



DATE: January 28, 2025
TO: City Council
FROM: City Attorney's Office
SUBJECT: *Preston R. Parker v. Colorado Springs Police Department, et al.,*
Case No. 24CV472

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

Self-represented Plaintiff, Preston R. Parker, filed an action in the District Court for El Paso County against Detective Max Nevarez and the Colorado Springs Police Department ("CSPD") claiming that Det. Nevarez violated his civil rights, and the City of Colorado Springs misuses the police department to harass him.

The complaint alleges that, on an unknown date, Det. Nevarez traveled to Plaintiff's house after members of a church became alarmed over Plaintiff's actions at the church. According to the complaint, parishioners became concerned after they received threats and Plaintiff brought ammunition to the church. At the residence, Plaintiff alleges that Det. Nevarez declined to leave his property after Plaintiff yelled profanities at the officer and told him to leave. Plaintiff also alleges that Det. Nevarez spoke with Plaintiff's mother after she pulled up in a vehicle in the driveway. Plaintiff claims, without detail, that this incident is part of a pattern of harassment by CSPD.

The complaint does not allege any damages as a result of the encounter.

RECOMMENDATION

The Civil Action Investigation Committee met on January 7, 2025 and recommended representation for Det. Nevarez. City Council should acknowledge the City's role in representing Det. Nevarez as required by the Colorado Governmental Immunity Act and the Liability of Peace Officers Act. Det. Nevarez was acting in the course and scope of his employment, and in good faith during the incident. As usual, the City should reserve the right to decline payment of any award of punitive damages.