



DATE: August 12, 2024
TO: City Council
FROM: City Attorney's Office
SUBJECT: *Siron v. Wolfe*, El Paso County District Court Case No. 2024CV31153

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

NATURE OF THE CASE

Plaintiff, Matthew Siron, filed an action in the District Court for El Paso County against Douglas Wolfe, an officer with the Colorado Springs Police Department ("CSPD"), asserting a claim for excessive force.

In the complaint, Plaintiff alleges CSPD officers responded to a domestic dispute call made by Mr. Siron's wife, Henrietta Siron. In the call, Ms. Siron reported that Plaintiff had been drinking and was damaging property in their apartment. Officer Wolfe and Officer Braun contacted Plaintiff in the apartment, handcuffed him, and placed him in a seated position in the hallway. While Officer Braun interviewed Ms. Siron, Officer Wolfe stood Plaintiff up at his request. Once Plaintiff was up, he began to shout and walk towards the apartment. Officer Wolfe ordered Plaintiff to stop and restrained him. After several minutes, Plaintiff again attempted to walk towards the apartment. According to Officer Wolfe, during this time, Plaintiff attempted to grab Officer Wolfe's gun belt. In response, Plaintiff was taken to the ground. The complaint alleges Plaintiff landed on his back and Officer Wolfe placed his hand on Plaintiff's throat. Minutes later, Plaintiff kicked Officer Wolfe in the knee and, according to the complaint, Officer Wolfe placed his hand on Plaintiff's throat again. Plaintiff alleges he suffered bodily injury due to the takedown.

Plaintiff pled guilty to Second Degree Assault on a Peace Officer, a class four felony, and received a deferred sentence. He also pled guilty to Criminal Mischief, a petty offense, and received a concurrent probationary sentence.

The lawsuit seeks compensatory, economic, and punitive damages, attorney fees and pre- and post-judgment interest and costs.

RECOMMENDATION

The Civil Action Investigation Committee met on July 24, 2024 and recommended City representation for Officer Wolfe. City Council should acknowledge the City's role in representing Officer Wolfe as required by the Colorado Governmental Immunity Act and the Liability of Peace Officers Act. Officer Wolfe was acting in the course and scope of his employment, and in good faith during the incident. As usual, City Council should reserve the right to decline payment of any award of punitive damages.