



Completed Internal Investigation Summary

Colorado State Patrol

Date of alleged misconduct: 9/1/2022

Title and name of the subject of the investigation: Trooper Vanessa Valadez

Name of the complainant: [REDACTED]

Investigator(s): Sergeant Brian Delange

Blue Team Case Number: L12022-062

Completed by Appointing Authority or Designee: Major Darce Weil

Date Completed: 12/15/2022

Allegation(s):

Failure/Neglected/Incompetent to perform duties
Lying/Dishonesty
Abuse of Authority

Summary of the Allegation(s):

Trooper Venessa Valadez conducted nine separate breath tests on an Intoxilyzer 9000 in conjunction with other troopers of Troop 1A. The paperwork and narrative reports suggested the tests in question were conducted improperly and not in compliance with the Colorado Department of Health and Environment's (CDPHE) rules and training

Statement of Fact(s) and the Investigative Process:

- In fall of 2021, you attempted to recertify on the Intoxilyzer 9000 and for an unknown reason you were unable to complete your recertification. You did not follow up and determine the reason you were unable to recertify. You stated you would have known that your certification was coming up, but you don't know exactly when you were decertified. You stated you certainly knew you were de-certified in the winter some time. During our meeting you further stated, it was in the back of your mind a lot when referencing knowing you needed to do something to get recertified.
- Regarding case number 1A213439, you gave conflicting information during you interview with Sergeant Delange. Initially you stated that you conducted the breath test. During your interview with Sergeant DeLang, he showed you the signed printout from the intoxilyzer with Trooper [REDACTED] signature. At this point, you claimed that Trooper [REDACTED] conducted the test. Contrary to this new claim, Trooper [REDACTED] stated during his interview that you conducted all the steps for the breath test with the exception of using her instrument card or signing the printout.

- Regarding case number 1A213150, during your interview with Sergeant DeLange, you admitted to falsifying Troopers [REDACTED] initials on the CDPHE Appendix 2A. During our November 29 meeting, you recanted your previous admission and could not answer who initialed or signed the Appendix 2A. During Trooper [REDACTED] interview with Sgt. DeLange, Trooper [REDACTED] was shown the Appendix 2A with his initials. Trooper [REDACTED] stated "That's not me hand-signing it...". Additionally, the Appendix 2A indicated the deprivation period began at 00:01 hours and concluded at 00:21 hours. Trooper [REDACTED] did not arrive at the jail until 00:32 hours.
- Regarding case number 1A213261, during your interview with Sergeant DeLange, you admitted to falsifying Trooper [REDACTED] initials on the CDPHE Appendix 2A. During our November 29 meeting, you could not answer as to who initialed or signed the Appendix 2A. During Trooper [REDACTED] interview with Sergeant DeLange, Trooper [REDACTED] was shown the Appendix 2A with his initials. Trooper [REDACTED] stated that he usually initials documents with three initials ([REDACTED]) and the document he was shown only contained ([REDACTED]). Additionally, the Appendix 2A indicated the deprivation period began at 21:57 hours and concluded at 22:19 hours and the test was completed at 22:31 hours. Trooper [REDACTED] cleared the jail at 22:28 hours
- During our November 29 meeting, you did not give an exact date at which you became aware that you were decertified and should not be operating the Intoxylizer 9000. You did say, you were definitely aware of your decertification at some point earlier this year. You further mentioned that this issue was in the back of your mind "a lot".
- Regarding case number 1A220722, you requested Trooper [REDACTED] assistance to operate the Intoxylizer 9000, despite the fact that you were not certified to do so. You told Trooper [REDACTED] you were not sure what was wrong with your card. You further stated to Trooper [REDACTED] "I did my recert."
- During your interview with Sergeant DeLange, you stated that by May 25th, you knew you were making false statements by signing the Intoxylizer printout as the operator. From this date forward, you signed and initialed both the Intoxylizer 9000 Test Report and CDPHE Appendix 2A affirming you were a certified EBAT Operator and attesting that the tests were conducted in compliance with CDPHE Procedures. This includes case numbers 1A221472, 1A221771 and 1A221863.

Definition of Possible Finding(s):

SUSTAINED: *The allegation is found to be factual and substantiated by competent evidence.*

NOT SUSTAINED: *Insufficient evidence exists to prove or disprove the allegation. This disposition shall also be assigned to any anonymous complaint which, after investigation, lacks corroborative information or evidence.*

UNFOUNDED: *The allegation is not supported by the facts, or is determined to be a false allegation.*

EXONERATED: *The allegation is factual and did occur, however, the member acted lawfully and properly within State Patrol policy and the scope of acceptable conduct.*

CLOSED: *Investigation of the allegation was terminated. The reason for closing the case file will be stated.*

Allegation: Failure/Neglected/Incompetent to perform duties-SUSTAINED


Allegation: Lying/Dishonesty-SUSTAINED

Allegation: Abuse of Authority-SUSTAINED

Rationale for Finding(s):

Based upon all the information I have received, including statements made by the member at the November 29 meeting, I have reached the following conclusions: (1) The member failed to properly perform DUI investigations in the cases cited above; (2) The member operated the Intoxylizer without proper certification; (3) The member made false statements by signing the Intoxylizer printouts as the operator; (4) The member represented to Trooper [REDACTED] that you were certified; (5) The member

falsified official records in at least two DUI investigations by falsifying the initials of other Troopers; and
(6) The member gave conflicting information during the Administrative Investigation.

Major Darce Weil #9300 

Appointing Authority Signature

Copy Sent to:

- Regional Commander 12/15/2022 By: Email
- Professional Standards Case File 12/15/2022 By: Email

Information contained within this document is being released pursuant to Colorado Revised Statute 24-72-303, which requires that a completed internal investigative case file regarding allegations of misconduct of a peace officer involving a member of the public be open to public inspection.