DATE: February 23, 2026

TO: City Council

FROM: City Attorney's Office

SUBJECT: *Gwen Hengehold v. Brandon Hensley*
Case No. 2025CV32808

This memorandum is to apprise you of the facts alleged in the above-referenced case as you consider the claims made against Brandon Hensley, and the recommendation of the Civil Action Investigation Committee.

NATURE OF THE CASE

Plaintiff, Gwen Hengehold, filed this claim in the District Court of El Paso County, Colorado. Plaintiff alleges that Mr. Hensley, while operating a 2015 white International Utility Truck, negligently caused a rear-end collision resulting in injuries to Plaintiff.

The Complaint states that on November 28, 2023, at approximately 1:40 p.m., Plaintiff was driving southbound on Interstate 25 near the Tejon Street exit. Plaintiff slowed due to traffic and was able to stop without hitting the vehicles ahead. Plaintiff alleges that Mr. Hensley failed to maintain adequate space between his vehicle and Plaintiff's vehicle and did not keep a proper lookout, which resulted in a collision. Plaintiff asserts that adverse road or weather conditions did not contribute to the incident and that Mr. Hensley violated his duty of reasonable care.

Plaintiff claims injuries, economic and non-economic damages, and physical impairment. The Complaint includes two claims for relief:

- **Negligence**: Mr. Hensley allegedly breached his duty of care, causing Plaintiff's injuries.
- **Negligence Per Se**: Plaintiff alleges violations of C.R.S. §42-4-1402 (Careless Driving) and §42-4-1008 (Following Too Closely).

Plaintiff seeks actual damages, pre- and post-judgment interest, costs, and other relief deemed proper by the Court.

RECOMMENDATION

The Civil Action Investigation Committee voted on February 5, 2026, to recommend to City Council that the City provide representation for Mr. Hensley pursuant to the City Code and the Colorado Governmental Immunity Act. The Committee further recommends that the City reserve the right to decline payment of any award of punitive damages.