



**DATE:** September 7, 2022

**TO:** City Council

**FROM:** Office of the City Attorney

**SUBJECT:** *Ean C. Meadows v. Ofc. Sunderlin #4659 and K-9 Ofc. Snuggs #2644*, No. 21-CV-00379, United States District Court of Colorado

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

### **NATURE OF THE CASE**

On February 10, 2020, Colorado Department of Corrections (“CDOC”) parole officers received reports that Mr. Meadows had absconded from parole; had an active warrant for felony escape; and was armed and dangerous. At the time, Plaintiff, Ean Meadows, was serving a parole sentence after receiving a 14-year prison term for charges including burglary and possession of a weapon by a previous offender. CDOC Parole requested that the Colorado Springs Police Department Tactical Enforcement Unit (“CSPD TEU”) assist in arresting Mr. Meadows at a residence in Colorado Springs.

Once at the residence, reports and body worn camera video show that CSPD TEU officers believed Mr. Meadows was in a room in the basement of the residence. After clearing the house of other civilians, officers gave multiple commands for Mr. Meadows to exit the room and surrender. These commands included multiple warnings by K-9 Officer Snuggs that a Police K-9 would be released to apprehend Mr. Meadows. Mr. Meadows would not come out of the room, and TEU officers entered the basement and opened the door to the room while simultaneously deploying K-9 Odin. Mr. Meadows was taken to the ground by officers as K-9 Odin bit him. As he was being arrested, K-9 Odin quickly released his bite upon command. Officer Sunderlin, who had taken a cover position, stepped in and assisted in controlling Mr. Meadows so that he could be safely handcuffed. Mr. Meadows was treated by paramedics for the dog bites on scene and later at the hospital.

Mr. Meadows was arrested for felony escape and later charged with an armed robbery of a Subway restaurant that occurred a few hours prior to his arrest by CSPD TEU.

Plaintiff, in a *pro se* complaint, brought claims against two officers in their individual capacity alleging the following:

1. Officer Sunderlin used excessive force and illegal arrest techniques.
2. K-9 Officer Snuggs was negligent and used excessive force by failing to secure K-9 Odin.

Plaintiff seeks \$3,000,000 for mental anguish, P.T.S.D., physical disabilities and any other damages the court or jury find appropriate.

### **RECOMMENDATION**

The Civil Action Investigation Committee has met and recommends that the City represent Officers Sunderlin and Snuggs as required by the Colorado Governmental Immunity Act and the Peace Officer's Liability Act. Both officers were acting in the course and scope of their employment and not in a willful and wanton manner. As usual, City Council should reserve the right not to pay any award of punitive damages.