 36. The investigation will be conducted by Corporal Bender in accordance with Police Department policy 1010. Please review the policy regarding your rights and responsibilities. Once Cpl. Bender is ready to interview you, he or I will be in touch to advise you of the date/time/location of your interview. Please keep in mind that you are required to fully cooperate with Cpl. Bender and all investigatory requests. Further, you are not to discuss this matter with other Town employees or witnesses. The purpose of this confidentiality requirement is to ensure a full and fair investigation can occur.

While the investigation is occurring, you will remain on paid administrative leave. As previously stated, while on paid administrative leave you are not to perform any law enforcement related duties without my advanced approval. You are also required to be available should the Town need you Monday through Friday 8am-5pm. This could include needing to participate in an interview or meetings on short notice. I will use your cell phone initially to reach you.

Should you have any questions while on leave, please let me know.

Chief Carl Dwyer



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Re: Garrity Advisement

Sgt. Vazquez,


November 11, 2022

1. If an interview is conducted as part of an administrative investigation, it cannot be used in a criminal case. You will be asked questions specifically directed and related to your performance or fitness for duty.
2. You are required by Police Department policies to cooperate by answering all questions and furnishing all related documents requested by the interviewer. Refusal to testify or to answer questions relating to the performance of your official duties or fitness for duty is a violation of Police Department policies.
3. You are required to be truthful during this investigation. Failure to be truthful is a major breach of discipline and is grounds for termination.
4. Neither your statement, nor any information or evidence which is gained by reason of such statement, can be used against you in any subsequent criminal proceeding. You are entitled to all rights and privileges guaranteed by the laws and the Constitution of the State and Constitution of the United States, including the right not to be compelled to incriminate yourself in a criminal matter. However, these statements may be used against you in determining whether departmental discipline is appropriate.
5. You have the right to representation during questioning; however, your representative may only act as an advisor and may not participate in the process.
6. All right and responsibilities of you during an internal investigation are contained in Policy 1010.

I have read the above statements and understand them completely.



Employee Signature



Investigator Signature



PLATTEVILLE POLICE DEPARTMENT

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Administrative Investigation

Investigator: Corporal Christopher Bender

Subject of Investigation: Sergeant Pablo Vazquez

Advisement: This is an investigation of Police Department policy violations involving Sergeant Pablo Vazquez. This investigation was initiated after an incident that occurred on September 16, 2022, involving Sergeant Pablo Vazquez and the Fort Lupton Police Department. The Internal Investigation was ordered by Chief C. Dwyer and I Corporal C. Bender was assigned the investigation.

SYNOPSIS: On September 16, 2022, at approximately 1930 hours, Sergeant P. Vazquez assisted Fort Lupton Police Department regarding a road rage incident. The incident started within the jurisdiction of Fort Lupton Police Department and was reported as road rage incident involving a firearm. Sergeant P. Vazquez located the suspect vehicle Northbound on U.S. Highway 85 and conducted a traffic stop at U.S. Highway 85 and Weld County Road 36.

When Sergeant P. Vazquez stopped the suspect vehicle it came to a complete stop, just past railroad tracks (Union Pacific) that run parallel with U.S. Highway 85 North and South. Sergeant P. Vazquez stopped his patrol vehicle right behind it, directly on the railroad track.

A short time later, two Fort Lupton police officers arrived to assist in detaining the suspect (Rios-Gonzalez) and searching her truck. After the arrival of the Fort Lupton officers, one Officer handcuffed Rios-Gonzalez, then securing her in Sergeant P. Vazquez patrol vehicle, that was still parked on the railroad tracks. After Rios-Gonzalez was secured in the patrol vehicle, her vehicle was searched for a firearm.

While the suspects vehicle was being search, Sergeant P. Vazquez patrol vehicle was hit by a train travelling northbound on the train track. The suspect Rios-Gonzalez was inside the patrol vehicle at the time of the collision and sustained major injuries.

The Colorado Bureau of Investigations, Colorado State Patrol and the Weld County District Attorney's Office has been involved with this incident and have conducted their own investigations regarding the incident.

Platteville Police Department Policy Violations

Sergeant Pablo Vazquez is being investigated for potential violations of Platteville Police Department Policy and Procedure listed below.

321.5.1 LAWS, RULES, AND ORDERS

(c) Violation of federal, state, local or administrative laws, rules or regulations.

321.5.7 EFFICIENCY

(a) Neglect of duty.

(b) Unsatisfactory work performance including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.

321.5.9 CONDUCT

(m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

321.5.10 SAFETY

(f) Unsafe or improper driving habits or actions in the course of employment or appointment.


(g) Any personal action contributing to a preventable traffic accident.

424.6 ACTIVATION OF THE AUDIO/VIDEO RECORDER


(a) All enforcement and investigative contacts including stops and field interview (FI) situations.

(b) Traffic Stops including but not limited to traffic violations and all crime interdiction stops.

I have read the above and understand the stated.



Employee Signature



Investigator Signature
11/11/2022



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Administrative Investigation

Investigator: Corporal Christopher Bender

Subject of Investigation: Sergeant Pablo Vazquez

Attachments:

- *Body Camera (IA Interview Sgt. P Vazquez)
- *USB Drive (Body Camera Sgt P. Vazquez from Incident)
- *Garrity Advisement (Sgt P. Vazquez)
- * Notice of Internal Investigation IA and Administrative Proceedings Rights/Notice of Allegations.

This is an investigation of Police Department policy violations involving Sergeant Pablo Vazquez. This investigation was initiated after an incident that occurred on September 16, 2022, involving Sergeant Pablo Vazquez and the Fort Lupton Police Department. The Internal Investigation was ordered by Chief C. Dwyer and I Corporal C. Bender was assigned the investigation.

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INTERNAL INVESTIGATION

November 08, 2022, Sergeant Pablo Vazquez was issued Notice of Internal Investigation and Administrative Proceedings.

November 09, 2022, I contacted Sergeant Pablo Vazquez via telephone to confirm I would be conducting an Internal Investigation and to set an official interview date, scheduled on November 11, 2022 at 1400 hours.

November 11, 2022, at approximately 1409 hours I conducted an official Investigative Interview with Sergeant Pablo Vazquez. This report is a summary of the statements given by Sergeant Pablo Vazquez. For the sake of brevity, only a synopsis of the relevant information, and not a word-for-word recital, is contained herein. Unless otherwise indicated, the investigative interview was recorded, at the conclusion of the investigation, said recording will be available for review by interested parties.

Sergeant Pablo Vazquez IA interview questions:

Sergeant Pablo Vazquez was asked to give his explanation of the incident that took place on September 16, 2022.

- *Vazquez was at the Police Department working on reports when the original call started.
- *The call came out as a Disturbance with weapons.
- *The suspect vehicle was travelling northbound on Highway 85 from Fort Lupton, with victim following.
- *When dispatch advised the suspect vehicle was near Fort Vazquez, he left the Police Department to assist.
- *Vazquez stopped at the intersection of Grand Ave and Highway 85.
- *Vazquez told dispatch to have the victim flash head lights when passing his location.
- *The suspect vehicle was northbound, and the victim flashed his lights continuing northbound,
- *Vazquez got behind the suspect truck between Grand Ave and Weld County Road 34
- *Vazquez activated his emergency light near Weld County Road 34.
- *The suspect truck was in the #2 northbound lane of Highway 85 and continued northbound.
- *Vazquez grabbed his spotlight and started turning it back and forth to get the drivers attention.
- *Vazquez passed Weld County Road 34 and a Dairy Farm on the east side of Highway 85
- *Vazquez was concerned the suspect was not stopping and maybe trying hide gun or get ready to use it.
- *Suspect vehicle pulled off the highway and onto Weld County Road 36.
- *Vazquez thought the suspect was going to maybe continue east on Weld County Road 36.
- *Vazquez was thinking of the seriousness of the incident and if the suspect was pulling over to ambush him.
- *All his attention was on the suspect vehicle due to the call nature and gun being involved.
- *The vehicle was stopped in a really dark area.
- *He started to give the suspect verbal command to shut off her truck and exit with his PA microphone but was get squelch.
- *He decided to give verbal command by yelling them without the use of the PA system.
- *The suspect took approximately 5 to 10 seconds to place her hands out the window.
- *Vazquez also wanted to ensure the truck was shut off, so the vehicle would not continue driving.
- *The suspect exited the vehicle with a phone in her hands

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- *Vazquez ordered the suspect to put down the cell phone so other Officers would not mistaken it for a weapon
 - * Vazquez gave the suspect verbal commands and noticed while doing so that a Fort Lupton Officer (Jordan) was on the passenger side of his patrol vehicle.
 - *Vazquez yelled verbal command for the suspect to walk back to his voice.
 - *Fort Lupton Officer (Jordan) came on his side and handcuffed the suspect.
 - *Fort Lupton Officer took suspect away.
 - *Vazquez had no idea where the suspect was being taken too.
 - *Vazquez started to give commands for other people possibly inside the vehicle.
 - *Vazquez and a male Officer from Fort Lupton walked forward to clear the truck.
 - *Vazquez and male Fort Lupton Officer cleared the suspect truck.
 - *Vazquez started a search of the vehicle for a possible firearm, male Officer walked away from suspect truck
 - *Fort Lupton Officer (Jordan) returned, and Vazquez continued to search truck.
 - *While search the suspect truck he heard train horn and thought it wasn't an issue and was thinking he was parked where the train would clear his vehicle.
 - *Then Fort Lupton Officer (Jordan) yelled something about the train and then the train crashed into his patrol car.
 - *Vazquez asked if the suspect was in his patrol vehicle and Fort Lupton Officer (Jordan) yelled "Oh my god Yes".
 - *Vazquez could not fathom why the suspect was inside of his vehicle.
 - *Vazquez said he was always trained that the command vehicle was always there to give verbal commands to suspects and watch the vehicle, while other Officer took custody of suspects and secure them in other vehicle, not the command vehicle.
 - *Vazquez immediately requested EMS and went to render help.

Sergeant P. Vazquez was asked the following questions:

1. Did you activate your siren when attempting to stop the suspect vehicle? No
2. You used your spotlight to get the suspects attention? Yes
3. What was the approximate speed while trying to stop the suspect vehicle? Between 45 and 55 MPH
4. Could you see if the windows on the suspect vehicle were up or down? Up
5. Did anything standout or was really concerning with the suspect vehicle? No stopping and Gun call
6. Did you know if Fort Lupton was enroute? No
7. Do you remember when you activated your body camera? No, to concern with the situation and safety of the incident.
8. Did you have any knowledge of the railroad track or that you had parked on them? NO, to focused on the gun issue and his safety (watching the vehicle)
9. Did you hear any train horn or notice any train lights? No, not till the train crashed into his patrol car
10. How many years he has been in Law Enforcement? 15 years
11. How many Law Enforcement Agency he has worked for? 4
12. Does he have in specialized training regarding the incident? None
13. Does he feel he has a lot of experience with High-risk traffic stop. Yes, he was trained that way by other agencies
14. When was the last time he had training in High-risk traffic stops? Cannot remember
15. Any High-risk traffic stop training with Platteville P.D.? No
16. Any concern on how the investigation is being conducted? No

Disposition of investigation:

It has been determined through my investigation that Sergeant Pablo Vazquez violated the following Policy and Procedures set forth by the Town of Platteville and Platteville Police Department.

321.5.1 LAWS, RULES, AND ORDERS

(c) Violation of federal, state, local or administrative laws, rules or regulations. **(SUSTAINED)**

It was determined that Sergeant Pablo Vazquez has been charged by the Weld County District Attorney's Office for the following charges.

1. Reckless Endangerment "CRS 18-3-208" (5 Counts)
2. Careless Driving "42-4-1402"
3. Obstructing Highway "18-9-107"
4. Parking where prohibited "42-4-1204"

321.5.7 EFFICIENCY

(a) Neglect of duty. **(SUSTAINED)**

(b) Unsatisfactory work performance including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse. **(SUSTAINED)**

It was determined that Sergeant Pablo Vazquez did not use good judgement and or lacked situational awareness when initiating a traffic stop (Emergency Lights, without Siren when attempting to stop suspect vehicle.) Sergeant P. Vazquez stated he did not use his siren when attempting to stop the suspect vehicle, only Emergency Lights.

Positioning of patrol vehicle and himself after suspect vehicle came to a complete stop (Patrol vehicle Stopped on Railroad Tracks) (Railroad Crossbuck signs and markings visible) (Sergeant P. Vazquez standing on the Railroad tracks while giving verbal commands to suspect).

When Sergeant P. Vazquez was searching the suspect's vehicle a train horn can be heard multiple times in the background with no acknowledgment from Sergeant P. Vazquez.

321.5.9 CONDUCT

(m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members. **(SUSTAINED)**

Sergeant P. Vazquez overall neglect actions and lack of situational awareness caused a suspect to have serious bodily injuries, and major damage to a Patrol Vehicle of the Town of Platteville.

321.5.10 SAFETY

- (f)**Unsafe or improper driving habits or actions in the course of employment or appointment. **(SUSTAINED)**
- (g)**Any personal action contributing to a preventable traffic accident. **(SUSTAINED)**

It was determined that Sergeant Pablo Vazquez did not use good judgement and or lacked situational awareness when initiating a traffic stop (Emergency Lights, without Siren when attempting to stop suspect vehicle.)

Positioning of patrol vehicle and self after suspect vehicle came to a complete stop (Patrol vehicle Stopped on Railroad Tracks) (Railroad Crossbuck signs and markings visible) (Sergeant P. Vazquez standing on the Railroad tracks while giving verbal commands to suspect).

When Sergeant P. Vazquez was searching suspect vehicle a train horn can be heard with no acknowledgment from Sergeant P. Vazquez. Sergeant P. Vazquez stated he did not realize his patrol vehicle was parked on railroad tracks till the train crashed into it.

424.6 ACTIVATION OF THE AUDIO/VIDEO RECORDER

- (a)**All enforcement and investigative contacts including stops and field interview (FI) situations. **(SUSTAINED)**
- (b)**Traffic Stops including but not limited to traffic violations and all crime interdiction stops. **(SUSTAINED)**

Sergeant P. Vazquez did not activate his body camera till he was outside his patrol vehicle and giving verbal commands to the suspect vehicle. Sergeant P. Vazquez stated he could not remember at what point he activated his body camera.

This concludes my investigation.



**Corporal Christopher A. Bender #914
Platteville Police Department
November 13, 2022**