

**COLORADO SPRINGS POLICE DEPARTMENT**  
**ADMINISTRATIVE INSIGHT FORM (LEVEL 2)**

DIRECTIONS: A copy of this form will be completed and attached in BlueTeam to personnel investigations where the deliberative process was completed, whether the case was investigated by supervisors or by Internal Affairs. This does not include cases initiated and closed by Internal Affairs, cases closed at the direction of the Chief of Police, or cases closed as Unfounded or Exonerated by Body Worn Camera or Communication Center audio recordings during the preliminary inquiry.

**CASE INFORMATION**

<b>Internal Affairs Case #:</b> <u>20-179</u>	<b>Date Investigation Completed:</b> <u>8/26/2020</u>
<b>Type of Investigation:</b> <input checked="" type="checkbox"/> Level 2 (Form completed by Commander)	

**CHAIN OF COMMAND MEMBERS PRESENT AT INSIGHT MEETING**

<b>Sergeant Name:</b> <u>NA</u>	<b>IBM</b> _____
<b>Lieutenant Name:</b> <u>Steve Buzzell</u>	<b>IBM</b> <u>0115</u>
<b>Commander Name:</b> <u>Jeff Strossner</u>	<b>IBM</b> <u>1511</u>
<b>Date of Meeting:</b> <u>09-29-2020</u> <small>(MM-DD-YYYY)</small>	<b>Location of Meeting:</b> <u>SED Conference Room</u>

**LEVEL 2 PRESENTER OF FACTS**

<b>Supervisor Name:</b> <u>SGT Drew Jeltos</u>	<b>IBM</b> <u>3816</u>
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**SUBJECT EMPLOYEE INFORMATION (One Form Per Subject Employee)**

<b>Employee Name:</b> <u>Robert Comstock</u>	<b>IBM</b> <u>4631</u>
<b>Rank or Position:</b> <u>Officer</u>	<input checked="" type="checkbox"/> Sworn <input type="checkbox"/> Civilian
<b>Assignment:</b> <u>SED – K-9 Unit</u>	

Check this box if there are additional Subject Employees

# POLICY ALLEGATION(S) AND FINDINGS

## **POLICY #1 ALLEGATION – Most Serious if Multiple Allegations**

Policy Name: Use of Force Number: 705

### Finding For Policy #1 (Select One):

Unfounded       Exonerated       Not Sustained       Sustained

## **PREPONDERANCE OF THE EVIDENCE FOR POLICY #1 FINDING**

- *Graham v. Conner* requires an objective fact review without 20/20 hindsight.
- Salmons walked into the middle of a public intersection blocking traffic and antagonizing police.
- He was asked to leave the intersection at which time he defiantly challenged the officers making the announcement, continuing to block traffic.
- He was ordered to “get on the ground.” Instead he began to turn away.
- Offc. Comstock, understood the direction “get on the ground” as the arrest command.
- As Salmons started to turn away, Offc. Comstock fired pepperball at Salmons striking him in torso and/or lower body causing him to fall to the ground.
- No additional pepperballs were fired when it was observed the pepperballs created the desired effect.
- Other officers moved in to execute the physical arrest.
- Offc. Comstock remained watching other people in the area to ensure they did not interfere with the arrest.
- No other force was used by Offc. Comstock.
- By a preponderance of the evidence, I find the Use of Force - EXONERATED.

Check if additional Policy Allegations Page utilized

Check if an additional Administrative Insight memorandum is included in the BlueTeam case file

# **RECOMMENDED ACTION/CASE DISPOSITION**

## **RECOMMENDED ACTION/DISPOSITION FOR THE CASE**

<input checked="" type="checkbox"/> <b>None - No Further Action Necessary</b>	
<input type="checkbox"/> <b>Training</b>	<input type="checkbox"/> Completed OR <input type="checkbox"/> Est. Date of Completion _____
<b>Brief Description of Training:</b>	
<b>Training Provided By:</b> <input type="checkbox"/> Completed by Training Academy Staff <input type="checkbox"/> Completed by Chain of Command <input type="checkbox"/> Completed by Other Section/Department/Agency	
<b>Type of Training:</b> <input type="checkbox"/> Verbal Discussion <input type="checkbox"/> Policy/Handout Review <input type="checkbox"/> Scenario	
<input type="checkbox"/> <b>Verbal Counseling</b>	<input type="checkbox"/> Completed OR <input type="checkbox"/> Est. Date of Completion _____ <input type="checkbox"/> Entry added to NeoGov
<input type="checkbox"/> <b>Supervisor Discussion Record (SDR)</b>	
<input type="checkbox"/> <b>Written Reprimand</b>	
<input type="checkbox"/> <b>Suspension</b>	<b>Hours:</b> _____
<input type="checkbox"/> <b>Demotion</b>	<b>From Rank of:</b> _____ <b>To Rank of:</b> _____
<input type="checkbox"/> <b>Termination</b>	

All disciplinary forms MUST be completed and attached to the investigation in BlueTeam with a copy sent to the Human Resources Manager.

## **BASIS FOR THE RECOMMENDED ACTION/DISPOSITION**

DIRECTIONS: Check ALL relevant boxes, include additional considerations from all of the present deliberative process members, and complete the Pattern of Conduct section if applicable.

<input checked="" type="checkbox"/> <b>Basis Not Needed - Policy Unfounded or Exonerated – No Action Necessary</b>
<input type="checkbox"/> <b>No Previous Similar or Same Policy Violations</b>
<input type="checkbox"/> <b>Previous Relevant Evaluation Entries in NEOGOV</b>
<input type="checkbox"/> <b>Pattern of Conduct</b>
<input type="checkbox"/> <b>Serious Nature of the Violation</b>
<input type="checkbox"/> <b>Violation Involves a Criminal Act</b>
<input type="checkbox"/> <b>Progressive Discipline – Similar/Same Documented Policy Violations – Complete Section Below</b>

**DELIBERATIVE PROCESS MEMBERS ADDITIONAL CONSIDERATIONS**

NA

**PATTERN OF CONDUCT – PREVIOUS SIMILAR OR SAME POLICY VIOLATIONS**

<b>IA CASE #</b>	_____	<b>DATE OF ACTION:</b>	_____
<b>ACTION TAKEN:</b>	_____		
<b>IA CASE #</b>	_____	<b>DATE OF ACTION:</b>	_____
<b>ACTION TAKEN:</b>	_____		
<b>IA CASE #</b>	_____	<b>DATE OF ACTION:</b>	_____
<b>ACTION TAKEN:</b>	_____		

**See the Subject Employee’s Internal Affairs Extract Attached to this Case**

J. Strossner/1511

10/20/2020

Form Completed By (Name and IBM)

Date

**DEPUTY CHIEF'S**  
**POLICY ALLEGATION(S) AND FINDINGS**

**POLICY #1 ALLEGATION – Most Serious if Multiple Allegations**

**Policy Name:** Use of Force **Number:** 705

**Finding For Policy #1 (Select One):**

**Unfounded**       **Exonerated**       **Not Sustained**       **Sustained**

**PREPONDERANCE OF THE EVIDENCE FOR POLICY #1 FINDING**

- I concur with the chain of command findings.
- By a preponderance of the evidence, I find the Use of Force - EXONERATED.

**DEPUTY CHIEF'S**  
**POLICY ALLEGATION(S) AND FINDINGS**

**POLICY #2 ALLEGATION – Most Serious if Multiple Allegations**

<b>Policy Name:</b> _____	<b>Number:</b> _____		
<b><u>Finding For Policy #2 (Select One):</u></b>			
<input type="checkbox"/> <b>Unfounded</b>	<input type="checkbox"/> <b>Exonerated</b>	<input type="checkbox"/> <b>Not Sustained</b>	<input type="checkbox"/> <b>Sustained</b>

**PREPONDERANCE OF THE EVIDENCE FOR POLICY #2 FINDING**

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**DEPUTY CHIEF'S**  
**POLICY ALLEGATION(S) AND FINDINGS**

**POLICY #3 ALLEGATION – Most Serious if Multiple Allegations**

<b>Policy Name:</b> _____	<b>Number:</b> _____		
<b><u>Finding For Policy #3 (Select One):</u></b>			
<input type="checkbox"/> <b>Unfounded</b>	<input type="checkbox"/> <b>Exonerated</b>	<input type="checkbox"/> <b>Not Sustained</b>	<input type="checkbox"/> <b>Sustained</b>

**PREPONDERANCE OF THE EVIDENCE FOR POLICY #3 FINDING**

- Check if additional Policy Allegations Page utilized**
- Check if an additional Administrative Insight memorandum is included in the BlueTeam case file**

## **ACTION/CASE DISPOSITION**

### **ACTION/DISPOSITION FOR THE CASE**

<input checked="" type="checkbox"/> <b>None - No Further Action Necessary</b>	
<input type="checkbox"/> <b>Training</b>	<input type="checkbox"/> Completed OR <input type="checkbox"/> Est. Date of Completion _____
<b>Brief Description of Training:</b>	
<b>Training Provided By:</b>	
<input type="checkbox"/> Completed by Training Academy Staff	
<input type="checkbox"/> Completed by Chain of Command	
<input type="checkbox"/> Completed by Other Section/Department/Agency	
<b>Type of Training:</b>	
<input type="checkbox"/> Verbal Discussion <input type="checkbox"/> Policy/Handout Review <input type="checkbox"/> Scenario	
<input type="checkbox"/> <b>Verbal Counseling</b>	<input type="checkbox"/> Completed OR <input type="checkbox"/> Est. Date of Completion _____
<input type="checkbox"/> Entry added to NeoGov	
<input type="checkbox"/> <b>Supervisor Discussion Record (SDR)</b>	
<input type="checkbox"/> <b>Written Reprimand</b>	
<input type="checkbox"/> <b>Suspension</b>	<b>Hours:</b> _____
<input type="checkbox"/> <b>Demotion</b>	<b>From Rank of:</b> _____ <b>To Rank of:</b> _____
<input type="checkbox"/> <b>Termination</b>	

**All disciplinary forms MUST be completed and attached to the investigation in BlueTeam with a copy sent to the Human Resources Manager.**

### **BASIS FOR THE ACTION/DISPOSITION**

DIRECTIONS: Check ALL relevant boxes, include additional considerations from all of the present deliberative process members, and complete the Pattern of Conduct section if applicable.

<input checked="" type="checkbox"/> <b>Basis Not Needed - Policy Unfounded or Exonerated – No Action Necessary</b>
<input type="checkbox"/> <b>No Previous Similar or Same Policy Violations</b>
<input type="checkbox"/> <b>Previous Relevant Evaluation Entries in NEOGOV</b>
<input type="checkbox"/> <b>Pattern of Conduct</b>
<input type="checkbox"/> <b>Serious Nature of the Violation</b>
<input type="checkbox"/> <b>Violation Involves a Criminal Act</b>
<input type="checkbox"/> <b>Progressive Discipline – Similar/Same Documented Policy Violations – Complete Section Below</b>

**DEPUTY CHIEF'S ADDITIONAL CONSIDERATIONS**

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James P Rigdon/1342

10/27/2020

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Form Completed By (Name and IBM)

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Date