



**DATE:** July 23, 2020  
**TO:** Colorado Springs City Council  
**FROM:** City Attorney's Office  
**SUBJECT:** *Corey Barnes v. City of Colorado Springs, et al.*  
Case No. 20-cv-01384-KMT

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

#### **NATURE OF THE CASE**

Plaintiff, Corey Barnes, has filed an action in the United States District Court for the District of Colorado against Officers Carlotta Rivera and William Watson, and former Officer Katelyn Burke asserting claims for unlawful seizure, unlawful search, and a violation of the Equal Protection Clause of the Fourteenth Amendment. Plaintiff also asserts a claim against the City of Colorado Springs based upon its alleged unlawful customs and practices.

The complaint alleges that Plaintiff was contacted by the above-named officers as police searched for suspects who fled a stolen vehicle. Plaintiff alleges that he did not match the description of the suspects, and he should not have been contacted by officers. Plaintiff also alleges that one of the officers improperly searched him for identification. The complaint alleges that Plaintiff was released once he was identified.

Plaintiff seeks compensatory damages, punitive damages, attorney's fees and pre- and post- judgment interest.

#### **RECOMMENDATION**

It is recommended that City Council approve City representation for the named officers as required by the Colorado Governmental Immunity Act and the Liability of Peace Officers Act. The officers were acting in the course and scope of their employment and in good faith during the incident. As usual, it is recommended that the City reserve the right not to pay any award of punitive damages.