



**DATE:** July 18, 2022

**TO:** Colorado Springs City Council

**FROM:** Office of the City Attorney

**SUBJECT:** *Tara Hadam v. City of Colorado Springs; Christopher Pryor, Dale Peterson, Blake Evenson, David Brockman, Jason Reeser 22-cv-01349*

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

### **NATURE OF THE CASE**

Plaintiff, Tara Hadam, by and through her attorney, brought these claims, in the U.S. District Court, District of Colorado, alleging that the City of Colorado Springs (“City”) and Officers Pryor, Peterson, Evenson, Brockman, and Reeser violated her rights under both the Colorado Constitution and the Constitution of the United States. Plaintiff claims that officers pepper sprayed and arrested her because she was participating in a protest related to the death of George Floyd. Plaintiff is also asserting a claim against the City alleging that it is responsible for her arrest and the force used against her.

Specifically, Plaintiff alleges that on June 2, 2020, she participated in a protest outside of the Police Operations Center (“POC”). Plaintiff claims that she was peacefully protesting when she was pepper sprayed five times, “bearhugged” in conjunction with a wrongful arrest, and forced to defend herself in a criminal trial. According to Plaintiff, she was targeted, arrested, and subjected to excessive force because she was protesting police violence. Finally, Plaintiff claims that the City’s police department “CSPD” ordered her arrest, ratified the officers’ conduct, and failed to properly train its officers with respect to excessive force, free speech, and interacting with protesters. Plaintiff is asking for injunctive relief, compensatory damages, fees, costs, and interest.

According to reports, on June 2, 2020, at about 10:20 p.m., a large group of protesters gathered in front of the concrete barriers positioned on Rio Grande Avenue outside of the POC. Similar types of protests had been going on for the past several days. On previous nights, the protests had become violent with protestors throwing rocks and bottles at police officers. On June 2, 2020, the above-named officers were stationed

behind the barriers. At about 10:43 pm, an order to disperse began playing over a loudspeaker in a CSPD vehicle. While several protesters began backing up, others were throwing things at officers. Plaintiff had positioned herself in front of the other protestors and directly in front of the gap between the concrete barriers. Plaintiff was told to leave at least twice. However, she refused to leave, asking different officers if they were going to shoot her or pepper spray her. After refusing to comply with several orders, Plaintiff was sprayed twice with pepper spray. Still, she refused to leave. Officers eventually arrested Plaintiff. Officers first attempted to escort Plaintiff behind the barriers. However, she refused to be led away and consequently had to be picked up and carried. As a result of her refusal to disperse, Plaintiff was charged with obstructing a peace officer.

### **RECOMMENDATION**

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