

<b>EATON POLICE DEPARTMENT REPORT</b>			<b>AXON Recording Available NO</b>	CONNECTING CASE NO.	CASE NO. 19-02309
REPORT TYPE: Offense/Criminal	CLASSIFICATION: Misdemeanor	STATUS CONCLUSION: Case Open		REPORTING OFFICER: Sgt. Thomas Suter EL304	DATE OF REPORT: 04-27-2019
STATUTE/ORD TITLE/INCIDENT 1. Harassment				STATUTE/ORD NUMBER CRS 18-9-111(1)(a)	
LOCATION OF OCCURRENCE/ADDRESS Eaton Middle School, 225 Juniper Ave, Eaton, CO 80615				DATE/TIME REPORTED 04-26-2019 / 1445 hrs	
DATE/TIME OCCURRED (On or Between) 04-19-2019 / 1240 hrs				AND /	

**PERSONS INFORMATION**

(S) Suspect (V) Victim (RP) Reporting Party (INV) Involved Party (W) Witness (J) Juvenile

Per Code / # <b>S</b>	NAME: (Last, First, Middle) Daigle, Susan			PHONE:(H) <input type="checkbox"/> NONE <input type="checkbox"/> UNK	PHONE:(W) <input type="checkbox"/> NONE <input type="checkbox"/> UNK				
ADDRESS: (Street, City, State, Zip)									
BUSINESS / SCHOOL (Include Address) Eaton Police Department, 224 First St., Eaton, Colorado 80615									
DOB 12-29-1969	<input type="checkbox"/> UNK	AGE 49	SEX Female	RACE White	ETHNICITY Non-Hispanic	HEIGHT 5-02	WEIGHT 165	HAIR BRO	EYES BLU
PARENTS NAME: (Juvenile Only)			PARENTS DOB: <input type="checkbox"/> UNK	PHONE:(H) <input type="checkbox"/> NONE <input type="checkbox"/> UNK	PHONE:(W) <input type="checkbox"/> NONE <input type="checkbox"/> UNK				
ADDRESS: (street, City, State, Zip)				ADDRESS: (Business/School)					

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Per Code / # <b>J</b>	NAME: (Last, First, Middle)			PHONE:(H) <input type="checkbox"/> NONE <input checked="" type="checkbox"/> UNK	PHONE:(W) <input type="checkbox"/> NONE <input type="checkbox"/> UNK				
ADDRESS: (Street, City, State, Zip)									
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DOB	<input type="checkbox"/> UNK	AGE	SEX	RACE	ETHNICITY	HEIGHT	WEIGHT	HAIR	EYES
PARENTS NAME: (Juvenile Only)			PARENTS DOB: <input type="checkbox"/> UNK	PHONE:(H) <input type="checkbox"/> NONE <input type="checkbox"/> UNK	PHONE:(W) <input type="checkbox"/> NONE <input type="checkbox"/> UNK				
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PARENTS NAME: (Juvenile Only)			PARENTS DOB: <input type="checkbox"/> UNK	PHONE:(H) <input type="checkbox"/> NONE <input type="checkbox"/> UNK	PHONE:(W) <input type="checkbox"/> NONE <input type="checkbox"/> UNK				
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**VEHICLE INFORMATION**

VEHICLE INFORMATION	YEAR	MAKE	MODEL	STYLE	COLOR (TOP/BTM)	VALUE	LICENSE NUMBER	TYPE	STATE	EXP/YEAR
	VIN NUMBER				REGISTERED OWNER / ADDRESS: <input type="checkbox"/> UNK				VEHICLE LOCKED <input type="checkbox"/> Yes <input type="checkbox"/> No	
	CCIC/NCIC ENTRY NUMBERS:				CCIC/NCIC ENTERED BY:		Victim/Suspect/Witness(Specify)		Impounded (Yes/No)	

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## EATON POLICE DEPARTMENT - NARRATIVE

REPORTING OFFICER: Sgt. Thomas Suter EL304	CONNECTING CASE NUMBER:	CASE NUMBER: 19-02309
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At approximately 1615 hours on Thursday, April 25, 2019 I was off-duty and reported to the Eaton Police Department for monthly in-service training. At that time I had a very brief conversation with Lt. Sturch concerning Officer Daigle. During that conversation I learned that there was an Internal Affairs Investigation being conducted on Officer Daigle for alleged unprofessional conduct at the Eaton Middle School. The allegation was that she had "smacked" a middle school male student on the back of the head last week. I didn't learn any details beyond that.

At approximately 1430 hours on Friday, April 26, 2019 I was on-duty at the Eaton Police Department and was advised by Lt. Sturch that he had met with [REDACTED] and [REDACTED] parents of [REDACTED] the child involved in the Officer Daigle Internal Affairs Investigation. Lt. Sturch advised me the student's parents wanted to file a criminal complaint against Officer Daigle after viewing the school surveillance video. Lt. Sturch and I had a conference call with Chief Mueller who ordered Lt. Sturch to continue conducting the Internal Affairs Investigation and assigned me to initiate a Criminal Investigation into the allegations.

Lt. Sturch provided me with a copy of the [REDACTED] written citizen complaints and a copy of the video from the school. Beyond turning over the above documents we have not had any conversations regarding the status of his Internal Affairs Investigation.

I reviewed both the video and written statements. The video shows two male juveniles sitting at the end of a lunch table with a group of other juvenile males. The two male juveniles, later identified to me as [REDACTED] (red shorts & light blue shirt) and [REDACTED] (black & gray striped shorts & black hoodie), appear to be eating lunch. Throughout the video they appear to be talking and laughing together. There is some 'light horseplay' i.e. pushing and jostling each other with their shoulders and elbows. At one point early in the video [REDACTED] hits [REDACTED] with a closed fist after [REDACTED] pushes him. Throughout the video the boys continue what appears to be light physical horseplay, mostly pushing each other with their shoulders. At one point in the video [REDACTED] slaps [REDACTED] on the right side of his face and hits [REDACTED] head with an open palm approximately three times. During this time it appears from the video that the two continue to laugh and talk. Officer Daigle then appears in the video and walks to the head of the table while the boys continue to tussle, apparently unaware of Officer Daigle's presence. [REDACTED] slaps the right side of [REDACTED] head with his open left hand. Officer Daigle then slaps [REDACTED] on the back of his head with an open palm. There appears to be a short conversation between [REDACTED] and Officer Daigle before she walks away. There is no audio to the video.

On Friday, April 26, 2019 Officer Daigle came into the Eaton Police Department at the request of Lt. Sturch. Lt. Sturch met with Officer Daigle in the Eaton Police Department interview room. At the end of their meeting Officer Daigle was placed on paid administrative leave.

Officer Daigle is a fully P.O.S.T. Certified Peace Officer. She is assigned as the department's SRO/CRO – School Resource Officer / Community Resource Officer. As the SRO Officer Daigle is responsible for safety and crime prevention in the schools. As the CRO Officer Daigle handles municipal code violations, parking enforcement, animal complaints, and community events. She also performs other police functions such as responding to calls for service and the enforcement of criminal and traffic laws.

## EATON POLICE DEPARTMENT - NARRATIVE

On Friday, April 26, 2019 at approximately 1541 hours I interviewed Officer Daigle as part of my criminal investigation. I explained that Lt. Sturch was conducting the Internal Affairs Investigation and I was conducting a parallel criminal investigation. She acknowledged receiving a Garrity Advisement and I explained that while she was compelled to speak with Lt. Sturch that she was not in-custody, she wasn't required to speak with me, and that she was free to leave. I asked Officer Daigle if she'd like to talk to me and she said, "Yes." The interview took place in the Eaton Police Department interview room. Officer Daigle was seated next to the unobstructed closed door and I was seated across the room. The interview was audio/video recorded and she stated the following:

On Friday, April 19, 2019 at approximately 1230 hours she was at the Eaton Middle School, 225 Juniper Ave, Eaton, Weld County, Colorado on a directed patrol through the school and not there on a call for service. She is normally at the school 5 days a week and noted there has been problems with kids fighting. She had been sitting by the front office watching the kids and talking with another student when her attention was drawn to a table occupied by [REDACTED] and [REDACTED]. She observed one of them, "Ramming another kid with his body and hit him in the head and like doing this to his wrist," (pantomiming giving an Indian burn). Neither boy noticed her and when [REDACTED] slapped [REDACTED] on the back of the head a second time, "It was just instinct and I popped him on the head." There was some conversation between them on the video and I asked Officer Daigle what she said to him and she replied, "Doesn't feel good, does it," or similar words. [REDACTED] then told her that [REDACTED] was taking his items. I asked Officer Daigle what her intent was and she said, "Just to get them to stop horsing around." Officer Daigle later told [REDACTED] and [REDACTED] what had happened, "I felt bad." [REDACTED] then had all three of them meet and Officer Daigle told both [REDACTED] and [REDACTED] "I'm sorry, I shouldn't have done that. I don't want you to hate the police or be afraid of them."

Officer Daigle completed a written statement. Due to a technical problem the interview audio/video was unable to be downloaded at the time of this report.

At approximately 1705 hours on Friday, April 26, 2019 I contacted the [REDACTED] by phone. They were both participating in the conversation so I suspect the call was on speakerphone. Both were reluctant to allow [REDACTED] to be interview by law enforcement because they didn't want him to be traumatized. I advised them that they could both be present and this would be a victim interview, not an interrogation. They stated they'd think about it and get back with me.

On Saturday, April 27, 2019 at approximately 1027 hours I contacted [REDACTED] by phone. I asked her if she would feel more comfortable if a forensic interview were conducted by non-law enforcement personnel rather than a police interview. She agreed to the forensic interview and I advised her that someone would be in contact on Monday to set up the interview.

  
Sgt. T. Suter

### Attachments:

CD of Eaton Middle School surveillance video

Written complaint: [REDACTED]

Written complaint: [REDACTED]

Written statement: Officer Daigle

Property/Evidence Form

<b>EATON POLICE DEPARTMENT REPORT</b>			<b>AXON Recording Available NO</b>	CONNECTING CASE NO.	CASE NO. 19-02309
REPORT TYPE: Supplemental	CLASSIFICATION: Misdemeanor	STATUS CONCLUSION: Case Open		REPORTING OFFICER: Corporal Matthew Rundle #305	DATE OF REPORT: 04-27-2019
STATUTE/ORD TITLE/INCIDENT 1. Harassment				STATUTE/ORD NUMBER CRS 18-9-111(1)(a)	
LOCATION OF OCCURRENCE/ADDRESS Eaton Middle School, 225 Juniper Ave, Eaton, CO 80615				DATE/TIME REPORTED 04-26-2019 / 1445 hrs	
DATE/TIME OCCURRED (On or Between) 04-19-2019 / 1240 hrs				AND /	

**PERSONS INFORMATION**

(S) Suspect (V) Victim (RP) Reporting Party (INV) Involved Party (W) Witness (J) Juvenile

Per Code / # <b>S</b>	NAME: (Last, First, Middle) Daigle, Susan			PHONE:(H) <input type="checkbox"/> NONE <input type="checkbox"/> UNK	PHONE:(W) <input type="checkbox"/> NONE <input type="checkbox"/> UNK				
ADDRESS: (Street, City, State, Zip)									
BUSINESS / SCHOOL (Include Address) Eaton Police Department, 224 First St., Eaton, Colorado 80615									
DOB 12-29-1969	<input type="checkbox"/> UNK	AGE 49	SEX Female	RACE White	ETHNICITY Non-Hispanic	HEIGHT 5-02	WEIGHT 165	HAIR BRO	EYES BLU
PARENTS NAME: (Juvenile Only)			PARENTS DOB: <input type="checkbox"/> UNK	PHONE:(H) <input type="checkbox"/> NONE <input type="checkbox"/> UNK	PHONE:(W) <input type="checkbox"/> NONE <input type="checkbox"/> UNK				
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ADDRESS: (Street, City, State, Zip)									
BUSINESS / SCHOOL (Include Address)									
DOB	<input type="checkbox"/> UNK	AGE	SEX	RACE	ETHNICITY	HEIGHT	WEIGHT	HAIR	EYES
PARENTS NAME: (Juvenile Only)			PARENTS DOB: <input type="checkbox"/> UNK	PHONE:(H) <input type="checkbox"/> NONE <input type="checkbox"/> UNK	PHONE:(W) <input type="checkbox"/> NONE <input type="checkbox"/> UNK				
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PARENTS NAME: (Juvenile Only)			PARENTS DOB: <input type="checkbox"/> UNK	PHONE:(H) <input type="checkbox"/> NONE <input type="checkbox"/> UNK	PHONE:(W) <input type="checkbox"/> NONE <input type="checkbox"/> UNK				
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**VEHICLE INFORMATION**

VEHICLE INFORMATION	YEAR	MAKE	MODEL	STYLE	COLOR (TOP/BTM)	VALUE	LICENSE NUMBER	TYPE	STATE	EXP/YEAR
	VIN NUMBER				REGISTERED OWNER / ADDRESS: <input type="checkbox"/> UNK				VEHICLE LOCKED <input type="checkbox"/> Yes <input type="checkbox"/> No	
	CCIC/NCIC ENTRY NUMBERS:					CCIC/NCIC ENTERED BY: Victim/Suspect/Witness(Specify)		Impounded (Yes/No)		

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# EATON POLICE DEPARTMENT - NARRATIVE

REPORTING OFFICER: Corporal Matthew Rundle EL305	CONNECTING CASE NUMBER:	CASE NUMBER: 19-02309
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Supplemental:

On 04/29/2019 at approximately 1100 hours I attempted to make several calls to [REDACTED] and [REDACTED] unknown DOB for both parties, and was unable to make contact with both parties. I did leave voicemails for both parties to give me a call back at their earliest convenience. I was finally able to make contact with [REDACTED] and told her that Life Stories was able to fit in an appointment for her son [REDACTED] on 04/30/2019 at 1130 hours. [REDACTED] stated that is not going to work for them, that she was not going to pull her son out of school for this and that her husband should not have to take the time off of work and that the Eaton Police Department needs to accommodate their requests. I then advise [REDACTED] that I would make a call to Life Stories and ask if there are any other times available, and [REDACTED] stated that she would like an appointment at 1600 hours.

I then called Life Stories and advised them that the time that was given for the interview would not work for the [REDACTED] and the receptionist stated that they do not do appointments past 1400 hours but they may be able to accommodate them with a later time and date. The dates and times that were given to me were May 1<sup>st</sup> at 1130 hours, May 3<sup>rd</sup> at 1300 hours. I then called [REDACTED] back and advised her of the new dates and times and she stated that she is out of town at the moment and would have to consult with her husband who would be accompanying her son to the appointment, and stated that her husband [REDACTED] would be calling me back with a decision.

After several hours I then attempted to call [REDACTED] by phone again to see if they had settled on a time and date and [REDACTED] did not answer the phone. Approximately an hour later [REDACTED] called the Eaton Police Department and stated that they would be able to make the May 3<sup>rd</sup> appointment at 1300 hours, but he's going to see if he can get the time off of work, but it shouldn't be a problem. I then advised [REDACTED] that we are trying our best to accommodate their requests but this is the only times available and I also advised him that he does not have to be present at the interview and that any family member can take him to the appointment because parents are not allowed in the interview room anyways and [REDACTED] stated that this is going to be a problem. I then asked [REDACTED] what the problem was and he asked why he was not allowed in the interview room with his child and stated that [REDACTED] will probably not want to do the interview if he is not allowed in the room and I told [REDACTED] that it is not our rule that he is not allowed in the room, it is the rules of Life Stories. I also advised [REDACTED] that there will not be an officer in the room as well. [REDACTED] stated to book the appointment, but he is going to give Life Stories a call and speak with them on why he is not allowed in the interview.

I then called Life Stories and spoke with [REDACTED] who set the appointment for May 3<sup>rd</sup> at 1300 hours.

Nothing further to report.

  
#305  
Corporal Matthew Rundle #305

<b>EATON POLICE DEPARTMENT REPORT</b>			<b>AXON Recording Available NO</b>	CONNECTING CASE NO.	CASE NO. 19-02309
REPORT TYPE: Supplemental	CLASSIFICATION: Misdemeanor	STATUS CONCLUSION: Case Open		REPORTING OFFICER: Corporal Matthew Rundle #305	DATE OF REPORT: 05-02-2019
STATUTE/ORD TITLE/INCIDENT 1. Harassment				STATUTE/ORD NUMBER CRS 18-9-111(1)(a)	
LOCATION OF OCCURRENCE/ADDRESS Eaton Middle School, 225 Juniper Ave, Eaton, CO 80615				DATE/TIME REPORTED 04-26-2019 / 1445 hrs	
DATE/TIME OCCURRED (On or Between) 04-19-2019 / 1240 hrs				AND /	

**PERSONS INFORMATION**

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Per Code / # <b>S</b>	NAME: (Last, First, Middle) Dai,le, Susan			PHONE:(H) <input type="checkbox"/> NONE <input type="checkbox"/> UNK	PHONE:(W) <input type="checkbox"/> NONE <input type="checkbox"/> UNK
ADDRESS: (Street, City, State, Zip)					
BUSINESS / SCHOOL (Include Address) Eaton Police Department, 224 First St., Eaton, Colorado 80615					
DOB 12-29-1969	AGE 49	SEX Female	RACE White	ETHNICITY Non-Hispanic	HEIGHT 5-02
WEIGHT 165	HAIR BRO	EYES BLU	PARENTS NAME: (Juvenile Only)		
PARENTS DOB: <input type="checkbox"/> UNK			PHONE:(H) <input type="checkbox"/> NONE <input type="checkbox"/> UNK	PHONE:(W) <input type="checkbox"/> NONE <input type="checkbox"/> UNK	
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VEHICLE INFORMATION	YEAR	MAKE	MODEL	STYLE	COLOR (TOP/BTM)	VALUE	LICENSE NUMBER	TYPE	STATE	EXP/YEAR
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# EATON POLICE DEPARTMENT - NARRATIVE

REPORTING OFFICER: Corporal Matthew Rundle EL305	CONNECTING CASE NUMBER:	CASE NUMBER: 19-02309
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## Supplemental:

On 05/02/2019 [REDACTED] father of [REDACTED] reached out to the Eaton Police Department and stated that his son does not want to participate in the forensic interview with Life Stories that was originally scheduled for 05/03/2019 at 1300 hours. Life Stories was contacted by [REDACTED] for the cancelation of the interview.

Nothing further to report. End of supplemental report.



Corporal Matthew Rundle #305

<b>EATON POLICE DEPARTMENT REPORT</b>			<b>AXON Recording Available NO</b>	CONNECTING CASE NO.	CASE NO. 19-02309
REPORT TYPE: Supplemental	CLASSIFICATION: Misdemeanor	STATUS CONCLUSION: Case Closed		REPORTING OFFICER: Sgt. T. Suter	DATE OF REPORT: 05/03/2019
STATUTE/ORD TITLE/INCIDENT				STATUTE/ORD NUMBER	
1. Harassment				CRS 18-9-111(1)(a)	
2.					
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LOCATION OF OCCURRENCE/ADDRESS Eaton Middle School, 225 Juniper Ave, Eaton, CO 80615				DATE/TIME REPORTED 04-26-2019 / 1445 hrs	
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# EATON POLICE DEPARTMENT - NARRATIVE

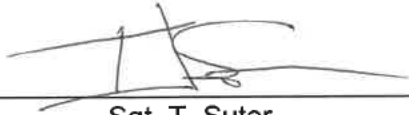
REPORTING OFFICER: Sgt. Thomas Suter EL302	CONNECTING CASE NUMBER:	CASE NUMBER: 19-02309
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At approximately 0900 hours on Friday, May 3, 2019 Chief Mueller and I presented this case to Chief Deputy District Attorney Steve Wrenn. During my case review I had Chief Deputy Wrenn review the surveillance video from the school.

My conclusion after investigating this case is that there is no probable cause to believe the crime of Harassment, nor any other crime, was committed by Officer Daigle. Chief Deputy Wrenn agreed with my assessment and declined to file charges in this case.

At approximately 1119 hours on Friday, May 3, 2019 I contacted [REDACTED] by phone and advised him that there is no basis for a criminal charge and the case was closed.

This case is closed as unfounded.



Sgt. T. Suter