

★ INTERNAL ADMINISTRATIVE INVESTIGATION REPORT ★

LEAD INVESTIGATOR:	Sergeant Sean Schlessman	DATE OPENED:	4/28/2021
REPORT APPROVED BY:	Sergeant Brian DeLange	DATE COMPLETED:	5/7/2021
PSS CASE NO:	L12021-022		

Based on the fact gathered during this investigation, I believe it is **more likely than not** DAKAN improperly used a weapon.

When asked if he was guilty of this allegation, DAKAN said he believed he was. During the discussion on this matter, DAKAN said he had not adhered to firearms safety rules 1, 2, 3, and 4. During an earlier portion of the interview, DAKAN indicated he did not remember whether or not his finger was on the trigger. A witness said they believed his finger was on the trigger. Video evidence was not sufficient to draw a conclusion on that matter.

Video evidence did indicate DAKAN handled the rifle in a wild and reckless manner. A witness described her own fear of DAKAN, partly based on her own observations of the way DAKAN was handling the rifle. DAKAN told me that he did not have a sight picture on either of the occupants of the WRX; however, in light of the video, DAKAN's lack of a sight picture was likely because of the way DAKAN was handling the rifle. Regardless of him not sighting in on the occupants of the WRX, the rifle appeared to be pointed at them. Additionally, DAKAN charged the rifle, in the same reckless manner, from what likely was a cruiser ready configuration, which suggested the rifle's selector switch was probably on fire.

Based on the fact gathered during this investigation, I believe it is **more likely than not** DAKAN abused his authority.

When asked if he was guilty of this allegation, DAKAN said, "Yes, Sir." When asked to expound, DAKAN said he *"pushed it too far."*

I discussed with DAKAN whether or not he would have access to the rifle or the 30 round magazine he used in this incident if not for his position in the Patrol. DAKAN said he would not have had access to those items.

It was not obvious from the available evidence anyone knew DAKAN was a member of the Patrol at the time the incident occurred.

Based on the facts gathered during this investigation, I believe it is **more likely than not** DAKAN was discourteous, rude, unprofessional, and/or inappropriate in his behavior or comments.

When asked if he was guilty of this accusation, DAKAN said he was. When asked why he thought so, DAKAN explained that calling the driver of the WRX a crackhead was not appropriate. When asked if there were any other reasons, DAKAN said that having the rifle above his head and his driving behavior were not appropriate.



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DAKAN's involvement in this incident included escalations of a road rage incident including pulling up next to a vehicle to confront the driver about their actions, illegally pulling in front of the driver, and following the driver for over a half mile.

DAKAN's behavior opened both his personal life and his connection to the Patrol to administrative and public scrutiny, including language used in personal messages where he used blatantly racist slurs as well as other unprofessional and derogatory language to describe citizens. DPD investigators were able to identify DAKAN as a member of the Patrol simply by Googling his name, and it is likely the citizen witnesses would have been able to do the same with only a modest effort, or given enough time for DAKAN's name to be made public via the media or court processes.

Based on the facts gathered during this investigation, including all of the reasoning discussed above, I believe it is **more likely than not** DAKAN was involved in off-duty misconduct as the related events occurred while DAKAN was employed by the Colorado State Patrol, but was in an off-duty status.

INVESTIGATIVE CASE LOG

DATE	TIME	ACTION	AUDIO
4/28/2021		Assigned by Sergeant Brian DeLange	-
5/6/2021	08:00	Subject Interview	Y

Xc: Chief Matthew Packard
 Chief of Staff Sarah Allen
 Lieutenant Colonel Barry Bratt
 Lieutenant Colonel Joshua Downing
 Lieutenant Colonel Jonathan Barba
 Major Steve Garcia

