From: Jennifer Hoffman <jhoffman@broomfield.org> on behalf of Jennifer Hoffman
To: Council; Cristina Pena Helm; Enea Hempelmann; Nancy Rodgers
Subject: Fwd: H.N. v Weiman lawsuit
Date: Thursday, March 31, 2022 4:22:35 PM

All - I'm getting a briefing from Chief Hempelmann and the attorneys office tomorrow afternoon. I will provide additional information after. Jennifer

---------- Forwarded message ---------
From: **'jhall.broomfield@yahoo.com' via council** <council@broomfieldcitycouncil.org>
Date: Thu, Mar 31, 2022 at 5:03 PM
Subject: H.N. v Weiman lawsuit
To: council@broomfieldcitycouncil.org <council@broomfieldcitycouncil.org>

Good day council members,

It has been brought to my attention that the court case of H.N. v Weiman (Norton and the City and county of Broomfield) Case 1:19-cv-03466-KLM has been settled out of court. The settlement was for $140,000.00 in favor of the plaintiff. The Incident happened on December 10, 2017, the lawsuit was filed on December 9, 2019 and the settlement was reached in September 2021. My colleagues and I have been trying to find information on this incident and we have unfortunately run into some roadblocks, and misdirection. I would like to commend Mayor Guyleen Castriotta for making her people respect the freedom of information act and provide us with the information that was requested.

I have another issue that needs to be addressed. There is a lack of transparency for how the police and the city and county of Broomfield handled this incident and resulting court case. We contacted the judge that resided over the case only to find that it had been settled in September 2021. We then contacted the city clerk and the attorney for the city and neither of them would produce the information requested. We then contacted the Mayor and city clerk Crystal Clemens informed me that she would have the city attorney provide the information.

We have since tried to contact Broomfield police department for more information about the incident. Below is a copy of the e-mail that was sent to the department.

Good afternoon,

I would like to request a Brady list of your department for the past 6 years. I would also like to know what disciplinary action was taken for the two officers involved in the H.N. V Weiman case, specifically officers Nicholas Weiman and Richard Norton. Through the Freedom of information act, the city and county of

Broomfield released the documents and the information about the settlement of $140,000.00 to the plaintiff which was settled out of court. Did the two officers have to defend their actions in front of the city council? Did they get placed on administrative leave? How long was their leave? Was their leave paid or unpaid? Did the department place either of these officers on the Brady list for the city or the state of Colorado?

This request falls under the Colorado Open Records Act and/or The Colorado Criminal Justice Records Act.

The Brady List should include the officers, the complaint, and the date.

The court case for H.N. V Weiman has been settled and the plaintiff is no longer a minor as she was listed in the official settlement with the city and county of Broomfield.

I would also like to know if the officers are still employed with the city and county of Broomfield. If the officers took demotions, if they are still on SWAT. Are these two officers still interacting with the public? Did the two officers or department have to issue an apology to the 15 year old girl and if so is there a record of that and I would also like a copy of that.

You have three days to provide me with this information.

Thank you,

Jason Hall

The police department responded first with an automated response, and then Rachel Haslett responded with the following e-mail.

Mr. Hall,

The Broomfield Police Department (BPD), as a criminal justice agency, is responding to your request pursuant to the Colorado Criminal Justice Records Act (CCJRA). There are no records responsive to your request for disciplinary action as a result of the allegations made in the H.N. v. Broomfield lawsuit, nor for your other requests relating to Officers Weiman and Norton. Additionally, the BPD does not maintain a Brady list. You may contact the District Attorney's Office for more information.

Best,

Rachel Haslett (Welte)
Public Information Officer

Public Education Coordinator
Broomfield Police Department
7 DesCombes Drive
Broomfield, CO 80020
720.887.2084
rhaslett@broomfield.org

There was no mention of training or discipline for the officers involved. No mention of if the officers still are employed by Broomfield police or if the department or officers had to make an apology. The number of questions that Rachel Haslett did not answer are embarrassing for a Public Information Officer and Public Education Coordinator.

The budget for Broomfield did not show a settlement amount or the lawyer costs the city had to pay which was $140,000. The city council did not mention this in any of the public meetings as they did with the Siraaj al baaj v. Bennett case. Council member Deven Shaff questioned the chief of police at the time (he has since been replaced) about what constitutes excessive force and if it is malicious and callous. The city council decided to back officer Bennett even though the city was no longer involved in the lawsuit.

It begs the question then. Why did the council not address the excessive force charges that happened in December 2017 and filed in the court system in December 2019? The chief of police lied to the council member about there not being any other cases that he could think of where the officers acted in similar fashion. Just one month earlier the two officers in this case were served with papers.

For those not familiar with the case. Officer Weiman escalated a situation with a 15-year-old disabled girl and even though being made aware of her disability still took her into custody even though she was waiting on an ambulance. He was made aware that handcuffs would seriously harm to her but still handcuffed her. At the hospital the nurse was made aware of the 15-year old's condition and proceeded with the painful examination. That is when Officers Weiman and Norton pinned her to the table and handcuffed and hobbled her.

In the court statements the officers claim that they did this to protect the nurse and were operating in the scope of the law and their training. The settlement was $140,000. They took a

hurt and injured minor to juvenal detention because she did not make eye contact with a police officer. At no point did Officer Weiman or Officer Norton deescalate the situation. If the argument was that the 15-year-old minor was being combative just remember she is unable to raise her head or bend her arm without pain, this was essentially torture. Again $140,000. At this point it is worth mentioning that Officer Weiman has been made sergeant, according to the Broomfield police department Facebook page and officer Norton is still with the department and is an active member of the SWAT team.

While the council addressed the Siraaj al baaj incident two weeks in a row. There is no mention of the case against a minor and a settlement outside of court. The people need to be aware of the individuals that Broomfield has selected to protect us. Officer Bennett appears to not be with the department any longer but two officers that have cost the city $140,000 have never answered for their burden they placed on the people of Broomfield. I suppose it is time to paraphrase Council member Elizabeth Law-Evans when she said that the city must stand behind those that have been selected to protect and serve.

The lack of response from Rachel Haslett is the reason for the letter. The lack of a brady list is another reason. These two events happened four years ago and the department purchased body cameras due to the Siraaj al baaj incident but still there is no accountability in the department! Two grown men holding down and torturing a disabled 15-year-old girl that was hurt and taken from her family, distrusting!

I have included a link to the city council meeting where the council discusses the Siraaj al baaj v Bennett case. Please advance the status bar to 3:51:32 or find the description under the video screen.

3:51:32

http://broomfield.granicus.com/MediaPlayer.php?view_id=6&clip_id=1556&meta_id=53211

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Broomfield City & County Manager
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c- 303-829-0265
pronouns: she, her, hers

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