

## WOODLAND PARK POLICE DEPARTMENT

### INTERNAL AFFAIRS INVESTIGATION

#### COMMANDER RYAN HOLZWARTH

On September 13<sup>th</sup>, 2021, I was retained by the Woodland Park Police Department to investigate a complaint alleging that Commander Ryan Holzwarth may have manipulated a personnel investigation in an attempt to terminate former Woodland Park Police Officer Dakota Kimbriel. The allegation was that Commander Holzwarth initiated a domestic violence investigation through the Teller County Sheriff's Office in which Dakota Kimbriel was a suspect in an attempt to discredit him, when there was no evidence to warrant such an investigation.

After reviewing a voluminous amount of material regarding this allegation to include reviewing a prior investigation into the culture of the police department conducted by the JEH company, numerous police reports, taped interviews of many department members by the Teller County Sheriff's Office and the Colorado Bureau of Investigation, interviewing several members of the Teller County Sheriff's Office, me personally interviewing many Woodland Park Police Department members and me interviewing Commander Holzwarth I have **Unfounded** this complaint.

I have obtained a copy of a letter written by former Woodland Park Police Chief Miles De Young dated November 6, 2019, sent to former Woodland Park Police Officer Dakota Kimbriel entitled Termination of Employment in which Chief De Young writes, "Upon my request, an internal affairs investigation was opened by Commander Ryan Holzwarth on a possible domestic violence enhanced theft. You are currently on probation, and have been on probation since last November. TCSO Sgt. Bonnelycke investigated the situation with you and [REDACTED] and has decided not to charge you. After reviewing the Sgt. Drive for counseling and the three internal affairs investigations I have decided to terminate your employment, effective immediately. "

On September 20, 2021, at 3:15 P.M. I interviewed Woodland Park Human Resources Generalist [REDACTED] in her office at Woodland Park City Hall regarding former Officer Dakota Kimbriel's termination. I asked her if there was sufficient cause to terminate Officer Dakota Kimbriel based on his service record at the Woodland Park Police Department. She advised that there was sufficient cause to terminate Officer Kimbriel and that the unfounded allegation of domestic violence was not considered in the decision to terminate Officer Kimbriel.

As of this report the Teller County Sheriff's Office and the Colorado Bureau of Investigation are conducting an investigation regarding Commander Holzwarth involving several issues surrounding his involvement with the domestic violence investigation involving former Officer Dakota Kimbriel. I have contacted the Teller County Sheriff's Office three times (Commander Tedesco, Sheriff Mikesell and Detective Bonnelycke) in an attempt to determine when their investigation might be completed. Each time I was told that the investigation is still ongoing and that there is not an estimated date of the investigation being completed.

However, I do reserve the right to review and adjust my findings in this internal affairs investigation relative to the appropriateness of Commander Holzwarth's actions in this case based on any new information and/or determination of criminal conduct by the Teller County Sheriff's Office and/or the Colorado Bureau of Investigation.

### **OTHER MISCONDUCT**

During my investigation I did find a series of actions by Commander Holzwarth that are very concerning. When viewed in their totality it raises the question is Commander Holzwarth fit to be a Police Commander in the Woodland Park Police Department.

#### **These actions include the following:**

\*In the JEH investigation completed on June 7<sup>th</sup>, 2021, it states that in the summer of 2019 while Commander Holzwarth and Officer ██████████ were both working a parade Commander Holzwarth approached her and in the presence of the public told her that he heard she likes to be called "Court." He added she needed to come up with a stripper last name to go with her first name. When Commander Holzwarth was asked by the JEH consultant if he made this comment, he stated that he did not recall saying this.

\*Commander Holzwarth told her that he received information from Academy Director Labrecque that ██████████ "was the biggest disappointment of the Academy." When ██████████ asked Academy Director Labrecque if she made this comment Academy Director Labrecque stated that she never said this and had enjoyed ██████████ being in attendance. ██████████ stated that she thrived while at the Academy and received excellent grades on her tests.

\*██████████ stated that Commander Holzwarth is a different person when the Chief is out of the Office as opposed to when the Chief is in the Office. When the Chief is out, he is approachable, and she feels she can ask Commander Holzwarth questions.

\* According to Corporal ██████████, Commander Holzwarth on the police radio called a Teller County Deputy Sheriff a "fucking bitch" during the Shop with a Cop event at Walmart. Shortly after this incident then Sergeant Holzwarth was promoted to Commander.

\*██████████ stated that both Commanders do not stand up to the Chief and do whatever he says even when he is wrong.

\*██████████ stated that she believed that ██████████ was scrutinized more than other officers. When asked to elaborate she stated that ██████████ was labeled a "skank" because Commander Holzwarth learned that ██████████ was observed to be in the back of a car "changing her clothes" with a fellow cadet. ██████████ had a reputation of "banging every guy in the academy." ██████████ stated that Commander Holzwarth perpetuates this rumor.

\* [REDACTED] also stated that if there is any rumor about Commander Holzwarth he will chase it down.

\* [REDACTED] stated that he (Commander Holzwarth) doesn't know how to keep quiet. [REDACTED] stated that a female employee was experiencing a very personal medical issue that Commander Holzwarth disclosed to everyone.

\* [REDACTED] reported that during briefing Commander Holzwarth called one of the Officers "Adonis."

\*According to [REDACTED] Commander Holzwarth did not keep information regarding the domestic violence investigation involving Officer Dakota Kimbriel and her daughter confidential. Commander Holzwarth shared this information with then Sergeant Ramirez who spread the information throughout the department.

\*In my professional opinion when Commander Holzwarth interviewed the potential domestic violence victim from the Officer Dakota Kimbriel case he mishandled the interview. He should have known that there was a high potential for this interview to be misunderstood by the 18-year-old victim and her mother, a Woodland Park Police Detective. He should have had another supervisor/command officer attend the interview with him and he should have recorded the interview. As a result of his poor interview management skills the interview resulted in confusion for all involved, a needless criminal investigation by the Teller County Sheriff's Office and extreme discord within the Woodland Park Police Department.

\*According to [REDACTED], Commander Holzwarth would make disparaging remarks about Chief De Young when he was not around. One example was Commander Holzwarth stating, "At least we don't have to hear him pacing around." On another occasion Commander Holzwarth stated to [REDACTED] how annoying it was when Chief De Young walked by his office multiple times a day.

\* [REDACTED] accused Commander Holzwarth of lying on multiple occasions. One example she cites when Commander Holzwarth assumed that [REDACTED] was having an affair with a dispatcher named [REDACTED] based on Commander Holzwarth seeing the back seat of [REDACTED] SUV being down and [REDACTED] having an overnight bag in his car. Commander Holzwarth asked [REDACTED] what he knew about the affair. [REDACTED] explained that they are good friends and that [REDACTED] is gay. Commander Holzwarth replied, "I know, but you know how girls are, they go from guy to girl, to guy."

\*When [REDACTED] deleted [REDACTED] from Facebook, [REDACTED] confronted [REDACTED]. [REDACTED] told her that Commander Holzwarth told her that [REDACTED] told him that [REDACTED] was gay. When [REDACTED] confronted Commander Holzwarth he denied he told anyone this information came from [REDACTED].

## FINDINGS

The above listed actions by Commander Holzwarth are not in the spirit of respecting employees, not indicative of a professional Command Officer, not in keeping or promoting a professional workplace in the 21<sup>st</sup> Century, not managing or contributing to a culture of inclusion and harmony in the workplace and is clearly detrimental to efficient department service.

A preponderance of the evidence shows that these actions are in violation of:

*\*City of Woodland Park 9.01 (b) General Rules of Conduct.* The City further expects that each of its employees will behave with courtesy and respect towards other employees and members of the public.

*\*The Values statement of the Woodland Park Police Department relative to treating others with respect.*

*\*Cases for Discipline 319.3.* This list is not intended to cover every possible type of misconduct and does not provide the recommendation of disciplinary action for violation of other rules, standards, ethics, *and specific action or inaction that is detrimental to efficient department service.*

*\* General Standards 319.5 General Standards. Discipline may be initiated for any good cause.* It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

This complaint is **Sustained**.

Respectfully Submitted.

*Paul D. Schultz*

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October 14, 2021