



DATE: March 8, 2019

TO: Colorado Springs City Council

FROM: Office of the City Attorney

SUBJECT: *Sigmund J. Wilson v. Brent J. Jacobsen and City of Colorado Springs*
2019CV030201

This memorandum is to apprise you of the facts alleged in the above-referenced case as you consider the claims made against the officer involved.

NATURE OF THE CASE

Plaintiff, Sigmund Wilson, brought this claim in the District Court of El Paso County, Colorado, alleging that he was injured in a traffic accident with Officer Jacobsen.

Plaintiff alleges that on February 17, 2016, he was driving northbound on South Academy Boulevard. Plaintiff claims that his vehicle was struck from behind by a vehicle driven by Officer Jacobsen. Plaintiff alleges that Officer Jacobsen's vehicle was owned or leased by the City of Colorado Springs ("City"), and that Officer Jacobsen was driving the vehicle in the ordinary course of business. Plaintiff accuses Officer Jacobsen of driving in a negligent manner and claims that the accident left him with multiple injuries which are permanent and continuing. Plaintiff also alleges that he is unable to work due to his injuries. Plaintiff has filed claims against both Officer Jacobsen and the City. He is seeking compensation for his alleged injuries and his expected future damages.

According to the reports for this incident, on February 17, 2016, at or about 12:57 p.m., Officer Jacobsen was driving a 1997 Chevy Lumina northbound in the left through lane, at or about the 100 block of South Academy Boulevard. Plaintiff was driving a 2008 GMC Canyon directly in front of Officer Jacobsen. Plaintiff's witness statement indicates that he slammed on his breaks to avoid hitting the car in front of him. Officer Jacobsen, behind Plaintiff, was unable to stop but attempted to avoid a collision by veering to his left. However, the right front portion of his car struck the left rear portion of Plaintiff's vehicle. The collision pushed Plaintiff's vehicle to the right where it struck

the left front portion of a 2010 Dodge Avenger driven by a nonparty. Emergency medical responders evaluated and released all drivers on scene.

RECOMMENDATION

The Civil Action Investigation Committee has recommended that the City represent the Officer as required by the Colorado Governmental Immunity Act and the Peace Officer's Liability Act. The Officer was acting in the course and scope of his employment, and was acting in good faith. As usual, it is recommended that the City reserve the right not to pay any award of punitive damages.