



## Executive Report

This document provides an executive report of the investigation into several complaints against the command staff, mainly of Chief Miles De Young, of the Woodland Park Police Department (WPPD). By its design, this document is brief.

## Documents Received and Reviewed

- The complaint sent to Ms. Jacob from [REDACTED] was the first to be reviewed. This complaint alleged instances of discrimination, sexual harassment, favoritism, and retaliation/intimidation by Chief DeYoung.
- The complaint drafted by [REDACTED] was reviewed. This complaint alleged instances of discrimination/gender bias, favoritism, and retaliation by Chief De Young. Also noted were specific violations of the Woodland Park Police Department Policies by [REDACTED], and an allegation of departure from the truth by [REDACTED].
- A complaint filed by then [REDACTED] to the Colorado Department of Regulatory Agency was reviewed. This complaint alleged discrimination based on gender during a promotional process. Included in this complaint was the memorandum completed by Ms. Jacob detailing the verbal complaint by both then [REDACTED] and [REDACTED] on August 3, 2020, and August 7, 2020. During this verbal complaint, a broader allegation of discrimination/ gender bias was claimed by both.
- The complaint filed by [REDACTED] to the Colorado Civil Rights Division was reviewed. Included in this complaint was the memorandum detailing the verbal complaint to Ms. Jacob by both then [REDACTED] and [REDACTED]. Also included was Ms. Jacob's Investigation Summary for the claim of sexual discrimination during the promotional process. Ms. Jacobs found there were policy violations and favoritism during this process. Lastly, a memorandum composed by then City Manager Darrin Tangeman, addressed to then [REDACTED] was included, and a copy of Policy 1001, Promotional and Transfer Policy from WPPD.
- An electronic copy of WPPD Policies and Procedures was reviewed.
- Also reviewed was a letter by [REDACTED]. [REDACTED] is a former sergeant with the WPPD was reviewed. In his letter, he alleges gender discrimination at the police department.

- Finally, a letter received [REDACTED] was reviewed. [REDACTED] is a former corporal with the WPPD was reviewed. In her letter, she alleges gender discrimination at the police department.

## **Investigative Process**

Ten members of the WPPD were interviewed. These included all of command staff, the complainants, named witness officers, and the dispatch supervisor. Also interviewed was a former sergeant and [REDACTED] for the City of Woodland Park. Identifying patterns of behavior and common themes are instrumental in the investigation process and will be addressed in the next paragraph.

## **Conclusions and Findings**

### **Findings**

**There is a preponderance of the evidence Chief Miles DeYoung violated the following:**

A) City of Woodland Park 9.01 (B), General Rules of Conduct:

The City further expects that each of its employees will behave with courtesy and respect towards other employees and members of the public. Specific rules of conduct adopted by the City or described in this manual are not meant to be all-inclusive, but rather address some common and serious potential problems.

B) City of Woodland Park 9.5 (A), Workplace Violence

The City has a zero-tolerance policy with regard to workplace violence. Employees are entitled to a work environment free of harassment, intimidation, stalking, threats of violence, and violence.

C) City of Woodland Park 9.5 (D), Workplace Violence

No Employee shall be subjected to reprisal or retaliation for making such a notification; the employee should report immediately any incidents of reprisal, retaliation, or harassment, which occur as a result of making such a notification.

Violations of these three policies are corroborated by multiple sources, supported by the totality of evidence throughout the investigation. The following are specific examples.

*There is a clear pattern of Chief De Young focusing on a particular employee's work performance and "targeting" this person.*

██████████, "knew her month would come." Chief De Young did focus on her, and she was reprimanded for issues other officers were not. One example of such conduct was when ██████████ outlined in her complaint cases that have been turned in (late) from January 1, 2020- March 8, 2021. She broke the numbers down male versus female:

53 cases not turned in by male officers

9 cases not turned in by female officers (3 of which were CEO ██████████)

██████████ pointed out her cases were not criminal and are less of a priority, however she felt she was being, "harangued" by Chief De Young. She said when Commander ██████████ and she would talk about late cases, he told her not to worry about it, as he knew she completed her criminal cases on time.

This was confirmed by ██████████. He said ██████████ had an extremely high case load because of her position in Code Enforcement and she has criminal cases as well. ██████████ switched her schedule to where she worked on Sunday, using that day to catch up on paperwork. ██████████ does not know of any other officer the Chief directly addressed issues with their incomplete cases.

*There is a clear pattern of Chief De Young intentionally intimidating his employees, retaliating against them, and holding grudges against certain employees.*

Multiple employees reported Chief De Young paced back and forth between his office and the rest of the building, "hovering with an empty coffee cup." The Chief is described as not taking counsel from anyone and his commanders will not challenge the Chief, even if he is wrong about an issue, because they fear he will retaliate against them.

Commander ██████████ reported the Chief constantly walks by the report writing area and remarks how, "now would be a good time to commit a crime" because they are not on the street. Commander ██████████ said this stresses people out because they are behind in reports. He said officers will wait until the Chief leaves at 2:00 PM and they will come to the PD to finish their reports. By that time, they are down and are pushed to complete the reports before their end of shift.

██████████ said the Chief bragged about his time in the military and how the Chief trained in psychological warfare. Chief De Young "does the intimidation thing a lot whether he is disciplining people or just talking to people."

██████████ said he (██████████) will sit and talk to an employee and just have a conversation, whereas the Chief will "stare at them, give them the silent

treatment and make it super uncomfortable and unfortunately a lot of people cry. I would say the women have a stronger reaction to that, they tend to be more emotional to that and end up crying quite a bit. He has made guys too, but just not as much.”

Former Sgt. ██████ reported Chief De Young intentionally tried to intimidate employees. ██████ said this about the Chief, “one of the biggest things we also talked about and don’t know if it was from when he was in psychological ops stuff in the military, but when you’re talking to him, he gives you that 1000-mile stare. He puts his hands behind his head, and he wouldn’t say anything when he’s questioning you on something. And he’d do that thing where he does that long pause and he just stares at you like he’s pissed off. Anytime when you’re talking in his office and it’s negative.” ██████ even brought this up to the Chief, when he did those things, it was “extremely intimidating and uncomfortable.” The Chief’s response to this was, “I can’t help my face.” ██████ told him he could because they have had normal conversations. The Chief mentioned his military training in psychological operations several times.

██████ reported Chief De Young would not speak to an employee who he believes have wronged him and will purposely ignore that employee. She brought up a situation where he did not speak to her for two months over an issue in which she did nothing wrong. ██████ and ██████ reported similar issues with the Chief not speaking to them over a long period of time and he holds grudges for years.

██████ was asked what effect upon ██████ the Chief’s grudge had upon her. He said she had been affected the “worse” of any of the other people he brought up. She has anxiety, stress, lack of sleep and had to get on medications. He feels it has had a “huge impact on her.” He and ██████ have talked about this in-depth. “She obviously came in and complained and rightfully so.”

Former Sgt. ██████ reported it was common for the Chief to retaliate against an employee by not approving training requests, shift assignments, or days off.

The most egregious example of retaliation occurred when ██████ refused a request to change a report she wrote. The Chief extended her probationary period because of this refusal.

- 1) **There is a preponderance of the evidence there is gender bias present at the Woodland Park Police Department under Chief De Young's leadership:**
- If one were to look at [REDACTED] complaint alone, she does not suggest the targeting of her is based on her gender, although she has observed this targeting occurs more frequently with the female officers than male officers.
  - In considering the totality of the interviews and investigation, the preponderance of the evidence suggests Chief DeYoung and his command staff (by his order) discriminate upon gender. This is a violation of Woodland Park Policy 319.3.4 Discrimination, Oppression, or Favoritism.

Violation of this policy is corroborated by multiple sources, supported by the totality of evidence throughout the investigation. The following are specific examples.

*There is a clear pattern of female officers in the department being treated differently than their male counterparts. These differences can be found in the language in which females are described, training opportunities, allocation of equipment, discipline, and scrutinization.*

[REDACTED] reported it is common for female officers to be referred to as "difficult to deal with." She has never heard of a male officer being referred to in this way, even as they are being "pushed out the door." She never hears the faults or a perception about not being able to do something being discussed about male officers, "it is specifically tied to the females of the department."

[REDACTED] reported the Chief and both Commanders did not want [REDACTED] or [REDACTED] to be sergeants. The reasons they gave was these women are "difficult, argumentative and opinionated." He reported they never referred to any of the male officers this way. He brought up an example with [REDACTED]. [REDACTED] said he was "extremely argumentative with the sergeants. He was constantly going above the sergeant's heads." [REDACTED] brought this to the attention of the Commanders and the Chief, but nothing happened. [REDACTED] said [REDACTED], "could get away with it, that it was never seen as an issue" with [REDACTED].

[REDACTED] reported what behavior would be for a male such as going too far or being assertive was status quo. "But if a female were to mimic this, they would be treated as being bitchy or opinionated or complaining." [REDACTED] said there were a couple of male officers that would jump the chain of command and go straight to the Commanders, and this was never an issue. But if a female officer did this, he would always hear back from the Commander, "they're coming in here and bitching, they're jumping chain of command, they are just trying to get their way." He said this was a "constant thing with staff, that females are bitchy."

██████████ was denied training for a free class for 3 years in a row. This training is a refresher for accident investigation. She was told she should recall this information because the department still had to pay for a hotel and her salary. By contrast, ██████████ was allowed to participate in canine competitions out of state, which cost the department over \$2000, and was a benefit to no one. The department also paid for several male officers to attend a gun show.

██████████ was ordered by the Chief to go home for the remainder of the day for what he perceived as an emotional outburst. ██████████ confirmed she had not behaved inappropriately during this time when she was venting to him. By contrast, male officers are allowed to “rage” and are not sent home.

Chief De Young questions the actions of female officers in public, specifically at briefings. If he has a question about the way a male officer handled a particular call, he will ask to speak to this officer in his office and it will often “turn into a bonding” experience.

### **Recommendations**

- The Woodland Park Police Department currently has an extremely toxic environment. Chief DeYoung has done nothing to change the environment. In fact, he has perpetuated the situation which has led to the current crisis. The state of this police department is dire and can only improve with the termination of Chief DeYoung. By doing so, the department will be able to heal and operate in a cohesive, safe and respectful manner. The department must follow their policies which clearly state that employees are entitled to a work environment free of harassment, intimidation etc. The work environment should also be free of discrimination, oppression, or favoritism.

To: City Manager Michael Lawson  
From: Chief Miles De Young  
Re: Response to "Executive Report" from JEH Consulting, LLC

City Manager Lawson:

Thank you for the opportunity to respond to the allegations and findings contained in the "Executive Report" from JEH Consulting, LLC. As I mentioned during our meeting on Wednesday, June 23, 2021, I was never interviewed or confronted with the vast majority of claims alleged in the Report, nor allowed to respond to any of the "findings" that are set forth in the Report. Moreover, most of the allegations for which I was interviewed are not addressed or even mentioned in this allegedly thorough and complete report. To my mind, the lack of follow-up investigation by the JEH investigator with respect to these serious allegations against me and the City makes the "findings" in the letter immediately suspect. More than that, however, is the fact that no effort was made to seek any information or evidence from me or anyone, apparently, other than those making the complaints themselves or individuals who have an expressed interest in supporting these allegations. No potentially contrary witnesses or evidence were interviewed or produced by the investigation. This lack of objectivity and even-handedness in the investigation indicates to me—as a law enforcement officer with decades of experience—that this investigation is not only incomplete, biased and unfair, but is in actual fact retaliatory. I would therefore request that the investigation be completed by speaking with at least the following additional individuals who have been witness to the actions of the individuals alleging these complaints against me, and who work closest with me and are therefore privy to how I actually and in reality conduct the business of the Department: [REDACTED]

[REDACTED]. Speaking with these individuals may reveal yet more witnesses who contradict the complaints alleged by the central witnesses in this case. In any event, at a minimum, fairness would seem to dictate the necessity of speaking with these individuals.

Turning to the specific allegations contained in the Report, it is critical to point out at the outset that the Report lists several investigations which have already been resolved as the basis for this investigation, which suggests that this particular investigation is simply rehashing old (and likely unjustified) complaints against me in an effort to unfairly paint me as a person who engages in serial discrimination. These include the complaint sent to [REDACTED] from [REDACTED], which was resolved long ago and, in fact, with the tacit involvement and approval of both [REDACTED] and the City Manager. It also appears that this investigator for JEH Consulting merely reviewed the complaints not only in that case but in the CDRA and CCRD cases as well, took those allegations as gospel, and came to conclusions based on those baseless allegations, without ever seeking the statuses or outcomes of those independent cases. Although I am unaware of those cases' respective resolutions, it would seem to me that a thorough and unbiased investigation would have at least looked beyond the mere complaints in those cases to determine if there was further evidence—or lack thereof—to support such serious allegations, and address them in the Report. But no such treatment or assessment of that evidence appears from the Report to have taken place. This lack of thoroughness only reinforces that I was never directly confronted with these allegations for fear I would demonstrate their baseless nature.

Equally telling is the fact that immediately following the listing of these old complaints against me, the Report's "Initial Findings" is primarily based on an allegation that I "targeted" [REDACTED] by "reprimanding" her for late reports and not reprimanding any other officers for similarly late reports. The biased and prejudiced nature of the investigation and Report is perhaps most starkly illustrated right here, because not only is there no evidence listed in the Report to support these allegations (such as, for example, any mention of the disciplinary histories of any other officers in the Department), but the fact is that I have never disciplined [REDACTED]—through reprimand or otherwise—for anything. And in any event, late reports are handled through the chain of command by my providing a printed "late case" list to the sergeants or the commanders to be addressed by them as they see fit. I generally do not directly reprimand or discipline any officer for late reports. How a purportedly "thorough and complete" investigation could have overlooked this reality is beyond me. And the fact that there is no evidence to support the primary allegation against me throws the remaining allegations in the Report into an even more suspicious light.

With the respect to the allegations concerning intentionally intimidating, retaliating against, and holding grudges against employees, this section of the Report is similarly entirely without factual support. For the most part, it appears these allegations revolve around unfair characterizations of my personal habits, some of which I addressed during our meeting on Wednesday. But even if it were true that my coffee habit takes me past other employees frequently such that I might be perceived as "hovering," or that the occasional offhanded comment of mine is taken out of context by a tiny group of entitled, oversensitive, or overreactive employees, does not amount to intentional discrimination nor provide any basis to conclude that I hold a grudge against anyone. The fact is that I don't. And in any event, neither [REDACTED] nor [REDACTED] ever came to me with any complaints that [REDACTED] was feeling "harangued" by me as alleged in the Report. In fact, had any such complaint come to me through either [REDACTED], I would have talked with both of them to find out where this perception was coming from. [REDACTED] is correct, [REDACTED] does have a high case load as she is learning what incidents need a case and which do not. However, since [REDACTED] is not the patrol supervisor, he does not know when I mention case suggestions to new officers or even supervisors. He was not present when I guided [REDACTED] on a 2<sup>nd</sup> Degree Kidnapping case or when I was giving [REDACTED] tips on additional charges for a case that her trainee was working on. He is usually not present when I'm giving advice to [REDACTED], who was working a difficult storage unit theft for a number of weeks with little help or success this past winter. Again, the incomplete and biased nature of the investigation is highlighted here, as even a shallow inquiry would have revealed these facts. This same mischaracterization and unfair embellishment applies to my habit of pausing and staring when in conversation and considering things. [REDACTED] is correct that I will give a long pause and make eye contact as I'm waiting to see if someone has anything else to say or I'm formulating a response. I do want to be paying attention, after all. But I have a stoic visage and deal with serious matters, and when I am in deep thought people misconstrue it as me being unhappy. There is little I can do about that, but in no way do my personal habits amount to intentional discrimination or intimidation.

More pointedly, the allegations that I "brag" about my military service and am obsessively mentioning my "psychological ops training" is, quite simply, false. I may have mentioned my military service on occasion or even what our training consisted of at some point, but the fact is that my military



service occurred many, many years ago and functionally has nothing to do with modern police work. It would make little sense for me to repeatedly even mention it, much less brag about it on every occasion, as is suggested by the Report. I would expect that further investigation would reveal this as being an embellishment, at most.

The investigation should also have considered the source with respect to some of these claims, but apparently did not. For example, I disciplined [REDACTED] after he was named in the Teller County Sheriff's private business last spring and was inappropriately moonlighting while assigned to an undercover narcotics position. That discipline was imminently justified. He filed a grievance against me and left to work at the Douglas County Sheriff Office. It is obvious he is taking this opportunity to retaliate against me by making baseless claims of intimidation and harassment.

I am particularly offended by the allegations that females in the Department are frequently referred to as "difficult, argumentative and opinionated," or that they are referred to as "bitchy." If the allegation is that I have ever used those terms or even suggested that female employees behave that way, that allegation is an outright falsehood. I have never used those terms or indicated that is my belief in any way. Furthermore, if I had ever heard of those terms being used in that way or it had been reported to me that was going on, immediate discipline of the offending parties would have resulted. I have never used those terms or indicated to anyone that I believed female employees were difficult to work with, because I do not believe they are, and in fact the opposite is true. And again, no one, whether chain of command or the officers themselves, has ever brought a complaint to my attention that this was the case. This is particularly surprising in light of the fact that [REDACTED] claims to have had extensive conversations with [REDACTED] about the impact that my alleged "grudges" have had on her, and yet, [REDACTED] never thought to bring those concerns to me in any form. This strongly suggests that these allegations, like the others discussed above, are not only blown out of proportion, they are factually baseless. Indeed, that a Commander would not report to me an employee suffering to the point that she required medications (as alleged in the Report), simply defies explanation.

In short, all of these baseless allegations that were being made against me made it functionally impossible to do my job, and I received no assistance in this regard from City management. When [REDACTED] filed the complaint against me, I told former City Manager [REDACTED] that I was avoiding the people who had filed complaints against me so they would not file additional ones. He did not disagree with me. What follows below are specific responses to the remaining factual allegations in the Report, to the extent their context can be inferred:

[REDACTED] accusation that Corporals [REDACTED] are, "difficult, argumentative and opinionated" are not my words nor my opinion of them. Corporal [REDACTED] dropped out of the sergeant testing the day before and was placed on the panel to aid her with her test anxiety. [REDACTED] has been repeatedly talked to about being more social with her trainees because she has been intimidating to most of them. I was going to promote [REDACTED] last summer to sergeant, but her complaint came in faster than the promotion, so I stopped her promotion and was up front with the City Manager about it, who agreed with that course of action. [REDACTED] does not know what I have counseled [REDACTED] on, what we've done with him and when we've sent him back to his chain of command when he hasn't used it appropriately. [REDACTED] is assuming that [REDACTED] hasn't been turned down for training or disciplined, but he has been gone a year and doesn't know every verbal counseling session that occurs.

Corporal [REDACTED] has been to a basic accident investigator class at least twice, and she needs to attend the intermediate classes. She has dropped out of at least two "train the trainer" classes due to her public speaking fear. She does go off to week-long arrest control class in Broomfield where we pay for her hotel, meals and her husband has joined her too. The Top Dog class the K-9 Officer attended was not, in fact, paid for by the Department, but rather by a television company. I want to stress that this inaccuracy in the Report is yet another situation that would have been easily remedied by a thorough and complete investigation, and seems to suggest that the findings in this case are based on demonstrably false facts and allegations. His school resource officer classes are paid for by the school and he does threat analysis classes when requested as well as active shooter classes. He also needs to train his K-9 and maintain certifications so when the officers call him out for drug sniffs or tracking suspects the department is covered. Some officers did attend the SHOT Show 3-5 years ago in Las Vegas, but I believe they also had a training and paid for some of the travel themselves to make it a possibility. Sergeant [REDACTED] had a condo or timeshare that they stayed at and I believe he was accompanied by Commander [REDACTED] and Commander [REDACTED]. Detective [REDACTED] just finished up a weeklong investigator class that cost close to \$800 and there are a number of classes officers attend throughout the year of both genders. There is no discrimination in this regard, and no basis for any claims that there is.

I agree that there is an extremely toxic work environment at the Department, but that environment has been fostered and maintained by [REDACTED]. According to Officer [REDACTED] Sgt. [REDACTED] has a "blueprint" of how to file complaints against me. They have recruited [REDACTED] and [REDACTED] to file these one-sided allegations against me. I am disappointed that Commander [REDACTED] did not get clarification on the misbelief that Officer [REDACTED] thinks I have some kind of issue with her. I do not have an issue with her and wish to put her mind at ease. In that regard, Officer [REDACTED] has observed firsthand the toxic environment that Sgt. [REDACTED] and her court have not only created but perpetuated. Officer [REDACTED] told me that Sgt. [REDACTED] solicited him for any incidents where he was treated unfairly so that he could file complaints against me. He said that he believed he was treated fairly and had no issue with me. Sergeant [REDACTED] then did this with Officer [REDACTED], Dispatcher [REDACTED], Dispatcher [REDACTED] and Dispatcher [REDACTED] and they did not believe they were treated unfairly according to Officer [REDACTED]

When Officer [REDACTED] left around April, 2021 she told me that she was very impressed with how she was treated at WPPD as well as the opportunities afforded to officers that were so recent in their careers. My Administrative Assistant, [REDACTED] works closer to me than anyone. If I was indeed biased against women, that would be evident to Ms. [REDACTED] who has worked around me for ten years throughout my promotions at the police department.

In the end, it became virtually impossible to do my job because, following the complaints in 2020, any action I took could be perceived as retaliatory. I could not so much as make the slightest suggestion or management improvement, or indicate to an employee that they could do their job better, without it resulting in a complaint of discrimination or harassment. To this end, Sgt. [REDACTED] led Sgt. [REDACTED] to believe that "[REDACTED] won't be happy until you and the commanders are gone." This was told to me around February by Sgt. [REDACTED]. I put my trust in [REDACTED] as the former City Manager to help me with the constant complaints that were filed against me. I had hoped that Mr. [REDACTED] would be better equipped to help me reduce the complaints that are being filed against me. One thing Mr. [REDACTED] said is that he knows I talked about the case. He is correct, when I finished with my interview on my last day at work I mentioned to Commander [REDACTED] that I was interviewed about old complaints from Officer

██████████, it was a very short interaction. I had not received anything in writing that prohibited me from saying anything. When I was placed on administrative leave, there was also no mention of me not talking to anyone. So when I spoke with Commander ██████████, I did not believe I was prohibited from doing so. And I did not speak with anyone but Commander ██████████ regarding the investigation.

In short, thank you again for this opportunity to address these allegations. I hope that in the interests of fairness, completeness, and thoroughness, my responses above are considered and the individuals mentioned will be interviewed in connection with investigation before any decision is made. While I am sensitive to the local media attention and political pressures the City is under with respect to this investigation, I hope that all of the evidence will be considered and so the City will be confident that it has made a fully-informed decision, whatever ultimate result that might present.

Sincerely,

/s/ Miles De Young

Chief Miles De Young