

Mesa County Sheriff's Office

Sheriff Todd Rowell

215 Rice Street
P.O. Box 20,000
Grand Junction, CO 81502

970-244-3500 Phone
970-244-3503 Fax
www.sheriff.mesacounty.us



June 19th, 2024

To: Deputy Michael Hand
From: Art Smith, Operation Division Chief
CC: Professional Standards Unit
Mesa County Human Resources
Re: Notice of Major Discipline

Related Case Numbers:

MCSO: 24-13598
CIRT (GJPD): 24-20509
Guardian Tracking 24-12142

Documents and Video Reviewed:

- Reports written by Deputy Phillip Peterson and Deputy Michael Hand.
- The Critical Incident Response Team's Investigative Summary Report/case file.
- The (MCSO) Professional Standards Unit Investigation Summary Report/case file.
- Portions of Body Worn Camera (BWC) recordings from Deputy Phillip Peterson and Deputy Michael Hand.
- Portions of exterior video recordings from Central High School.
- Portions of witness/bystander video recordings.

On April 24th, 2024, you were involved in an incident, in front of Central High School. In the incident, you responded to assist Deputy Phillip Peterson, as he was involved in a use of force incident with [REDACTED], a juvenile. In the incident, you threatened the use of force against [REDACTED], addressed and/or threatened the arrest of a number of juveniles who were gathered watching and/or videoing the incident, then seized/moved [REDACTED], a juvenile.

Following this incident, the 21st Judicial District's Critical Incident Response Team (CIRT) was activated to investigate the uses of force by Deputy Peterson and by you. Following this incident, you were placed on paid administrative leave pending the completion of the CIRT Investigation, the review and decision of District Attorney Dan Rubenstein and the completion of the Professional Standards Unit (PSU) Investigation.

On 06/12/24, I was notified that although he had not yet published his written decision, DA Rubenstein had reviewed the CIRT investigation and decided that no criminal charges were going to be filed against you or Deputy Peterson, related to the incident.

Findings:

Understanding that responding to a fellow deputy who is involved in a struggle with a (any) person(s), without knowing the details as to what led to the struggle is a very difficult situation, in my review of the completed investigations, I find your response to and throughout this incident escalated this incident and was not in-line with our office's expectation of professional conduct.

In this incident, I find you violated the following Mesa County Sheriff's Office policies:

MCSO Policy 320 – Standards of Conduct:

320.5.8 - PERFORMANCE

- i. Any act on- or off-duty that brings discredit to this office.

320.5.9 – CONDUCT

- g. Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.

MCSO Policy 421 – Body-Worn Camera:

421.6 - ACTIVATION OF THE BODY-WORN CAMERA (CRS 24-21-902)

All agency members required to wear a Body-Worn Camera recording device will activate the camera immediately upon the following:

- When arriving at a call for service, received through central dispatch or self-dispatched.
- Any self-initiated contact with a member of the public, for the purpose of enforcing the law or investigating possible violations of the law.
- Any other time the deputy feels the recording may transition to a contact, as previously defined.

Aggravating Factors:

In September of 2023, you received a verbal counseling for an incident in which you were working a security assignment at Stocker Stadium for a high school football game. An altercation between students took place and several students were asked to leave the property. One of the students refused to leave, even after District Security Officers told the student they would be charged for trespassing. You subsequently placed the student in handcuffs but never charged the student with trespassing or any other crime; rather, you released the student to their parent(s). You received verbal counseling and

training regarding emotional intelligence and understanding the need for the application of handcuffs.

Discipline:

Your discipline, related to this incident, will be as follows: five (5) days suspension without pay (40.0 hours suspension without pay), to be served by or before 09/09/24, scheduled at the discretion of your captain, Cpt. Eric Sperber.

Appeal Rights:

In this instance, your discipline of five (5) days suspension, without pay, is not specifically appealable by MCSO Policy 1011. None-the-less, I grant you the right to appeal my decision, if you so choose. Any such appeal, must be submitted to Undersheriff King, in writing, no later than 1600 hours on 06/22/24.

Additional Actions:

- Effective immediately, you are being laterally transferred from your Patrol School Resource Officer position to a Patrol Deputy position. Note: This transfer is not a demotion and is not subject to appeal.
- I am ordering you to attend and complete training classes on the following two topics:
 - De-Escalation
 - Constitutional Use of Force

Note: This ordered training is not subject to appeal.

Conclusion

While I am hopeful for your continued success at the Mesa County Sheriff's Office, it is imperative you understand any future similar incidents will subject you to progressive discipline up to and including termination.

Respectfully,



Art Smith
Operations Division Chief

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- Portions of Body Worn Camera (BWC) recordings from Deputy Phillip Peterson and Deputy Michael Hand.
- Portions of exterior video recordings from Central High School.
- Portions of witness/bystander video recordings.

On April 24th, 2024, you were involved in an incident, in front of Central High School. In the incident you decided to seize/move [REDACTED], a juvenile, to the school's administrative office. In your attempt to move [REDACTED] to the school's office you used force against [REDACTED], handcuffed him, then moved him to the school's office.

Following this incident, the 21st Judicial District's Critical Incident Response Team (CIRT) was activated to investigate your use of force, against [REDACTED], in this incident. Following this incident, you were placed on paid administrative leave pending the completion of the CIRT investigation, the review and decision of District Attorney Dan Rubenstein and the completion of the Professional Standards Unit (PSU) Investigation.

On 06/12/24, I was notified that although he had not yet published his written decision, DA Rubenstein had reviewed the CIRT Investigation and decided that no criminal charges were going to be filed against you or Deputy Hand, related to the incident.

Findings:

In my review of the completed investigations, I find your response to this incident escalated this incident and was not in-line with our office's expectation of professional conduct. I find your response to [REDACTED]'s use of the term "nigga," directed towards you, took place after the actual incident you were called to address was by all appearances over. I find your response to [REDACTED]'s use of the term "nigga," directed towards you, was avoidable and is what set the escalation of this incident in motion.

In this incident, I find you violated the following Mesa County Sheriff's Office policies:

MCSO Policy 320 – Standards of Conduct:

320.5.8 - PERFORMANCE

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All agency members required to wear a Body-Worn Camera recording device will activate the camera immediately upon the following:

- When arriving at a call for service, received through central dispatch or self-dispatched.
- Any self-initiated contact with a member of the public, for the purpose of enforcing the law or investigating possible violations of the law.
- Any other time the deputy feels the recording may transition to a contact, as previously defined.

Discipline:

In my disciplinary decision, I take in account that you have not received any form of documented disciplinary action since you started with the Mesa County Sheriff's Office, in March of 2021. Your discipline, related to this incident, will be as follows: ten (10) days suspension without pay (80.0 hours suspension without pay), to be served by or before 11/04/24, scheduled at the discretion of your captain, Cpt. Eric Sperber.

Appeal Rights:

In this instance, your discipline of ten (10) days suspension, without pay, is not specifically appealable by MCSO Policy 1011. None-the-less, I grant you the right to appeal my decision, if you so choose. Any such appeal, must be submitted to Undersheriff King, in writing, no later than 1600 hours on 06/22/24.

Additional Actions:

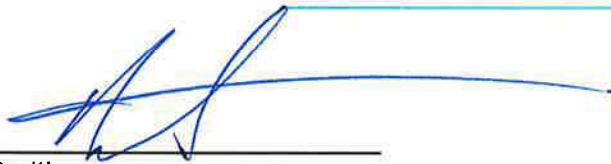
- Effective immediately, you are being laterally transferred from your Patrol School Resource Officer position to a Patrol Deputy position. Note: This transfer is not a demotion and is not subject to appeal.
- I am ordering you to attend and complete training classes on the following two topics:
 - De-Escalation
 - Constitutional Use of Force

Note: This ordered training is not subject to appeal.

Conclusion:

While I am hopeful for your continued success at the Mesa County Sheriff's Office, it is imperative you understand, any future similar incidents will subject you to progressive discipline up to and including termination.

Respectfully,



Art Smith
Operations Division Chief



SUBJECT NOTIFICATION

TO: Michael Hand, MCSO Detention Deputy # 2528

FROM: Justin Montover, Sergeant

DATE: 05/10/24

RE: Professional Standards Complaint
Internal Affairs Case # 12142

This letter is to inform you that you are the subject of an alleged violation of Agency Policy or Procedure. The alleged violation occurred on 04/24/2024.

You are ordered to give a truthful and complete statement to the assigned investigator (Sgt. Montover) about matters strictly and narrowly related to your official duties and fitness for office in this case. If you comply with such an order, nothing you say can be used against you in any criminal proceeding. If you refuse to obey the order to appear or the order to give a truthful and complete statement, you can be subject to internal discipline up to and including dismissal. The agency reserves the right to expand the scope of questioning based upon responses rendered during the administrative interview.

You are required to keep this matter confidential and only discuss it with the assigned investigator, Professional Standards personnel, or in consultation with an attorney. You are specifically ordered not to contact complainants or witnesses inside or outside the Agency in any manner which is threatening or suggest the complaint against you should be changed or withdrawn.

The fact that an investigation exists does not mean that any policy or procedure was violated. Employees of the Agency are presumed innocent of every allegation unless the investigation discloses otherwise. Most Internal Affairs investigations are resolved without any serious consequences. Frequently, the inquiry discloses that the personnel under investigation have performed to the highest standards. The internal investigation process can be difficult for all concerned and your cooperation is essential to the integrity of the law enforcement profession.

At any time during the investigation you may contact the investigator assigned or Professional Standards for the status of the investigation.



SUBJECT NOTIFICATION

TO: Phillip Peterson, MCSO Detention Deputy # 2661

FROM: Justin Montover, Sergeant

DATE: 05/10/24

RE: Professional Standards Complaint
Internal Affairs Case # 12142

This letter is to inform you that you are the subject of an alleged violation of Agency Policy or Procedure. The alleged violation occurred on 04/24/2024.

You are ordered to give a truthful and complete statement to the assigned investigator (Sgt. Montover) about matters strictly and narrowly related to your official duties and fitness for office in this case. If you comply with such an order, nothing you say can be used against you in any criminal proceeding. If you refuse to obey the order to appear or the order to give a truthful and complete statement, you can be subject to internal discipline up to and including dismissal. The agency reserves the right to expand the scope of questioning based upon responses rendered during the administrative interview.

You are required to keep this matter confidential and only discuss it with the assigned investigator, Professional Standards personnel, or in consultation with an attorney. You are specifically ordered not to contact complainants or witnesses inside or outside the Agency in any manner which is threatening or suggest the complaint against you should be changed or withdrawn.

The fact that an investigation exists does not mean that any policy or procedure was violated. Employees of the Agency are presumed innocent of every allegation unless the investigation discloses otherwise. Most Internal Affairs investigations are resolved without any serious consequences. Frequently, the inquiry discloses that the personnel under investigation have performed to the highest standards. The internal investigation process can be difficult for all concerned and your cooperation is essential to the integrity of the law enforcement profession.

At any time during the investigation you may contact the investigator assigned or Professional Standards for the status of the investigation.



Justin Montover <justin.montover@mesacounty.us>

Paid Administrative Leave - Deputy Michael Hand

1 message

Art Smith <art.smith@mesacounty.us>

Tue, Apr 30, 2024 at 2:51 PM

To: Bernice Stogsdill <bernice.stogsdill@mesacounty.us>, Michael Hand <michael.hand@mesacounty.us>

Cc: Marco Montez <marco.montez@mesacounty.us>, Jim Fogg <jim.fogg@mesacounty.us>, Eric Sperber <eric.sperber@mesacounty.us>, Justin Montover <justin.montover@mesacounty.us>

Bernice,

For time keeping purposes, today, Deputy Michael Hand, was placed on paid Administrative Leave, until further notice.

If you have any questions please contact me.

Thank you

--

Art Smith
Operations Division Chief
Mesa County Sheriff's Office
Office: (970)244-3948



Justin Montover <justin.montover@mesacounty.us>

Paid Administrative Leave - Deputy Phillip Peterson

1 message

Art Smith <art.smith@mesacounty.us>

Tue, Apr 30, 2024 at 2:51 PM

To: Bernice Stogsdill <bernice.stogsdill@mesacounty.us>, Phillip Peterson <phillip.peterson@mesacounty.us>

Cc: Marco Montez <marco.montez@mesacounty.us>, Jim Fogg <jim.fogg@mesacounty.us>, Eric Sperber <eric.sperber@mesacounty.us>, Justin Montover <justin.montover@mesacounty.us>

Bernice,

For time keeping purposes, Deputy Phillip Peterson was recalled from training in Boulder today. I advised him, via phone, upon his return, I will be placing him on paid Administrative Leave, until further notice. I will let you know if he has extra hours for today, based on when he is able to get back into town.

If you have any questions please contact me.

Thank you

--

Art Smith
Operations Division Chief
Mesa County Sheriff's Office
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Notice of Administrative Leave

To: Deputy Michael Hand
From: Division Chief Art Smith
Re: Administrative Leave – Paid
Date: April 30th, 2024

On April 24, 2024, at Central High School (CHS), you were involved in a Use of Force incident, with a juvenile CHS student, MCSO Case 24-13598. We have requested that the Grand Junction Police Department activate the 21st Judicial District Critical Incident Response Team to conduct a criminal investigation into this incident. Additionally, this incident is being investigated internally, by our Professional Standards Unit.

Effective immediately, you are being placed on paid administrative leave. The fact you are being placed on leave should not be construed to indicate any inference of guilt or innocence, but is done strictly for your protection and protection of the agency pending the outcome of the investigation.

You have the right to retain an attorney, but the attorney cannot be present during any administrative interview. I strongly encourage you to not discuss the details of the incident with anyone other than your attorney, any assigned criminal investigator or the assigned Professional Standards Investigator. You are specifically ordered not discuss the details of the incident with Deputy Phillip Peterson.

During the course of this leave, you are required to be available by telephone (personal cellphone, department issued cellphone or landline) between 0800hrs and 1700hrs Monday through Friday and available to respond to the Sheriff's Office within two hours of notification.

As a part of the administrative leave process, at this time, I will be collecting your ID/proximity card and your department issued firearms.

During the course of this leave, you are not to be at the Sheriff's Office, at Central High School, or at any Sheriff's Office sponsored event unless specifically requested by a member of our Professional Standards Unit, by me or by the Undersheriff.

A handwritten signature in blue ink, appearing to be 'AS', written over a horizontal line.

Division Chief Art Smith #2107
Operations Division
Cell: (970)985-0089



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Investigation Summary – Department-Citizen - Complaint

MCSO Use of Force

(MCSO Disorderly: 24-13598)

(GJPD CIRT: 24-20509)

Subject Employee(s):

Phillip Peterson – MCSO SRO Deputy # 2661
Michael Hand – MCSO SRO Deputy # 2528

Allegation(s):

Use of Force (MCSO Policy 300)
Use of Force Review (MCSO Policy 301)
Handcuffing and Restraints (MCSO Policy 302)
Standards of Conduct (MCSO Policy 320)
Body-Worn Camera (MCSO Policy 421)
Body-Worn Camera (MCSO Procedure 301)

Witnesses:

See Related Documentation Below

Guardian Tracking Number:

12142

Investigator:

Justin Montover, Sergeant # 2243

Findings:

Exonerated - Use of Force (MCSO Policy 300)
Exonerated - Handcuffing and Restraints (MCSO Policy 302)
Sustained - Standards of Conduct (MCSO Policy 320)
Sustained - Body-Worn Camera (MCSO Policy 421)
Sustained - Body-Worn Camera (MCSO Procedure 321)

Investigation Summary:

On April 25th, 2024 at approximately 0900 hours, [REDACTED] and his wife, [REDACTED] came into the MCSO lobby advising they wished to file a formal complaint regarding an incident which took place in the parking lot of Central High School, the day prior (04/24/24).

[REDACTED] and [REDACTED] advised they are the biological parents of [REDACTED]. They explained [REDACTED] friend, [REDACTED] has been staying and living with them for over three years as well. Upon further clarification, [REDACTED] and [REDACTED] advised they are not the parents, nor legal guardians of [REDACTED]. [REDACTED] and [REDACTED] explained they have an agreement with [REDACTED] mother, [REDACTED] and grandfather, [REDACTED], that [REDACTED] can live with the [REDACTED] as long as she would like and as long as the [REDACTED] allow it. Of note, [REDACTED] and [REDACTED] are [REDACTED] legal guardians.

In summary, [REDACTED] and [REDACTED] explained their daughter's friend, [REDACTED] came home from school Wednesday night (04/24/24) following the incident and told them an MCSO SRO Deputy had tackled a CHS student, [REDACTED], placed him in a headlock, and then arrested him. [REDACTED] told them this happened after the SRO got mad that [REDACTED] called the SRO a "Nigga". They further explained [REDACTED] told them another MCSO SRO Deputy then joined the incident, threatened to tase [REDACTED] and threatened to charge [REDACTED] with obstruction for recording the incident on her cell phone. [REDACTED] told [REDACTED] and [REDACTED] this occurred in the parking lot of Central High School as the students were returning from lunch, which [REDACTED] believed to be approximately 1230 hours. [REDACTED] and [REDACTED] advised while talking about the incident with [REDACTED], [REDACTED] showed them the video she had recorded on her cell phone. They explained [REDACTED] sent them that video, as well as another video which was recorded by another Central High School student, believed to be [REDACTED]. [REDACTED] explained they did not know who [REDACTED] was; she said [REDACTED] obtained that specific video from Facebook and when [REDACTED] and [REDACTED] watched that video it showed it was posted to Facebook by [REDACTED]. During our conversation, [REDACTED] allowed me to watch both videos on her phone and then she also sent me both videos, which have been added to this case.

Upon watching the above noted videos with [REDACTED] and [REDACTED] I found that the call / incident they were referencing involved Deputy Phillip Peterson and Deputy Michael Hand; both of whom are currently School Resource Officers and assigned to work out of Central High School. For clarity purposes, per the videos I watched with [REDACTED] and [REDACTED], Deputy Peterson was the Deputy who initially approached, escorted, "tackled", and handcuffed [REDACTED]. Deputy Hand was the second Deputy who responded to assist Deputy Peterson and Deputy Hand is the one who drew his taser and directed it at [REDACTED].

[REDACTED] and [REDACTED] told me prior to coming to the Sheriff's Office and speaking with me, they initially went to Central High School and spoke with Principle Tracy Arledge. They explained their intention of speaking with school administration was to complain about school staff members for not intervening and stopping the SRO's during the incident with [REDACTED]. [REDACTED] and [REDACTED] said they also intended on filing a complaint about the SRO's while at the school, but Principle Arledge told them they would need to go to the Mesa County Sheriff's Office to file a complaint on the SRO's.

Through research, I found the MCSO case related to this incident to be: MCSO: 24-13598. In MCSO records systems, this case is labeled as a "Fight" call and the call was officer initiated at 1229 hours on 04/24/24. The only documentation in the call itself is a note entry made by dispatch stating Deputy Michael Hand advised a juvenile male was detained.

██████████ and ██████████ explained that ██████████ told them prior to the above incident, there were two groups of students fighting in the high school parking lot. ██████████ told them the fight pertained to another group of kids calling ██████████ and her group of friends racial slurs, such as, "Beaner and Nigger". ██████████ told ██████████ and ██████████ that school principals came out to the parking lot with the SRO's and they broke up the fight and argument. ██████████ and ██████████ told me ██████████ further advised that her group of friends were angry the SRO's weren't charging the other group of kids for calling her group names. ██████████ told ██████████ and ██████████ that ██████████ was in her group of friends. ██████████ said that's what provoked ██████████ into calling the SRO a "Nigger".

██████████ and ██████████ told me ██████████ advised of being pushed by another student during the prior altercation and they wished to pursue charges against the other student, however, they were unaware of who the other student was. I advised ██████████ and ██████████ that based on the incident regarding ██████████ being pushed having occurred at Central High School, there was a very high likelihood of the call being handled by either Deputy Peterson or Deputy Hand as they were the assigned SRO's of that school. ██████████ and ██████████ both immediately stated they did not wish to speak and/or interact with either of those Deputies. I advised ██████████ and ██████████ of these Deputy's supervisor being Sgt. Marco Montez and further explained that they could contact him through dispatch and ask for another Deputy to handle the investigation into ██████████ being pushed. I explained this was only an option and I could not promise that another Deputy would be assigned to ██████████ case as that was ultimately going to be up to Sgt. Montez. ██████████ and ██████████ stated they understood.

██████████ and ██████████ advised they had no further information, and upon being asked, clarified that neither of them were present for the incident(s) and the previously noted information they did have was provided to them by ██████████. I provided ██████████ and ██████████ with my business card and asked that they contact me if they obtained any further information.

Following my conversation with ██████████ and ██████████, I advised MCSO Command of the incident, and a short time later, emails and voicemails from citizens began coming into the MCSO regarding the incident. In summary, each of the emails and voicemails all pertained to the respective citizen having seen videos from the incident at Central High School which involved two MCSO Deputies, "using excessive force on a student". Some emails contained videos and others were just the respective citizens voicing their concerns about the incident. Of all the emails with videos, I found that the videos were the same videos which ██████████ and ██████████ had previously shared with me; based on this, it appeared these two videos were circulating around the valley. Every email and voicemail was responded to in a semi generic fashion; essentially advising that the MCSO was aware of the incident, we had opened an internal investigation, and asked that anyone with first-hand knowledge of the incident please provide said information. Each and every email and voicemail has been added to this case.

The following morning (04/26/24), MCSO Command staff conducted a meeting which consisted of Sheriff Rowell, Undersheriff King, Public Information Officer Likes, SRO Lieutenant Fogg, SRO Sergeant Montez, and me (PSU Sgt. Montover). We discussed the incident, found that both Deputy Peterson and Deputy Hand had body-worn camera footage of the incident (although their body-worn cameras were not activated until just before Deputy Peterson's contact and altercation with [REDACTED]) and also found that we had additional video footage from a NOLA camera and School District 51 camera. The ultimate discussion revolved around getting all the available camera footage reviewed, redacted per law, and released to the media / public. During the same meeting there was discussion of placing both Deputy Peterson and Deputy Hand on paid Administrative Leave and it was ultimately determined they would remain on duty, but be temporarily reassigned to different schools. Following this meeting, PIO Likes completed a press release of the incident and this release has been added to this case. This press release also contained content asking that anyone with information pertaining to the aforementioned incident at Central High School please contact the MCSO's Professional Standards Unit either via phone or email.

Over the course of the weekend, (04/27/24 – 04/28/24), several more emails and voicemails came in through either MCSO Command or the MCSO's PSU; all of which were very similar in nature to those previously described, and all of which have been added to this case file.

On 04/29/24, while responding to previously noted emails and voicemails, Division Chief Stoffel asked if I had an estimated timeframe of when I planned on interviewing Deputy Peterson and Deputy Hand. I advised at the time I did not as I had not got to that point in my investigation. DC Stoffel directed me to standby on setting up interviews with either Deputy at this time as there was further discussion within MCSO Command about referring the case to either the 21st Judicial District Attorney's Office or the Grand Junction Police Department, for review regarding potential criminal elements.

On 04/30/24 at approximately 1110 hours MCSO Division Chief Smith notified me that MCSO Command staff was formerly reaching out to GJPD Chief Matt Smith in order to request the activation of the 21st Judicial District's Critical Incident Response Team (CIRT). The request of the CIRT was being made in order to have an overall independent investigation / review of the potential criminal aspect of the case. During the afternoon of 04/30/24, I received a CIRT page advised the CIRT was officially being activated for this case and an initial CIRT briefing was set to take place at the GJPD the following day (05/01/24) at 1000 hours. Later in the evening of 04/30/24, DC Smith advised of having meant with both Deputy Peterson and Deputy Hand, and noted he had officially placed both of them on paid Administrative Leave pending the CIRT investigation, as well as this internal investigation. DC Smith provided me with copies of both Deputy's Administrative Leave letters, as well as audio recordings of the notices. The letters and recordings have been added to this case. I was also notified that MCSO Peer Support was informed of the situation and MCSO Peer Support Sgt. Young was getting both Deputy Peterson and Deputy Hand connected with Peer Support members, as well as legal representation.

Initial CIRT Briefing Summary (05/01/24 @ 1000 hours):

On 05/01/24 I met with the CIRT team at the GJPD. I was advised GJPD would be leading the CIRT investigation with GJPD Detective Zac McCullough being the lead investigator and GJPD Detective Bryce Raber being the co-lead investigator. Furthermore, I was advised, additional detectives with the GJPD, Palisade Police Department, Fruita Police Department, Colorado Bureau of Investigations, and the 21st Judicial District Attorney's Office would be assisting with the investigation as well.

I briefed the entire CIRT group on the information I had obtained thus far. This information consisted of the previously noted information provided by [REDACTED] and [REDACTED], as well as a very brief review of body-worn camera footage, NOLA footage, School District 51 footage, and through a review of Deputy Peterson and Deputy Hand's respective reports from the incident. Of note, up and to this point in my investigation, I had not obtained any information under a Garrity advisement, or any kind of presumption thereof – because of this, and the fact most if not all, information about the incident thus far had come through me, I was the one who briefed the group.

Following my briefing to the CIRT group, GJPD Detective Sgt. Chavira and GJPD Detective McCullough began administering tasks to all respective investigators; which included arranging interviews with Central High School staff members, parents and students involved in the incident, and any other witnesses whom they deemed to be pertinent to the investigation. During this process, Sgt. Chavira advised he would find out who Deputy Peterson and Deputy Hand's legal representation was and in turn reach out to their legal counsel to arrange for their respective interviews.

GJPD's case number for the CIRT investigation is: GJPD: 24-20509

On 05/02/24, GJPD Sgt. Chavira advised the next CIRT briefing would take place at the GJPD, on Monday (05/06/24) at 1000 hours.

As I awaited this second CIRT briefing, I began compiling and reviewing all available information related to this incident; to include case file(s) and all applicable and available video footage.

MCSO Deputy (SRO) Phillip Peterson's Case Report (MCSO: 24-13598):

The following is Deputy Peterson's case report from this incident; copy and pasted in an unedited format. The entire case file has been added to this internal case as well.

04/24/2024 Case Report

2024-00013598

Deputy P. Peterson

Case Status: Closed / Prosecution Declined

On 04/24/2024 at approximately 1229hrs. I Deputy P. Peterson was working as the School Resource Officer at Central High School, located at 550 Warrior Way, Grand Junction, Mesa County, CO, 81504. While working as the School Resource Officer, I was advised via school radio of a large crowd in the parking lot out front of the school

and that they were possibly fighting. I responded to the front parking lot and observed a large crowd of Juvenile Students. A Central High School staff member was already on site and had broken up the crowd and stated it was a verbal altercation only, and that nothing physical had happened.

School Administrators were also on scene, and knew one of the involved females to cause issues. When staff observed that female student near a vehicle they asked for the SRO's to assist as they expected the female to be confrontational. While walking to the vehicle where the female was, I heard a group of students behind me yelling "hit her [REDACTED], Hit her". I was unsure if the group was attempting to get the female to strike the School Administrator or someone else, but they were actively trying to provoke a violent response. I turned to the group and told them to "knock it off". One of the males stated to me "what, what". I turned around to continue towards the female student, when the male stated "what, nigga". I believed this male to be attempting to provoke violence within the group of students. I approached the male and asked him what he had said. He responded "what", and I asked what he said after that, then then said "nigga". I had established probable cause for Disorderly Conduct at this point and told the male to begin walking towards the front office as my intention was not to charge him, but separate him from the crowd and alleviate the issue.

I placed my right hand on the males back to direct him towards the front doors of the school. When I placed my hand on his back, the male pulled away and stated "don't fucking touch me". It should be noted that the male kept his hands in his pockets and I did not know if he had a weapon person, but due to the male's uncooperative nature I believed it best to detain him in handcuffs for my safety and his. When he pulled away, I quickly closed the distance between us and grabbed hold of his upper collar with my right hand, and his left wrist with my left hand to gain positive control of him and not allow him to pull away from me again as I was unsure if he would attempt to fight me or try to flee. As soon as I grabbed hold of his left hand he instantly pulled his hands from his pocket and began to pull away from me again. I used a balance displacement technique to bring the male off balance and brought him to the ground in an attempt to gain positive control of the male. While on the ground he continued to pull away from me, and I was able to grab hold of his right arm with my right hand. I gave the male several verbal commands to "stop", but he continued to pull away, yelling at me to get off him. At this point Deputy M. Hand arrived to assist me and unholstered his Taser. Deputy Hand game the male a verbal warning to quit fighting or he would be tased. The male then complied and rolled onto his stomach and placed his hands behind his back to allow me to handcuff him.

The male was immediately asked if he was injured and he responded "no". I picked the male up and escorted him to the front Office. I asked the male what his name was and he stated he would not answer any questions until his grandmother arrived. I stepped out of the Office to see if Administration could Identify the student so his guardian could be contacted, and Administration identified him as [REDACTED]. When I walked back into the Office with [REDACTED], his Grandmother had already called his cellphone. I asked [REDACTED] if I could speak to her and he allowed me to use his phone to speak with his grandmother identified as [REDACTED]. I explained the series of events and how they unfolded to [REDACTED] on the phone and she was very understanding. [REDACTED] stated [REDACTED] was not raised to be disrespectful or confrontational with Law Enforcement.

█████ advised █████ via phone to drop his attitude and stop being disrespectful. █████ stated to █████ that he would and she advised she was on her way to the school. After getting off the phone █████ became more cooperative. I asked █████ if he would cooperate if I removed the Handcuffs, and he stated he would. I removed the Handcuffs, and █████ was cooperative. █████ explained to me that he was angry and frustrated due to seeing some of the male students being disrespectful towards female students. I advised █████ that I understood his feelings, but advised him that it is unwise to pull away from Law Enforcement. █████ apologized to me and stated that he just wasn't thinking when he did that.

█████ arrived at the school and spoke with me. █████ also apologized to me for █████ actions and again reiterated that █████ was not raised to act that way. Due to █████ not having any previous Law Enforcement issues and no other major issues at School. I declined to charge █████ with Disorderly Conduct.

█████ was suspended from school for the remainder of the day by School Administration, and released to the custody of his grandmother.

Nothing Further at this time.

End of Report.
Deputy P. Peterson.

MCSO Deputy (SRO) Michael Hand's Supplemental Report (MCSO: 24-13598):

The following is Deputy Hand's supplemental report from this incident, copy and pasted in an unedited format.

Case #: 24-13598
Date: 04/25/24/Type of Report: Supplement
Deputy: M. Hand/#2528

It should be noted that I was wearing my department-issued Axon Body Worn Camera (S/N: X60333921) during this contact. The camera completed an automatic function check upon startup at the beginning of my shift, there were no errors during the function check, and the camera was functioning normally. The following is not verbatim, but my recollection of events and statements during the contact.

On April 24, 2024, at approximately 1210 hours, I, Deputy Hand, was working as assigned SRO at Central High School located at 550 Warrior Way in Mesa County, Colorado. I was notified by an unknown student there was a large fight going on in the parking lot of Central High School. I proceeded outside with Deputy Peterson. Interim Assistant Principal Vern McGee (DOB 06/13/64) was also present and walking outside to address the fight.

When we arrived outside there was a large group of students at the east end of the school across from the weight room. It appeared that the fight had broken up but there was still some back-and-forth verbal argument going on between two groups of students. Teachers and school administrators also began showing up. I saw Clint Trujillo (DOB

03/10/72), who is the wrestling coach and a Central High Staff member. I went to find out what was going on, Clint informed me it was a verbal altercation between two groups and nothing physical. As staff and administrators were telling students to leave the area and go to class, I could hear the two groups of students continue yelling at each other. I observed a black pickup truck bearing CO PN [REDACTED] had pulled past the crowd of students and stopped almost directly in front of the school. I observed a male later identified as [REDACTED] jump into this black pickup after standing at the door for a while.

I started to head back inside the building as I believed the incident was under control. I heard from an unknown person, "Swing on her swing on her [REDACTED]." I turned around and observed Deputy Peterson in a physical struggle with a male student later identified as [REDACTED], Deputy Peterson and [REDACTED] were on the ground, and Deputy Peterson was behind [REDACTED]. I ran over to assist Deputy Peterson and I observed Deputy Peterson was continuing to struggle with [REDACTED]. I drew my agency-issued Taser 10 (S/N T19C16678) activated and pointed at the upper chest of [REDACTED]. I also began giving loud verbal commands to [REDACTED] to lay flat on his stomach, I had to repeat these commands at least twice before [REDACTED] complied. [REDACTED] finally rolled over onto his stomach and Deputy Peterson was able to detain him in handcuffs.

As Deputy Peterson was attempting to detain [REDACTED] a crowd was surrounding both of us and several students were video recording the incident on their cell phones. I heard Assistant Principal Shauna Hobbs (DOB 06/24/70) telling this group of students to leave the area multiple times. One female student, later identified as [REDACTED] was being verbally uncooperative and saying something along the lines of It's my right. I can record according to the law I can be here. I observed [REDACTED] continued to move into an unsafe distance between me and Deputy Peterson while continuing to stir up the crowd. I yelled at [REDACTED], "Unless you want to be charged with obstruction you will get out of my scene right now, get out of my scene all y'all."

Students including [REDACTED] began dispersing away from where myself and Deputy Peterson were. Deputy Peterson finished detaining [REDACTED]. I could hear other students yelling vulgarities and racial slurs toward me and Deputy Peterson. Deputy Peterson began to walk [REDACTED] inside the school and I turned around and saw a male student I recognized as [REDACTED] who was one of the students yelling vulgarities and racial slurs at us. I turned around and addressed [REDACTED] to come here. [REDACTED] said something along the lines of I am not fucking going anywhere with you. I said come [REDACTED] let's go to the office and call Grandpa. [REDACTED] said yeah let's go call Grandpa then.

I have a history with [REDACTED] dating back to last school year and it has been confrontational most of the time. [REDACTED] and [REDACTED] live with their Grandfather [REDACTED]; however, their mother [REDACTED] is active in their lives. I was told by [REDACTED] a while back he has custody of the children and they live with him most of the time. After an issue at the beginning of the year where [REDACTED] was involved in a fight and became very disruptive and was walking back and forth in front of the school yelling vulgarities and racial slurs. [REDACTED] also appeared to be calling other people to come to the school to assault the individual who he had been in a fight with. [REDACTED] responded to the school to pick [REDACTED] up and he and I had a lengthy conversation about the situation during this discussion [REDACTED]

provided me his personal cell number and asked if [REDACTED] became disrespectful, rude, or just amped up at me, the staff, another student whatever the situation may be to call him and he will come to get him and sort out the situation. [REDACTED] went on to explain that he would hold [REDACTED] accountable for his actions and said he would hold anyone else accountable if they were in the wrong.

So the information above regarding [REDACTED] was also true about [REDACTED]. [REDACTED] and I have not had any issues in the past before this incident. I also had lengthy conversations with [REDACTED] regarding [REDACTED] and [REDACTED]. On 04/24/24 as I was sorting out the details I was informed [REDACTED] was on the phone and wanted to talk to me. I spoke to [REDACTED] and explained I did yell at [REDACTED] and [REDACTED] was only taken to the office in keeping with the agreement between [REDACTED], [REDACTED], and myself earlier in the year. [REDACTED] told me [REDACTED] reported he was only trying to help give me information about what happened when I made him go to the office. When I explained the situation as I observed it [REDACTED] told me she would handle [REDACTED] and [REDACTED] behavior at home. [REDACTED] also arrived and I had a similar conversation with him and I sent [REDACTED] back to class. [REDACTED] went to talk to [REDACTED] and she was released to [REDACTED] to take her home. I went back into the office and was approached by a female who identified herself as [REDACTED] Grandmother. [REDACTED] Grandmother apologized for [REDACTED] behavior and said thank you to Deputy Peterson and I for keeping [REDACTED] safe. [REDACTED] and his Grandmother left the school. This concluded my involvement in this incident.

End of Report
MH/#2528

Maps / Overview of Incident Location:

The following are screenshots of maps and aerial views to assist in orientation of the area noted throughout this investigative summary. Please note, these screen shots were taken from Google Maps on 05/07/24; and aside from general orientation, there is nothing else about the photos which is specific to this case, (ex. the vehicles in the parking lot(s) are / were not the same vehicles in the parking lot(s) during the time of the incident surrounding this investigation).

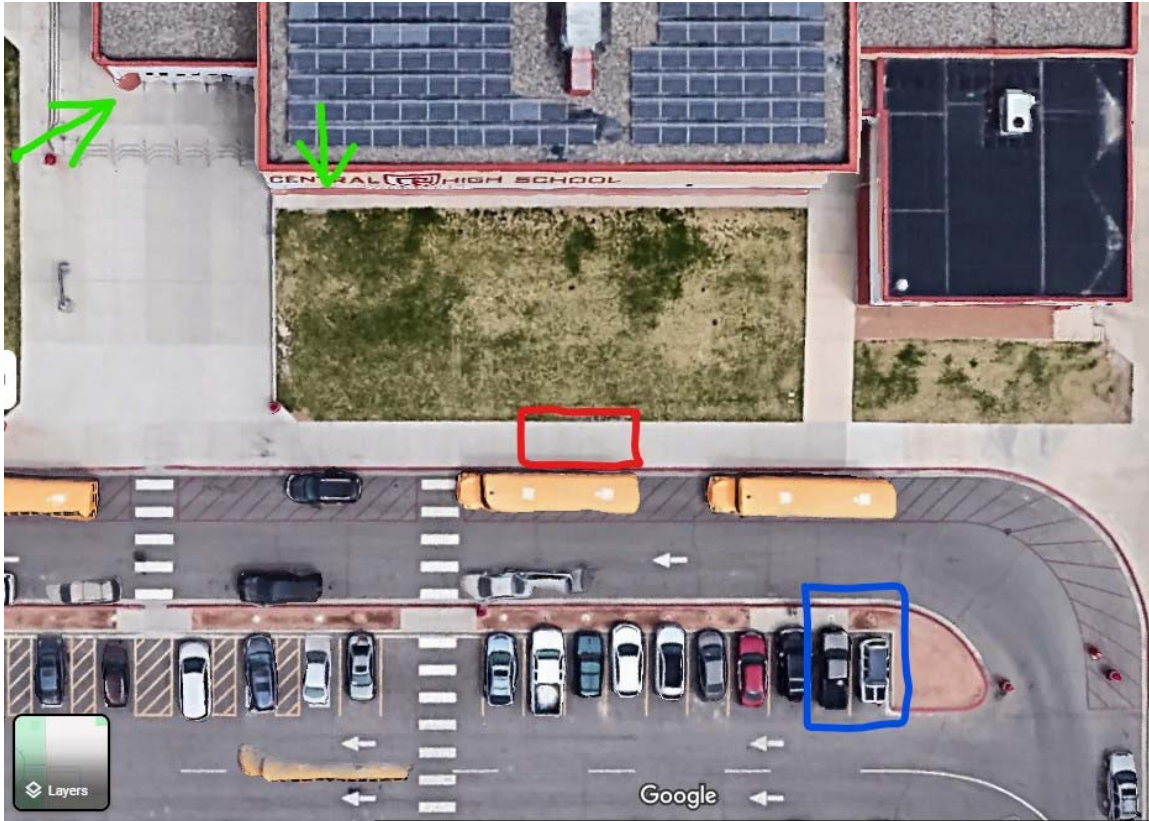
➤ (Google Maps) – A general overview of the area surrounding Central High School (550 Warrior Way, Grand Junction CO). The screenshot is taken in a manner with the top facing north, the right-side facing east, the bottom facing south, and the left side facing west. The road on the top of the screen running east and west is Patterson Road. The road on the right-side running north and south is 31 ½ Road. The road on the bottom running east and west is E ½ Road. The road approximately ¼ of the way from the left side of the photo which runs north, and south is 31 Road. The “green” highlighted box encompasses the Central High School property.



➤ (Google Maps) – A general overview of the actual school building on the Central High School property. The top of the photo is the north end of the Central High School property. The right side of the photo is the east end of the Central High School property. The left side of the photo is the west end of the Central High School property. The bottom of the photo is cut in a manner which depicts the portion of the main student parking lot where the incident(s) related to this investigation took place. The “green” highlighted box encompasses the portion of the parking lot mentioned in this investigation. The “blue” colored box encompasses the two vehicle parking spots where the initial student altercation took place. The “red” colored line marks the fire lane / bus lane which runs along the east and north sides of the main student parking lot. The “green” colored arrow points towards the main entrance of Central High School.



➤ (Google Maps) – A closer overview of the specific area on the Central High School property where the incident(s) related to this investigation took place. The “green” colored arrow near the top left of the photo again points towards the main entrance of Central High School; the “green” colored arrow just to the right of the main entrance points to the general location on the school where the NOLA (Community Safety Camera) and the School District 51 security camera are affixed to the building. The “blue” colored box again, encompasses the two vehicle parking spots where the initial student altercation took place. The “red” colored box encompasses the general vicinity of the sidewalk and lawn area where the altercation between Deputy Peterson and [REDACTED] took place.



Logistical / Background Information Regarding Video Footage Review:

As mentioned above, both Deputy Peterson and Deputy Hand were wearing their agency issued AXON Body 4; body-worn cameras during this incident. Both body-worn cameras appeared to be operating as designed and configured. Of note, based on how the MCSO's body-worn cameras are currently configured, upon activation, the cameras capture the previous thirty seconds of video footage; however, during this first thirty seconds, the recording only captures video footage and they do not capture an audio recording. At the thirty second mark, or the moment the body-worn camera was activated, the body-worn camera(s) then begin to capture both video and audio footage.

As also mentioned above, upon request, the MCSO Intel Unit was able to provide me with video footage from the Community Safety Camera (NOLA Camera) as well as the School District 51 camera. Both of these cameras are affixed to the south facing wall of Central High School; and on this particular wall, the cameras are located at an elevation near the roof of the building and just to the east of the main entrance of the school. For clarity purposes, these two cameras are also designed to only capture video footage and do not capture audio recordings.

The two videos which were provided from [REDACTED] and [REDACTED], and believed to be recorded by [REDACTED] and [REDACTED], do not contain any kind of date / time markers. The body-worn camera footage, NOLA footage, and School District 51

footage all contain date / time markers, and upon my initial review I found that all of their date / time markers were accurate and consistent with one another.

The following is a summary / compilation of my overall review of all previously noted camera footage. All noted footage has also been added to this internal case.

Unless otherwise noted, all of the following time stamps occurred on 04/24/24.

Deputy Peterson's body-worn camera was manually activated by Deputy Peterson depressing its activation button at 12:26:49. With this in mind, coupled with the above noted details about the body-worn camera configurations themselves, Deputy Peterson's body-worn camera began video recording at 12:26:19, and it began capturing both video and audio upon its activation at 12:26:49.

Deputy Hand's body-worn camera was activated via his taser sensor at 12:26:54; meaning Deputy Hand's body-worn camera automatically activated once he removed his taser from its holster and turned his taser on. Again, with Deputy Hand's taser activation automatically activating his body-worn camera at 12:26:54, coupled with these body-worn cameras being configured in a manner which video record the thirty seconds prior to being activated and then both video and audio record from the time of activation forward, Deputy Hand's body-worn camera began video recording at 12:26:24, and it began capturing video and audio upon its activation at 12:26:54.

Please note; as mentioned above, Deputy Peterson and Deputy Hand were wearing MCSO issued AXON Body 4 body-worn cameras during this incident. These cameras are currently configured in a manner which record thirty frames a second; meaning there are thirty frames within each second of body-worn camera footage.

Each time stamp in the following portion of this investigative summary is preceded by one or more of the following: "BWC, NOLA, SD 51, Student". This is done in a manner to describe which video footage was used to obtain the specific detail at the specific noted time. The timestamp is then followed by a description of what was observed at that specific timestamp.

Review of all Available Camera Footage (BWC / Student / NOLA / SD 51):

(NOLA) - 12:19:27 – Students were beginning to form two groups in front of and between an older model red colored Jeep Cherokee and newer model green colored Jeep Cherokee; both of which were located / parked in the two most north eastern parking spots of the main Central High School parking lot.

(NOLA) - 12:19:55 – The two groups each seemed to increase in size and although there is no audio, it's clear there was some kind verbal altercation taking place between the groups. This observation / conclusion was drawn because during this time there were several other unrelated students walking through the parking lot in a north and north eastern direction as they appeared to be in route back to class from their lunch period: (Tuesday thru Friday: Central High School's lunch period goes from 11:33-12:18). While the other students were walking through the parking lot, even without audio, it's clear they began to look towards and/or focus their attention on the two groups of students formed around the previously mentioned vehicles in the parking lot.

(NOLA) - 12:21:50 – The verbal altercation between the two groups in the parking lot seemed to intensify to a physical altercation as some of the students appeared to shoved each other. Based on a later obtained description / identification of [REDACTED] (white colored shirt and black colored leggings), it appeared [REDACTED] was either bumped or pushed, but it's difficult to tell as there are other students between her and the camera view at the time. However, at 12:21:51, [REDACTED] was then seen shoving what appeared to be a male student who was wearing black colored pants and a black colored shirt. Over the next thirty seconds or so, it appeared there was more pushing and shoving going on between the two groups of students either in front of or between the previously noted vehicles. As this was occurring, several other students who were otherwise just walking normally east bound on the sidewalk or north bound through the parking lot appeared to approach and encircle the two groups by the vehicles. Again, it's difficult to tell based on the distance from the camera to the two groups in the parking lot, but around 12:22:34, it appeared as if there were roughly 20-25 students in the immediate vicinity of the same previously noted vehicles.

(NOLA) - 12:23:26 – Several of the otherwise unrelated students who approached the two groups as they were partaking in the altercation by the vehicles began to disperse. As those students were dispersing, I noticed some of the original students from the initial two groups were also beginning to disperse from the immediate area in front of and between the two vehicles. As the students were moving away from the immediate area around the two vehicles, I noticed they all seemed to stay within their groups, but rather just left the area in a manner as to where they weren't so congested around the vehicles.

(NOLA) - 12:24:22 – A male CHS staff member, later identified as William "Vern" McGee (wearing jeans and a black colored polo) entered the lower right hand camera view and walked east bound from what is assumed to be the front of the school towards the north east corner of the parking lot where the same two previously noted groups of students were arguing. As Vern was walking in the direction of the students, those two groups seemed to disperse even more so.

(NOLA) - 12:24:31 – Deputy Hand entered the same lower right hand camera view and walked in the same east bound direction as Vern. As Deputy Hand entered the camera view, he appeared to be approximately 20-30 feet behind Vern, and both continued walking towards where the previously noted groups had been arguing.

(NOLA) - 12:24:33 – Deputy Peterson entered the same lower right hand camera view and followed Deputy Hand as both proceeded east bound and slightly south east bound towards where the two groups had been arguing. As Deputy Peterson was following Deputy Hand, Deputy Peterson remained slightly to the north / left side of Deputy Hand.

(NOLA) - 12:24:53 – As Vern approached the area where the two groups had been arguing, there were only a few students left in the immediate area. Vern then turned back towards Deputy Hand and Deputy Peterson and seemed to motion to them requesting that they speak with another male CHS staff member, later identified as Clint Trujillo (wearing dark colored shorts, dark colored long sleeve shirt, and dark colored tennis shoes) who was standing on the sidewalk on the north side of the fire lane. The fire lane separates the main parking lot from the lawn and sidewalk area which run parallel to the front of the school. Clint had initially entered the parking lot from the gym / weight room of the campus area which is located near the east side of the school.

(NOLA) – 12:25:00 – Deputy Hand and Deputy Peterson both meant up with Clint. Again, without audio, it's difficult to tell what was said between Clint and both Deputies, however it appeared Clint was telling both Deputies what had taken place regarding the two previously noted groups arguing. This assumption is based on the fact that as the staff member was talking with both Deputies, the staff member would periodically point towards where the two groups were arguing and then randomly point towards other students walking back towards the school.

(NOLA) – 12:25:18 – A female CHS staff member, later identified as Assistant Principal Shauna Hobbs (wearing jeans and a dark colored polo shirt) entered the lower right portion of the camera view. Shauna appeared to come from the same direction of the main entrance of the school and as she moved through the camera view she walked east bound towards where the initial altercation had taken place.

(NOLA) – 12:25:21 – Vern appeared to direct the remaining students to leave the immediate area. As the students were beginning to walk away, Shauna was observed using her right hand to motion for the students to come to her. From what I can tell, it appeared five students from one of the initial groups began walking west bound towards the main entrance of the school; based on descriptions and later identification, two members of this group walking back towards the main entrance and Shauna were [REDACTED] and [REDACTED]. After the students left the area of the altercation, Vern proceeded to look around the vehicles in the immediate area of where the altercation took place.

(NOLA) – 12:25:36 – The previously mentioned students, including [REDACTED] and [REDACTED], who were directed to leave the area and speak with Shauna ultimately stopped walking and meant up with Shauna on the sidewalk on the north side of the fire lane. At this time, Deputy Hand and Deputy Peterson were still on or near the same sidewalk, approximately 30 feet to the east of where Shauna was located with the other students.

(NOLA) – 12:25:58 – Shauna walked to the east side of the groups of students she was in contact with and appeared to motion towards Deputy Hand and Deputy Peterson. Due to students being between Shauna and the camera view I cannot tell what Shauna's motion was, but it's clear she was able to get Deputy Hand and Deputy Peterson's attention as they immediately began walking west bound towards her and the group of students she was in contact with.

(NOLA) – 12:26:01 – Clint broke contact with Deputy Hand and Deputy Peterson and appeared to begin walking back to the gym / weight room area of the school. Deputy Hand and Deputy Peterson then began walking towards Shauna who was in contact with approximately seven students on the side walk. Again, without audio, it's difficult to tell what was being said, but it appeared [REDACTED] was very agitated and upset with Shauna as [REDACTED] began throwing her arms up in the air while standing in front of and looking at Shauna.

(NOLA) – 12:26:03 – Once Shauna captured Deputy Hand and Deputy Peterson's attention and they began walking towards her, she appeared to turn and begin walking west bound back towards the main entrance of the school. As Shauna was walking away

from the group of students, [REDACTED] appeared to continue to argue with her and throw her hands up in the air as if she wasn't happy about their conversation.

(NOLA) – 12:26:08 – Deputy Hand and Deputy Peterson approached the group of students Shauna was just speaking with and both Deputies continued walking west bound past the students. The students were standing on the sidewalk, and due to there being approximately six of them, they were taking up nearly the entire sidewalk. Deputy Peterson walked out into the fire lane and around the south side of the group of students and Deputy Hand proceeded to remain on the sidewalk and walked west bound, directly through the students. There were no abrupt movements by Deputy Hand or any of the students as Deputy Hand proceeded through the group. Although the distance from the camera to where the students were located is substantial, these observations lead me to believe Deputy Hand did not make any kind of physical contact with any of the students on the sidewalk as he passed through them.

(NOLA) – 12:26:14 – As both Deputies passed the students on the sidewalk and continued walking west bound towards the main entrance of the school, Deputy Hand was in front of Deputy Peterson by a few feet.

(NOLA / BWC / Student Footage) – 12:26:16 – As both Deputies continued walking west bound on the sidewalk, Deputy Peterson abruptly turned to his left. Deputy Peterson didn't completely turn around and face east bound, but more so seemed to turn to his left enough to where his upper body was facing southeast and his head was facing east. As Deputy Peterson turned towards the group of students, Deputy Hand continued walking west bound towards the main entrance of the school. Once turned, Deputy Peterson appeared to verbally interact with the same students from the group on the sidewalk that both Deputies had just passed by. It's difficult to tell which member(s) of the group Deputy Peterson was verbally interacting with at the time as none of them seemed to be making any gestures, and again there is no audio captured on any of the footage at this time. While turned around and verbally interacting with the group of students, Deputy Peterson waved his left arm out to his side, but at this time it's unknown what his purpose behind doing this was. During this same timeframe, Deputy Peterson's body-worn camera began capturing the thirty second video recording prior to being manually activated. Again, this thirty second window only captured video footage without any audio recording. Of note, [REDACTED] cell phone video appeared to begin recording just as Deputy Peterson had waved his left arm out to his side while having a verbal interaction with the group of students. As [REDACTED] video started, and captured Deputy Peterson slightly facing them with his left arm waved out to his side, her video also captured Deputy Peterson stating "okay". At this time, it's unknown what or who he was saying "okay" to.

(NOLA / BWC / Student Footage) – 12:26:23 – Deputy Peterson appeared to complete his verbal interaction with the group of students, turned around to his right and proceeded to continue walking west bound towards the main entrance of the school.

(NOLA / BWC / Student Footage) – 12:26:25 – 12:26:32 – Deputy Peterson had taken approximately three steps west bound, at which point [REDACTED] was heard saying, "Who cares Nigga". Deputy Peterson immediately stopped walking west bound and again abruptly turned to his left and this time he turned his entire body around, facing east bound on the sidewalk. As Deputy Peterson turned and began facing the group of students who were east of him, he stated, "What"? Deputy Peterson also began

walking towards the group of students at this time as well. [REDACTED] immediately responded, stating, "Who"? Deputy Peterson then stated, "What'd you say"? [REDACTED] responded, "I said who cares". Deputy Peterson, responded, "Yeah, and then you said something else after that, what was it"? [REDACTED] responded, "I said, who cares". Deputy Peterson again stated, "What was it"? As Deputy Peterson made this statement he had approached the group of students, and specifically turned slightly to his left where he directed his attention to [REDACTED] who was on the left / north side of the group of students. [REDACTED] responded, "Nigga, I said who cares Nigga". During this timeframe, Deputy Hand had continued walking west bound towards the main entrance of the school. Based on my observations of Deputy Hand via the NOLA footage, it didn't appear he was aware Deputy Peterson had even reproached the group of students as all of Deputy Hand's movements remained consistent with walking back to the entrance of the school. During this noted timeframe, Deputy Peterson's pace back towards the group of students was not a run, but more so a very direct, quick paced walk. Of note, as Deputy Peterson re-approached the group of students, there were seven students in the group, and/or immediate vicinity, to include [REDACTED].

(NOLA / BWC / Student Footage) – 12:26:32 – 12:26:36 – Deputy Peterson told [REDACTED], "Okay, office, let's go". As Deputy Peterson made this comment to [REDACTED] he simultaneously pointed towards the main entrance of the school with his left hand / arm, and placed his right hand on what appeared to be [REDACTED] upper left back / rear left shoulder area. Deputy Peterson and [REDACTED] then began walking back towards the main entrance of the school. At this time, Deputy Peterson was on the south / left side of [REDACTED]. On [REDACTED] third step, and Deputy Peterson's second step, [REDACTED] stated, "Don't touch me", and during this statement he ([REDACTED]) seemed as if he shrugged his shoulders and stepped to his right, into the lawn area and slightly away from Deputy Peterson.

(NOLA / BWC / Student Footage) – 12:26:36 – As [REDACTED] stepped to his right, into the lawn, and away from Deputy Peterson, Deputy Peterson appeared to slightly crouch down, as if he was preparing to react to [REDACTED] next action and/or anticipating [REDACTED] attempting to become physically combative with him. [REDACTED] did not continue moving away, but instead had remained in the immediate area and had slightly turned towards his left, towards Deputy Peterson.

(NOLA / BWC / Student Footage) – 12:26:37 – Deputy Peterson took a couple steps to the north, reproaching / reengaging, [REDACTED]. At this time, Deputy Peterson used his left hand to grab [REDACTED] left arm, just above [REDACTED] left elbow. Deputy Peterson simultaneously placed his right hand against the center of [REDACTED] back, in between [REDACTED] shoulder blades. At this point, it seemed as though [REDACTED] planted both of his feet as if he was trying to prevent Deputy Peterson from continuing to escort him towards the office. While planting his feet, [REDACTED] also seemed to pull his left arm directly upwards, which resulted in his left elbow traveling towards Deputy Peterson's face. It's unknown if [REDACTED] was trying to pull his left arm up to free his arm from Deputy Peterson's grasp around his left elbow area, or if [REDACTED] was trying to assault Deputy Peterson by elbowing him.

(NOLA / BWC / Student Footage) – 12:26:37 – 12:26:38 – As [REDACTED] planted his feet and pulled his left arm upwards, Deputy Peterson quickly removed his

right hand from in between [REDACTED] shoulder blades and proceeded to slide his right hand and forearm up and over [REDACTED] right shoulder. Once Deputy Peterson's right hand and forearm were up and over [REDACTED] right shoulder, Deputy Peterson simultaneously slid his right forearm and hand across [REDACTED] chest and towards [REDACTED] left shoulder. Deputy Peterson made this movement with only the use and power of his right arm, forearm, and hand. The NOLA camera captured this portion of the incident the best, however, the camera view was a significant distance away from Deputy Peterson and [REDACTED]. Even with the camera view distance considered, there did not appear to be any frame of the footage which depicted Deputy Peterson utilizing his left arm and/or hand to grab onto and assist his right arm with applying pressure to [REDACTED] neck, throat, or upper chest area. As Deputy Peterson's right forearm and hand slid across [REDACTED] chest and then towards [REDACTED] left shoulder, [REDACTED] reached up with his right hand and appeared to grab onto Deputy Peterson's right arm / forearm. As Deputy Peterson seemed to pull his right forearm and hand completely across [REDACTED] chest, Deputy Peterson seemed to use his left hand to try to grab or regain control of [REDACTED] left arm. As [REDACTED] was using his right arm to try to grab onto Deputy Peterson's right forearm; and Deputy Peterson was using his left arm to try to pull [REDACTED] left arm back towards his back, Deputy Peterson used his left foot to take a step back / south bound. As Deputy Peterson took this step back with his left foot, it appeared he also used his right arm which was still around the right side and front of [REDACTED] neck and chest area, and his left arm which was somewhat weaved in between [REDACTED] upper left arm and the upper portion of the left side of [REDACTED] body; and began to pull [REDACTED] upper torso against his (Deputy Peterson's) body and lean back. Based on the footage, it appeared as though Deputy Peterson was attempting to get [REDACTED] off balance by pulling [REDACTED] towards him and leaning backwards. While doing this, [REDACTED] seemed to maintain a hold of Deputy Peterson's right forearm with his ([REDACTED]) right hand.

(NOLA / BWC / Student Footage) – 12:26:38 – As Deputy Peterson leaned back and subsequently pulled [REDACTED] upper torso towards him, [REDACTED] seemed to lose his balance and began to fall backwards. As [REDACTED] was falling backwards, Deputy Peterson appeared to turn his body to his right, and subsequently pull [REDACTED] upper torso towards the right as well. While [REDACTED] was falling backwards and to his right, [REDACTED] body seemed to turn as well, which resulted in Deputy Peterson's upper right arm becoming distanced from the right side of [REDACTED] neck, and Deputy Peterson's right forearm then began sliding to position where his lower right forearm was now under [REDACTED] chin area. Based on the video footage, even with Deputy Peterson's lower right forearm sliding to a position beneath [REDACTED] chin, [REDACTED] chin remained level. This leads me to believe Deputy Peterson was applying the pressure in his forearm in a rearward direction, against [REDACTED] chest, rather than upwards, towards [REDACTED] throat and windpipe area. Had the pressure in Deputy Peterson's forearm been applied upwards and against [REDACTED] throat, neck, and windpipe; it's reasonable to believe [REDACTED] chin would have subsequently lifted as well, as this is a common reaction when one's airway is obstructed.

➤ *The following screen shot was taken from the video footage recorded by [REDACTED] and provided to me by [REDACTED] and [REDACTED]. Although there isn't a timestamp on this footage / screenshot; when the very same movement's and placements are compared against NOLA footage, I can confidently say the screenshot was taken at 12:26:38. This screenshot depicts the portion of the incident when Deputy*

Peterson was pulling [REDACTED] off balance, to his right, and ultimately to the ground.



➤ The following screen shot was taken from the NOLA video footage, and depicts the very same timeframe and portion of the incident that the above screenshot shows; however this screenshot shows a broader view due to the NOLA camera's distance from the incident. Again, this screenshot depicts the portion of the incident when Deputy Peterson was pulling [REDACTED] off balance, to his right, and ultimately to the ground.



(BWC) – 12:26:39 – At four frames into 12:26:39, on Deputy Peterson’s body-worn camera, [REDACTED] appeared to be almost completely pulled to the ground. At that same time, Deputy Peterson’s right hand appeared to be slightly opened up and positioned in front of [REDACTED] throat, but not against his throat. In the same frame, Deputy Peterson’s left arm was laid over top of [REDACTED] left shoulder and his left forearm and left hand were resting on, or pushing against the left side of [REDACTED] chest. When watching the video though, without pausing and without slowing it down, it appeared as though Deputy Peterson was using his left arm to apply pressure to his right arm and hand which was closer to [REDACTED] neck and throat. However, upon breaking Deputy Peterson’s body-worn camera footage down by frames; although the gap between his left forearm and right hand appears to be very small and almost non-existent, there does not appear to be any pressure marks or indentations on Deputy Peterson’s left forearm from the knuckles of his right hand; which indicates there’s no pressure being applied from Deputy Peterson’s left forearm against his right hand.

➤ *The following screen shot was taken from Deputy Peterson’s body-worn camera at the fourth frame into the 12:26:39 time stamp. This screenshot helps depict the previously noted descriptions of where Deputy Peterson’s hands and arms were.*



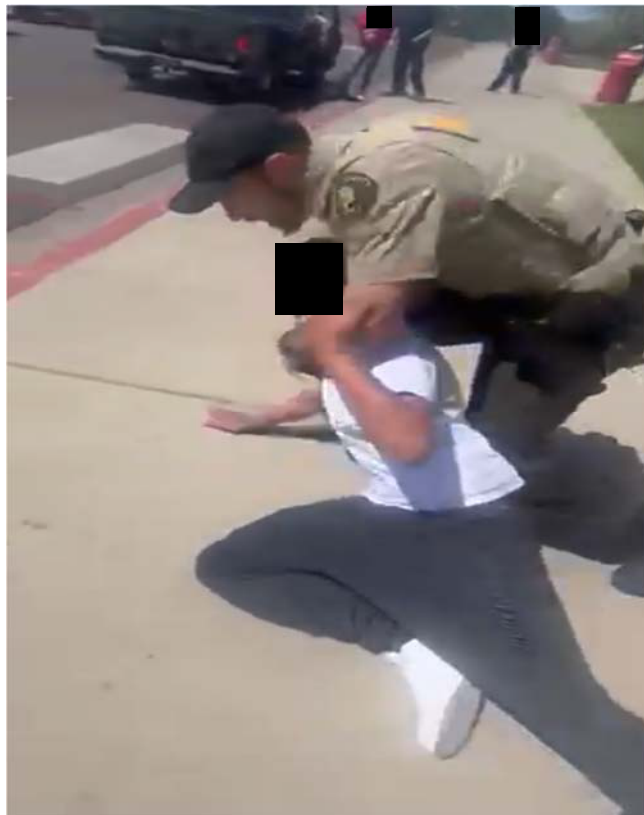
➤ The following screen shot was taken from the video footage recorded by [REDACTED] and provided to me by [REDACTED] and [REDACTED]. Again, although there isn't a timestamp on this footage / screenshot; when the very same movement's and placements are compared against NOLA footage and Deputy Peterson's body-worn camera footage, I can confidently say this screenshot was taken between the eighth and twelfth frame of Deputy Peterson's body-worn camera footage at 12:26:39. During these specific frames on Deputy Peterson's body-worn camera, his camera's view is significantly obstructed by the back of [REDACTED] head due to [REDACTED] head and upper torso being pulled so close to Deputy Peterson's upper body where his body-worn camera was attached to his vest. Because of this, the most applicable view of the incident at this time is from the footage recorded by [REDACTED]. This specific screenshot depicts the timeframe of when Deputy Peterson has the entire lower portion of [REDACTED] body on the ground and is just starting to rotate [REDACTED] upper torso towards the ground as well. Of note, as this is taking place, Deputy Peterson's right hand and wrist still appear to be positioned around the front of [REDACTED] neck and throat area and, due to the poor quality of video footage, there's no indicators to tell how much, if any pressure is being applied to [REDACTED] neck and/or throat area at this time. At the same time, Deputy Peterson's left arm, forearm, and hand still remained over top of [REDACTED] left shoulder; however Deputy Peterson's left hand at this time is wide open and resting on [REDACTED] upper right chest area. From what I can tell, and based on the totality of motions, it appears as though Deputy Peterson was attempting to use his left arm, forearm, and hand as a buffer between [REDACTED] upper body and the ground; essentially trying to prevent [REDACTED] chest from contacting the ground directly.



(BWC) – 12:26:40 – As Deputy Hand was approaching the stairs leading up to the front entrance of Central High School, he was following Shauna Hobbs and the female students she was escorting into the office. As they approached the stairs, Shauna and both girls quickly turned their heads and bodies to their right (east bound) and one of the students began pointing to the east. Based on the timing and direction of where the female student was pointing and the others were looking, this appeared to be the time when they were looking back towards Deputy Peterson as he was pulling ██████████ ██████████ to the ground; this is also the same time frame when ██████████ was loudly yelling statements along the lines of “you’re being recorded”. Deputy Hand’s body-worn camera is activated during this timeframe, however it’s still within the thirty second window of only recording video and not audio. Based on Deputy Hand’s movements, it appeared as though he began turning his head to the right, in the same direction Deputy Peterson was located and the same direction the female students and Shauna were looking.

(NOLA / BWC / Student Footage) – 12:26:40 – 12:26:42 – Deputy Peterson rotated [REDACTED] torso to the right and down towards the ground. As [REDACTED] began to face the ground, he ([REDACTED]) placed his right hand out and onto the ground. [REDACTED] then used his right hand to push back against Deputy Peterson. This is only visible and derived based on the fact that [REDACTED] body is otherwise going to the ground in a steady, constant manner, up and to the point his right hand comes into contact with the ground, at which point there appears to be some type of force, which is significant enough to drastically alter the steady rate at which [REDACTED] was going to the ground at. Not only did this force just alter [REDACTED] rate of going to the ground, there appeared to be enough force applied to [REDACTED] right arm and hand that caused his torso to not even fully go to the ground. While watching the video(s) all the way through without pausing, this portion of the incident initially appeared to be [REDACTED] possibly attempting to brace himself from hitting the ground; however, upon breaking the videos down by frame, it's clear [REDACTED] intention was not only to potentially brace himself, but to also prevent Deputy Peterson from completely taking him to the ground in the first place. As [REDACTED] was applying this force to the ground via his right hand, Deputy Peterson's upper body seemed to continue towards the ground as Deputy Peterson's upper body completely slid over top of [REDACTED] head and Deputy Peterson ultimately had to remove his right hand and arm from around [REDACTED] chest and place it on the ground, out in front of [REDACTED] in order to prevent him (Deputy Peterson) from completely falling to the ground himself.

➤ *The following screen shot was taken from the video footage recorded by [REDACTED] and provided to me by [REDACTED] and [REDACTED]. This screen shot depicts the previously noted moment when [REDACTED] torso began going to the ground and he placed his right hand out to push back against Deputy Peterson:*



➤ The following screen shot was taken from the video footage recorded by [REDACTED] and provided to me by [REDACTED] and [REDACTED]. This screen shot depicts the moment when Deputy Peterson's upper body completely slid over top of [REDACTED] head and Deputy Peterson ultimately had to remove his right hand and arm from around [REDACTED] and place it on the ground, out in front of [REDACTED] in order to prevent him (Deputy Peterson) from completely falling to the ground himself.



(NOLA / BWC / Student Footage) – 12:26:42 – Approximately ten to twenty frames into this time marker is when Deputy Peterson regained his own balance, pulled his own body back overtop of [REDACTED] and then slid his (Deputy Peterson's) left hand and arm over top of [REDACTED] left shoulder and ultimately across [REDACTED] chest. Deputy Peterson's hand went directly across [REDACTED] chest in a horizontal direction and his left hand ultimately stopped and appeared to grab onto the area around [REDACTED] right armpit.

➤ The following screen shot was taken from the video footage recorded by [REDACTED] and provided to me by [REDACTED] and [REDACTED]. Again, although there isn't a timestamp on this footage / screenshot; when the very same movement's and placements are compared against NOLA footage, and Deputy Peterson and Deputy Hand's body-worn camera footage, I can confidently say this screenshot was taken between the tenth and twentieth frame of the 12:26:42 time marker on Deputy Peterson and Deputy Hand's body-worn cameras. This screen shot was taken just after Deputy Peterson regained his balance, pulled his body back over top of [REDACTED] and then slid

his (Deputy Peterson's) left hand and arm over top of [REDACTED] left shoulder and ultimately across [REDACTED] chest. This screen shot also shows Deputy Peterson's left hand going towards the area of [REDACTED] right armpit.



(BWC) – 12:26:43 – After turning and visually acknowledging the altercation Deputy Peterson was having with [REDACTED], Deputy Hand began to quickly move towards Deputy Peterson.

(NOLA / BWC / Student Footage) – 12:26:43 – After Deputy Peterson placed his left hand and arm across [REDACTED] chest, he then began to physically rotate [REDACTED] body to the right, ultimately trying to get [REDACTED] to lay on the ground on his stomach. As Deputy Peterson was performing this action, [REDACTED] again pushed off the ground and back against Deputy Peterson, preventing Deputy Peterson from smoothly being able to place [REDACTED] onto his stomach on the ground. Ultimately, [REDACTED] was able to push back against Deputy Peterson enough that it allowed [REDACTED] to get back to a seated position on the ground, which in turn caused Deputy Peterson to transition into a kneeling position behind [REDACTED].

(NOLA / BWC / Student Footage) – 12:26:43 – 12:26:45 – As [REDACTED] was in a seated position and Deputy Peterson was kneeled behind him, it seemed as though [REDACTED] continued to try to stand up by pressing his body back towards Deputy Peterson. As [REDACTED] was pressing his body back towards Deputy Peterson, the back of [REDACTED] head seemed to be rubbing against the center of Deputy Peterson's chest which ultimately caused Deputy Peterson's body-worn camera to fall off his vest and onto the

ground just to the right of where [REDACTED] was seated. As Deputy Peterson's body-worn camera became detached from his vest it appeared as though Deputy Peterson could feel something moving around between his body and [REDACTED] head / body, because Deputy Peterson immediately began looking down at his chest and subsequently pulled his right hand away from [REDACTED] chest and began using his right hand to grab onto or catch his body-worn camera as it was falling. Of note, during this incident, Deputy Peterson was wearing an MCSO issued body-worn camera mount which attaches the body-worn camera to his uniform via four magnets. While Deputy Peterson's body-worn camera was falling, he had his right hand and arm wedged over top of, around the front, and underneath [REDACTED] right arm; as if Deputy Peterson was using his right arm to control [REDACTED] right arm.

➤ *The following screen shot was taken from the video footage recorded by [REDACTED] and provided to me by [REDACTED] and [REDACTED]. This screen shot depicts the moment when Deputy Peterson noticed his body-worn camera was falling off and he looked down and began trying to use his left hand to catch it. The screen shot also depicts Deputy Peterson's right hand and arm attempting to control [REDACTED] right arm.*



➤ The following screen shot was taken from the NOLA video footage at 12:26:45. This screenshot depicts the portion of the incident after [REDACTED] had pushed back against Deputy Peterson and got to a spot where he was in a seated position with Deputy Peterson knelt behind him. This screen shot also depicts the moment when the back of [REDACTED] head rubbed against Deputy Peterson's chest area, enough so, to ultimately knock Deputy Peterson's body-worn camera off of his vest. The red colored arrow on the screen shot is pointed towards Deputy Peterson's body-worn camera as it is falling off his vest and onto the ground.



(NOLA / BWC / Student Footage) – 12:26:46 – 12:26:48 – Once Deputy Peterson realized his body-worn camera had fallen all the way to the ground, he slid his left hand and arm across the left side of [REDACTED] upper torso, underneath his chin, and Deputy Peterson used his left hand to grab onto the area around [REDACTED] right arm pit. Once Deputy Peterson grabbed onto [REDACTED] right armpit area with his left hand, he then removed his right hand and arm from [REDACTED] person and began using his right hand to feel for, locate, and grab a hold of his body-worn camera which had come to rest on the ground just to the right of Deputy Peterson and [REDACTED].

➤ The following screen shot was taken from the video footage recorded by [REDACTED] and provided to me by [REDACTED] and [REDACTED]. This screen shot depicts the moment when Deputy Peterson began switching his control holds on [REDACTED] body in order to use his right hand to try to retrieve his body-worn camera. The screen shot shows Deputy Peterson's left arm across [REDACTED] chest and his left hand grabbing onto the area around [REDACTED] right armpit. In this screen shot, Deputy Peterson is just starting to reach for his body-worn camera with his right hand.



(NOLA / BWC / Student Footage) – 12:26:48 – 12:26:54 – Once Deputy Peterson was able to locate and grab a hold of his body-worn camera, he began trying to depress the activation button, which he was successfully able to do at 12:26:49. As Deputy Peterson was trying to pick his body-worn camera back up, [REDACTED] appeared to keep trying to push against Deputy Peterson. While Deputy Peterson was trying to grab his body-worn camera off the ground using his right hand, it allowed [REDACTED] right arm and hand to become free. Deputy Peterson grabbed his body-worn camera from the ground and started the motion as if he was going to reattach it to his vest, however, as Deputy Peterson retrieved the body-worn camera from the ground, [REDACTED] proceeded to use his right hand to press on the ground which appeared to be his way of trying to stand back up. Deputy Peterson then placed his body-worn camera closer to his right knee and proceeded to use his right hand to grab a hold of [REDACTED] right hand as [REDACTED] was still trying to use his right hand to push off the ground and stand up. As [REDACTED] was doing this, he was able to lift his buttocks off the ground but still couldn't seem to fully stand up due to Deputy Peterson's left arm being overtop of [REDACTED] left shoulder and ultimately across [REDACTED] chest. Deputy Peterson seemed to have applied

enough downward pressure to [REDACTED] left shoulder to prevent [REDACTED] from being able to get to his feet.

(NOLA / BWC / Student Footage) – 12:26:54 – As Deputy Hand got within a few steps of Deputy Peterson and [REDACTED], he (Deputy Hand) drew his taser and simultaneously activated it while pointing it in the direction of [REDACTED]. As Deputy Hand drew and activated his taser, [REDACTED] was still pressing off the ground with his right hand and attempting to stand up and Deputy Peterson was using his right hand to pull [REDACTED] right hand off the ground so [REDACTED] couldn't utilize his right hand to brace himself and attempt to stand back up.

➤ The following screen shot was taken from Deputy Hand's body-worn camera as Deputy Hand was drawing his taser and approaching Deputy Peterson and [REDACTED].



(BWC / Student Footage) – 12:26:55 – 12:27:00 – Deputy Hand began moving around the front / south side of Deputy Peterson and [REDACTED] and once around the front of them, Deputy Hand turned to the left and proceeded to face both of them. Deputy Hand pointed his taser towards [REDACTED] torso area and yelled, "Lay down, you better lay down on the ground right now, I will, I will tase you, get down on the ground". As Deputy Hand was yelling this, his voice appeared to be extremely heightened and direct. As Deputy Hand was yelling at [REDACTED] to get on the ground, Deputy Peterson was still attempting to pull [REDACTED] right hand off the ground to break his balance. Deputy Peterson also still had his left arm across [REDACTED] chest and his left hand was reached out towards [REDACTED] right shoulder. When this portion of the incident is viewed by the video footage recorded by [REDACTED], who was standing to the east of the incident, it appeared Deputy Peterson's left arm and inner elbow area were squeezed around [REDACTED] neck. However, when this same portion of the incident is viewed by Deputy Hand's body-worn camera who is standing directly in front of [REDACTED] and Deputy Peterson, as well as the footage recorded by [REDACTED] who was standing

slightly to the west of Deputy Hand; one can see that Deputy Peterson's left arm was stretched across [REDACTED] upper chest area and his left hand was reached out towards the outside of [REDACTED] right shoulder. During this timeframe, [REDACTED] immediately appeared to stop trying to stand up, and it seemed as though [REDACTED] stopped resisting Deputy Peterson. Deputy Peterson was subsequently able to get [REDACTED] body rotated towards the ground and ultimately placed [REDACTED] on his stomach on the ground.

➤ The following screen shot was taken from Deputy Hand's body-worn camera as Deputy Hand was standing in front of Deputy Peterson and [REDACTED], and pointing his taser at [REDACTED] chest and stomach area. This is also the same timeframe when Deputy Hand was yelling at [REDACTED] to get on the ground and while Deputy Peterson was trying to remove [REDACTED] right hand from the ground and rotate [REDACTED] body to the right and onto the ground.



➤ The following screen shot was taken from the video footage recorded by [REDACTED] and provided to me by [REDACTED] and [REDACTED]. This screen shot was taken at the exact same time as the above screen shot taken from Deputy Hand's body-worn camera.



➤ The following screen shot was taken from the video footage recorded by [REDACTED]. This screen shot was taken at the exact same time as the previously noted screen shots from Deputy Hand's body-worn camera, and [REDACTED] video footage.



(BWC / Student Footage) – 12:27:00 – 12:27:02 – As [REDACTED] began to allow Deputy Peterson to rotate him towards the ground, [REDACTED] continually stated, “I didn’t do anything Nigga”. As [REDACTED] was finally lying on his stomach, Deputy Hand told him one more time to, “Get down”. This statement from Deputy Hand seemed to be much less heightened, more calm, but still direct. Of note, throughout the entire time Deputy Peterson was attempting to get [REDACTED] onto the ground, [REDACTED] continued circling around the east, south, and west sides of where Deputy Peterson and [REDACTED] were located and continuously screamed, “You’re being videoed” and “just do it”.

(BWC / Student Footage) – 12:27:02 – 12:27:07 – Once [REDACTED] was on his stomach and no longer physically resisting Deputy Peterson, Deputy Peterson began applying handcuffs to both of [REDACTED] wrists. Of note, when [REDACTED] first laid on his stomach on the ground, Deputy Peterson appeared to have both of [REDACTED] hands and wrists positioned in a manner which caused them to almost immediately be placed near his lower back, meaning, Deputy Peterson did not need to ask for [REDACTED] hands / wrists, nor did he have to physically pull either of them behind [REDACTED] back.

(BWC / Student Footage) – 12:27:07 – 12:27:10 – As Deputy Peterson successfully applied handcuffs to both of [REDACTED] wrists, Deputy Peterson stated, “There you go”. [REDACTED] replied, “Put em on”. Deputy Peterson stated, “Thank you”. [REDACTED] responded, “This shit aint even hurt Nigga”. While Deputy Peterson was placing handcuffs on [REDACTED], Administrator Vern McGee approached them from the east. Vern began trying to move the students back and away from the east side of Deputy Peterson and Deputy Hand.

(BWC / Student Footage) – 12:27:13 – [REDACTED] stated something to the effect of, “Call my grandma fucking Nigga”. However, due to [REDACTED] continually yelling about recording, it’s difficult to tell exactly what [REDACTED] stated at this time.

(NOLA / BWC / Student Footage) – 12:27:14 – Deputy Peterson retrieved his body-worn camera from the ground and reattached it to the chest area of his vest.

(NOLA / BWC / Student Footage) – 12:27:15 - 12:27:18 – Administrator Shauna Hobbs approached the area where Deputy Peterson and Deputy Hand were and began telling everyone to leave and she told [REDACTED] to stop recording. [REDACTED] remained in the immediate vicinity and began arguing with Shauna stating it was the law that she could record. Deputy Peterson stated, “They can record”. [REDACTED] continued arguing and being confrontational with Shauna and Shauna repeatedly told [REDACTED] to stop talking.

(NOLA / BWC / Student Footage) – 12:27:23 – 12:27:30 – Administrator Hobbs walked up to Deputy Peterson and Deputy Hand and asked, “What do you need me to do”? Deputy Hand responded and told Shauna, “All these guys need to get out of here”. Shauna immediately turned around and began telling and directing all the students to the west of Deputy Peterson and Deputy Hand that they needed to leave. Most of the students began walking away from the area without issue, however, [REDACTED] remained in the area and continually waved Shauna off and kept telling her “No”.

(NOLA / BWC / Student Footage) – 12:27:31 – 12:27:39 – Deputy Hand stood up from near Deputy Peterson and yelled towards ██████████, “Do you want to be charged with Obstruction, get out of my scene right now, go”. This comment from Deputy Hand to ██████████ was again very heightened and direct. ██████████ video footage appeared to stop as Deputy Hand finished this comment. Deputy Hand then simultaneously turned back to his right where Deputy Peterson was and yelled towards the students who were still formed to the east of Deputy Peterson and stated, “All of ya’ll, get out of my scene”. This statement again was very heightened and direct. At this point, all of the students in the immediate vicinity seemed to disperse the area and Deputy Hand remained beside Deputy Peterson as Deputy Peterson began assisting ██████████ to his feet.

(NOLA / BWC / Student Footage) – 12:27:40 – Deputy Peterson asked ██████████, “Did you got scratches on you or anything from that man”? ██████████ replied, “No no, Nigga”.

(NOLA / BWC / Student Footage) – 12:27:43 – As school administrators were trying to finish dispersing the students to the east of where Deputy Peterson and Deputy Hand were, a male student, later identified as ██████████, was heard saying, “Stupid ass shit”. As ██████████ made this comment, Deputy Hand turned towards the east which allowed his body-worn camera to view Administrator Shauna Hobbs and Administrator Vern McGee trying to get ██████████ and several other students to leave the area. As Deputy Hand turned to the east, he observed and heard ██████████ verbally arguing with Shauna. Deputy Hand then began walking towards ██████████ and yelled at ██████████, “Come here”. ██████████ replied, “I aint going with you”. Deputy Hand replied, “Come here”. ██████████ replied, “Why”? Deputy Hand replied, “Come here”. ██████████ replied, “What”? Deputy Hand continued approaching ██████████ and as he got within a few steps, he told ██████████, “Let’s go”. As Deputy Hand made this comment to ██████████, he also used his left hand to motion towards the front of the school. ██████████ replied, “Go where”? This is the timestamp when ██████████ video recording stopped. At 12:27:53, Deputy Hand, with his right hand, grabbed the back of ██████████ left arm and began directing / escorting ██████████ towards the main entrance of the school. At this same time, Deputy Hand replied, “You want to be obstructive, let’s just go call grandpa”. ██████████ replied, “Call grandpa”.

(NOLA / BWC / Student Footage) – 12:27:49 – 12:27:53 – Deputy Peterson assisted ██████████ to his feet, pointed towards the main entrance of the school and stated, “Here, front office, come on”. Deputy Peterson began escorting ██████████ towards the front / main entrance of the school.

(NOLA / BWC / Student Footage) – 12:27:54 – As Deputy Peterson began escorting ██████████ towards the office, ██████████ stated, “You don’t got to grab me like that, Nigga, I’ll walk”. Deputy Peterson responded, “Well quit pulling away from me”. ██████████ replied, “I’ll walk, I’ll walk”. Deputy Peterson continued escorting ██████████ to the main office without issue.

(NOLA / BWC) – 12:28:03 – Another male CHS Administrator (wearing gray dress pants, red and white colored shoes, and a white and gray colored shirt) began approaching Deputy Hand as he was escorting ██████████ towards the office. The male administrator approached Deputy Hand just before he got ██████████ to the stairs leading into the main entrance of the school. Deputy Hand told the administrator to

take [REDACTED] into the office. At this point, [REDACTED] began walking himself towards the office beside the administrator. As [REDACTED] and the administrator proceeded towards the office, Deputy Hand followed behind them by anywhere from ten to twenty feet.

(NOLA) – 12:28:11 – Deputy Peterson and Deputy Hand left the right / west portion of the NOLA camera view as they escorted [REDACTED] and [REDACTED] towards the main front entrance of the school.

(BWC) – 12:28:16 – As Deputy Hand was nearing the stairs to the main entrance of the school, [REDACTED] was standing in the outside foyer area which was located in between the main entrance of the school and the parking lot. While standing outside, [REDACTED] appeared to be talking to other students in the area and making comments about the overall incident. It's difficult to tell exactly what [REDACTED] said, but the administrator told [REDACTED] to go to class as he walked [REDACTED] by her. [REDACTED] continued commenting about the incident, and as Deputy Hand passed by her he yelled at her stating, "Just go to class, seriously".

(BWC) – 12:28:21 – Deputy Peterson and [REDACTED] entered the main entrance / doors of the school and continued walking towards the main administration office.

(BWC) – 12:28:27 – Deputy Hand entered the main entrance / doors of the school and proceeded towards the main administration office.

(BWC) – 12:28:35 – Deputy Peterson and [REDACTED] entered the main administration office, and Deputy Peterson began looking into each separate administrator's office to see which one was unoccupied.

(BWC) – 12:28:41 – Deputy Hand entered the main administration office, just a couple seconds behind [REDACTED] who was still being escorted by the male administrator.

(BWC) – 12:28:44 – Deputy Peterson located an unoccupied administrator's office on the south side of the general office area. Deputy Peterson escorted [REDACTED] into this office and [REDACTED] seemed to voluntarily turn to his right and sat in a chair against the wall.

(BWC) – 12:28:50 – Deputy Hand approached Deputy Peterson who was standing in the doorway of the administrator office he had placed [REDACTED] inside of. Deputy Hand asked Deputy Peterson, "You okay"? Deputy Peterson responded, "Yeah, yeah".

(BWC) – 12:28:52 – While still in the doorway of the administrator's office, [REDACTED] could be heard saying something about taking things out of his pockets. Deputy Peterson looked back towards [REDACTED] and stated, "What's up"? [REDACTED] responded, "Can I just take everything out of my pockets"? Deputy Peterson responded, "Nope, obviously your hands are restrained right now".

(BWC) – 12:28:58 – Deputy Hand asked Deputy Peterson if he started a "fight call"; meaning, Deputy Hand was inquiring as to whether or not Deputy Peterson had generated a call for service through dispatch. Deputy Peterson responded, "No, I didn't".

Deputy Hand then subsequently used his radio and generated a call for service through dispatch.

(BWC) – 12:29:13 – Deputy Peterson pulled out a notepad and asked [REDACTED], “What’s your name, partner”? [REDACTED] replied, “I don’t answer questions”. Deputy Peterson replied, “You’re not going to answer questions, huh”? [REDACTED] replied, “Nope, not until you contact my grandmother, my guardian”. Deputy Peterson replied, “Well alright”. [REDACTED] replied, “Appreciate it”.

(BWC) – 12:30:40 – Deputy Peterson stepped out of the administrator office [REDACTED] was in and contacted Administrator Ryan Whittington and began talking to him about [REDACTED]; specifically, Deputy Peterson informed Administrator Whittington that [REDACTED] wasn’t identifying himself. Of note, at this point, neither Deputy Peterson nor Deputy Hand knew who [REDACTED] was.

(BWC) – 12:32:15 – Deputy Peterson walked back into the administrator office where [REDACTED] was located and found [REDACTED] to be talking on his cell phone to his grandma, [REDACTED]. The phone was on a “speaker phone” setting, meaning the conversation was heard fairly clearly and not just through the earpiece of the phone. [REDACTED] had removed his phone from his pocket, placed it on his lap and called [REDACTED]. [REDACTED] was still in handcuffs at this time. Deputy Peterson confirmed with [REDACTED] that he was talking with his grandma and asked [REDACTED] to have his grandma come to the school. [REDACTED] told Deputy Peterson she was coming to the school, but she was coming from Fruita so it would be a little bit. [REDACTED] continued speaking with his grandma on the phone while Deputy Peterson stood inside the same office.

(BWC) – 12:33:43 – While [REDACTED] was still on the phone with his grandma, Deputy Peterson asked [REDACTED] if he could talk with her. [REDACTED] overheard Deputy Peterson’s request and stated, “Yes, let me talk to him”. Prior to starting to speak with Deputy Peterson, [REDACTED] told [REDACTED], “And you be respectful and say thank you”.

(BWC) – 12:33:51 – Deputy Peterson reached for [REDACTED] cell phone as it was still placed on his lap and while doing so asked [REDACTED] if it was okay that he grabbed the phone. [REDACTED] stated it was and Deputy Peterson then picked the phone up and began talking with [REDACTED]. The phone remained on the speaker phone setting and Deputy Peterson remained in the same room and just a few feet away from [REDACTED] during the call. Deputy Peterson introduced himself to [REDACTED] over the phone and they began talking about the incident in its entirety. Once Deputy Peterson informed [REDACTED] of the incident and situation pertaining to [REDACTED], [REDACTED] asked to speak with [REDACTED] again. Deputy Peterson handed the phone to [REDACTED] and [REDACTED] began verbally disciplining him for his involvement in the situation(s) themselves, as well as his actions and comments towards Deputy Peterson. During this same phone conversation, Deputy Peterson also advised [REDACTED] that as long as [REDACTED] remained calm and cooperative then he (Deputy Peterson) would not be charging [REDACTED] with any crimes.

(BWC) – 12:39:07 – As [REDACTED] and his grandma completed their phone conversation, Deputy Peterson told [REDACTED] the nurse was in the office and asked [REDACTED] if he ([REDACTED]) needed the nurse to look at him for anything. [REDACTED] told Deputy Peterson he was good, he just had some scratches on his right arm. Deputy Peterson asked [REDACTED] if he “Would mind if the nurse just checked him out real quick”. [REDACTED] replied

stating that was fine and then allowed the nurse to briefly look him over. The nurse advised the scratches [REDACTED] was referencing were old and scabbed over.

(BWC) – 12:39:32 – Once the nurse left the office where [REDACTED] and Deputy Peterson were located, Deputy Peterson asked [REDACTED], “Alright man, are we good enough to take those cuffs off man”? [REDACTED] replied, “Yeah”. Deputy Peterson replied, “Yeah, go ahead and stand up”. [REDACTED] stood up and Deputy Peterson removed the handcuffs. Deputy Peterson also subsequently handed [REDACTED] his phone back as well. Once [REDACTED] handcuffs were removed Deputy Peterson walked with him to get a drink of water and then they returned to the office. Deputy Peterson then left [REDACTED] in the administrator’s office and stepped into the main office area. For the next several minutes, everything and everyone in the office area seemed to remain calm as Deputy Peterson, Deputy Hand, and school administrators awaited the arrival of parents and guardians of the involved students.

(BWC) – 12:42:38 – Deputy Peterson asked Deputy Hand to step into an unoccupied administrator office. Both stepped into an office and Deputy Hand closed the door as Deputy Peterson began talking. Deputy Peterson stated, “So yeah, talked to his grandma on the phone. Super fucking ally for us, so she’s, she bitching him out, like you said what, you pulled away from a cop when he tried to put his hands on you, you told him to get his fucking hands off you, you called him Nigga, you did all this, do it again, see what the fuck happens. Now I gotta go fucking make an excuse to my boss why I gotta leave, oh yeah”. Deputy Peterson briefly stopped speaking with Deputy Hand at that point as a school administrator knocked on the door to provide Deputy Peterson with a student face sheet (school documentation containing a student’s identifying information and parent / guardian information). Once the administrator handed the student face sheet to Deputy Peterson, Deputy Hand closed the door. Deputy Peterson then stated to Deputy Hand, “Yeah, super fucking helpful and she understands”. Deputy Hand then replied, “Sorry bro, I had turned my back and I turned around and that’s when I came over and was like okay we’re going, we’re going straight”. Deputy Peterson then cut Deputy Hand off and began talking again, stating, “Well ultimately what happened was that they kept, like, swing on her swing on her [REDACTED], swing on her, whenever we were walking over to make contact there. So I turned around and said hey, knock it off, what are you doing, what are you doing, and then like as soon, and he was like what what what, I was like dude knock it off and I went to turn around and he’s he’s like what Nigga. And I said, what’d you say to me? It’s what, I said what. And I started walking that way and I said, no, what’d you say after that cause you said something after that. He said I said Nigga. So I said come on, let’s go to the office. And I went to put my hand on him like this and he said get your fucking hands off of me. The moment he did it I grabbed him lets go. You don’t fucking pull away from me bud, sorry. Sorry sorry”. Deputy Hand then began telling Deputy Peterson about what [REDACTED] was saying to him in the office about Deputy Peterson putting hands on [REDACTED]. Deputy Peterson said it sounded like [REDACTED] was just trying to be a tough guy on camera.

(BWC) – 12:45:49 – Deputy Peterson and Deputy Hand completed their conversation and exited the office they were in. Deputy Hand proceeded into the main administration office area where he began communicating with school administrators and seemed to be collecting identifying information for the students involved in the above noted incident(s); and Deputy Peterson proceeded to the SRO office.

(BWC) – 12:46:44 – Deputy Peterson deactivated his body-worn camera while inside the SRO office. Of note, Deputy Peterson was the only one inside the SRO office at that time.

(BWC) – 12:50:13 – As Deputy Hand was speaking with school administrators, two female students were being escorted through the office and began looking at Deputy Hand and laughing as they walked by. These were the same two female students outside of the school who Administrator Shauna Hobbs had escorting into the office before Deputy Hand turned around to go assist Deputy Peterson. While they were laughing, Deputy Hand stated, “Keep it up ladies, and I’ll see that you’re charged with everything I can throw at you, I promise you that. I promise you”. The two female students continued walking away. Deputy Hand continued speaking with school administrators.

(BWC) – 12:51:10 – Deputy Hand entered the office where ██████████ was located by himself. Deputy Hand asked ██████████ if he was ready to go back to class. ██████████ stated he was. Deputy Hand then explained he just needed ██████████ to cool down and that’s why he was in the office.

(BWC) – 12:52:04 – ██████████ proceeded to class and ██████████ grandfather, ██████████ entered the office and spoke with Deputy Hand. Deputy Hand explained the entirety of the incident(s) to ██████████; specifically detailing ██████████ involvement in the original verbal altercation and then being verbally and physically non-compliant with Deputy Hand and school administrators. Deputy Hand also explained that he brought ██████████ ██████████ to the office because he was running his mouth and that wasn’t the time as he was going to provoke some other type of incident.

(BWC) – 12:55:52 – Deputy Hand completed his conversation with ██████████. ██████████ exited the office and went to speak with school administrators and ██████████. Deputy Hand exited the office as well and continued speaking with other school administrators.

(BWC) – 12:56:55 – Deputy Hand exited the administration office and proceeded to the SRO office. Deputy Hand entered the SRO office where Deputy Peterson was still located and manually deactivated his body-worn camera at 12:57:11. At that time, Deputy Peterson and Deputy Hand were the only ones inside the SRO office.

(BWC) – 13:18:19 - Deputy Peterson’s body-worn camera began video recording as he had manually activated it thirty seconds later (13:17:49) while in the administration office. Again, with how the MCSO body-worn cameras are currently configured, the first thirty seconds of footage are just video recorded without any audio. During this time frame Deputy Hand and Deputy Peterson appeared to be casually talking with a male student and female student in their SRO office with the door open. At 13:18:06, Deputy Hand remained in the SRO office speaking with the male and female students; and Deputy Peterson exited the SRO office and walked into the main administration office. Once inside the administration office, Deputy Peterson entered the same office ██████████ ██████████ was previously and currently seated in. As Deputy Peterson entered the office where ██████████ was located, ██████████ grandmother, ██████████ was also in there. Deputy Peterson had manually activated his body-worn camera just before entering the office where ██████████ and ██████████ were located.

(BWC) – 13:18:22 – Deputy Peterson entered the office where [REDACTED] and [REDACTED] were seated. [REDACTED] immediately stood up and began apologizing to Deputy Peterson for [REDACTED] actions and involvement. Deputy Peterson thanked [REDACTED] for her kind words and apologies. Deputy Peterson then began explaining the situation / incident(s) to [REDACTED] and in doing so, continually told [REDACTED] and [REDACTED] that had [REDACTED] just listened and stopped making comments about people fighting and other derogatory remarks, everything would have been fine and [REDACTED] would have been on his way. Deputy Peterson also explained the reason he took [REDACTED] to the ground was because he pulled away and jerked his arm around. [REDACTED] replied to this stating he was just mad and not thinking at the time. Deputy Peterson, [REDACTED], and [REDACTED] continued talking about and discussing the situation.

(BWC) – 13:20:27 – [REDACTED] began making comments about [REDACTED] telling her he was expecting her to be mad once she saw the video and she explained after students had sent her the video she watched it and felt it was exactly like Deputy Peterson had explained the situation over the phone earlier. During this portion of the conversation, [REDACTED] told [REDACTED] and Deputy Peterson that she agreed with Deputy Peterson's actions. [REDACTED] then began verbally disciplining and counseling [REDACTED] in front of Deputy Peterson.

(BWC) – 13:21:20 – Deputy Peterson and [REDACTED] began talking about criminal charges and Deputy Peterson stated he felt anything [REDACTED] had to talk with [REDACTED] about was going to be far more beneficial for him than Deputy Peterson charging him. [REDACTED] stated she appreciated Deputy Peterson not pressing charges and Deputy Peterson stated that wasn't his goal, he told [REDACTED] and [REDACTED] he didn't become an SRO to "Slap charges on juveniles". [REDACTED] thanked Deputy Peterson. Deputy Peterson told [REDACTED] to cooperate with law enforcement in the future and not pull away. [REDACTED] then continued verbally counseling [REDACTED].

(BWC) – 13:22:38 – While [REDACTED] was verbally counseling and disciplining [REDACTED], Deputy Peterson shut the office door and stated, "I would say, I don't want to come off as being insulative or anything like that when I say this, but you being a juvenile has a whole lot of impact on the way that that went down. Like I was trying very hard to leave it at that and not start applying pressure points or put my back into you to get compliance of your arms. That's why I kept yelling at you several times, stop stop, cause I don't want to hurt you. I hate putting hands on juveniles, I hate it. I don't ever want to do it. And it really is frustrating whenever I do. Like I'll be beating myself up all day cause I had to do it and I hate doing it. I absolutely can't stand it. Um, but yeah, when you're older man, when you lose that juvenile status, and then if you get into a conflict with a cop you'll lose a lot of that restraint that they'll put on a lot of the times. We won't be as restraint as we can because the goal is to get you in compliance as fast as possible. But you as a student, you're protected here on campus and I absolutely will go through anything I can to not hurt you, but to still get compliance because I have to gain it but I don't want to hurt you. And obviously that why the first thing I asked you was you know, do you have any scrapes or anything like that that we need to get you checked out once the handcuffs were on and the situation was done. Because I wanted to make sure if you were injured you get treated as soon as you possibly can. My goal was not to hurt you, I never want to hurt you. It's a crappy situation, it turned stupid real fast, wish it hadn't happened but unfortunately it did. Um, but yeah, I would just say let's move forward from it um I'm not charging you with anything like I said and try please try to learn that lesson

of don't be uncooperative with law enforcement. The best thing is just pull yourself away from the situation when they tell you to". [REDACTED] nodded his head and both [REDACTED] and [REDACTED] thanked Deputy Peterson.

(BWC) – 13:24:44 – After [REDACTED] and [REDACTED] thanked Deputy Peterson, he exited the office they were in and walked into another administrator office where he began speaking with Administrator Shauna Hobbs and the same Administrator who helped Deputy Hand escort [REDACTED] into the officer earlier. Deputy Peterson and the administrators discussed the overall incident(s). At 13:28:48, Deputy Hand entered the administrator office with Deputy Peterson, Shauna, and the other administrator. Deputy Hand began discussing the incident(s) with them. While speaking with the administrators, Deputy Peterson manually deactivated his body-worn camera at 13:31:53.

Notable Summary Information From Video Footage Review:

- 12:26:34 – Deputy Peterson pointed towards the office and first placed his right hand on [REDACTED] upper back directing him to the office.
- 12:26:36 – [REDACTED] pulled away from Deputy Peterson.
- 12:26:39 – Deputy Peterson physically reengaged [REDACTED] and began trying to pull him to the ground.
- 12:26:54 – While Deputy Peterson was still struggling with [REDACTED], Deputy Hand approached and pointed his activated taser at [REDACTED] chest and stomach area.
- 12:27:00 – [REDACTED] was completely placed on the ground, on his stomach.
- 12:27:14 – Deputy Peterson applied handcuffs to [REDACTED].
- 12:27:50 – Deputy Peterson assisted [REDACTED] to his feet.
- 12:27:54 – Deputy Peterson began walking [REDACTED] towards the office while handcuffed.
- (2 seconds) - Amount of time from when Deputy Peterson pointed towards the office and began directing [REDACTED] towards the office, to when [REDACTED] pulled away.
- (3 seconds) - Amount of time from when [REDACTED] pulled away from Deputy Peterson to when Deputy Peterson successfully broke [REDACTED] balance and pulled him to the ground.
- (26 seconds) - Amount of time from when [REDACTED] pulled away from Deputy Peterson to when he laid on the ground on his stomach and no longer resisted.

- (50 seconds) - Amount of time [REDACTED] was lying on his stomach on the ground while being detained.
- (1 minute; 16 seconds) – Amount of time Deputy Peterson was in physical contact with [REDACTED]. This time frame is from the point Deputy Peterson placed his right hand on [REDACTED] upper back and directed him towards the office, throughout their physical altercation, and to the point [REDACTED] was in handcuffs and assisted to his feet by Deputy Peterson. This time frame does not include the portion of time from when [REDACTED] got to his feet and Deputy Peterson began escorting him to the main office of the school.

CIRT Briefing Summary (05/06/24 @ 1000 hours):

On 05/06/24 at 1000 hours I attended the second CIRT briefing at the GJPD. During this briefing, GJPD Detective and CIRT co-lead investigator, Bryce Raber facilitated the meeting.

I was advised during the timeframe between the last CIRT briefing (05/01/24) and this current one, CIRT investigators had been able to interview all involved Central High School administrators and staff members. Det. Raber also advised all but just a few students who were involved in the initial altercation in the parking lot, or witnesses to Deputy Peterson and Deputy Hand's interaction with [REDACTED] had also since been interviewed.

I was informed that Deputy Hand had retained legal counsel through Front Line Law out of Denver, Colorado and his respective attorney was Alejandro Fernandez (720-282-1266).

I was further informed that Deputy Peterson had retained legal counsel through Foster Graham Milstein & Calisher and his respective attorney was Mallory Revel (303-333-9810).

Det. Raber advised they had placed calls into both Deputy Hand and Deputy Peterson's respective attorney's and they were just awaiting a response as to whether or not either Deputy would be participating in an interview with CIRT investigators. Det. Raber also advised upon contacting [REDACTED] and his grandma / guardian, [REDACTED], both informed CIRT investigators they had retained attorney James Roberts with Scott Palmer Law out of Addison, Texas as [REDACTED] civil and legal counsel for the incident. Det. Raber advised CIRT investigators had a message into Attorney Roberts regarding being able to interview [REDACTED] and they were just awaiting his response.

During this same CIRT briefing, GJPD Commander Freidenberger advised the CIRT group that GJPD Commander Robert Fisher was also going to be asked to conduct a review of Deputy Peterson's use of force on [REDACTED]; from the standpoint of Commander Fisher being one of the GJPD's "expert" instructors regarding use of force, arrest control, and defensive tactics. Commander Freidenberger advised she herself was the GJPD Subject Matter Expert (SME) for use of force, however, due to her being the Commander over this CIRT investigation, she felt it necessary to have another

expert review the case from a use of force standpoint. Commander Fisher was subsequently provided with all applicable reports and video footage from the incident.

Following this CIRT briefing, on 05/07/24 at approximately 1636 hours, GJPD Sergeant Matt Mecum sent me an email advising he had just received a phone call from Deputy Peterson's attorney, Mallory Revel with Foster Graham Milstein & Calisher. Sgt. Mecum advised while discussing the case and the probability of Deputy Peterson providing a statement to the CIRT investigators, Mallory explained she had been informed that Deputy Peterson had completed a case report for the incident. Sgt. Mecum confirmed that to be factual, at which point Mallory asked to be able to view Deputy Peterson's case report. Sgt. Mecum advised he did not have the ability to send Mallory the case file, and/or Deputy Peterson case report, therefore he asked that I send it. A short time later, I sent both Mallory and Sgt. Mecum a copy of the entire case file which contained Deputy Peterson's case report. Mallory responded to the email within a few minutes advising she had received the case file. This entire email conversation has been added to this internal case.

CIRT Command Briefing Summary (05/08/24 @ 0900 hours):

On 05/09/24 at 0900 I attended the CIRT Command briefing at the GJPD. This briefing was hosted for the purposes of informing command members of all agencies involved in the CIRT investigation of the progress / status of the investigation. This CIRT briefing was facilitated by GJPD Sgt. Matt Mecum and GJPD Det. and CIRT lead investigator, Zach McCullough.

Det. McCullough advised he and GJPD Det. Rojo had interviewed [REDACTED] with his grandma, [REDACTED] at their home address. Det. McCullough advised [REDACTED] and [REDACTED] attorney, James Roberts was also present via ZOOM. Det. McCullough advised [REDACTED] statements seemed very scripted and somewhat contradictory to what he had told his grandma and Deputy Peterson on body-worn camera in the Central High School administration offices following the incident on 04/24/24. A full summary of Det. McCullough and Det. Rojo's interview with [REDACTED] will be provided further into this investigative summary.

During the same Command CIRT briefing, Sgt. Mecum notified everyone present that Deputy Hand's attorney, Alejandro Fernandez had reached back out to him the previous day (05/07/24) and advised Deputy Hand would not be providing a statement / interview to CIRT investigators.

Sgt. Mecum advised he was still awaiting a response from Deputy Peterson's attorney as to whether or not he would be providing a statement / interview to CIRT investigators.

Commander Freidenberger and Sgt. Mecum also requested any available records regarding Deputy Peterson's prior law enforcement experience and/or training experience he had before becoming employed with the MCSO. Of note, Deputy Peterson began his employment with the MCSO on 03/08/2021. Following this CIRT briefing, MCSO Lieutenant Prunty provided both Commander Freidenberger and Sgt. Mecum with all of the training information which Deputy Peterson had provided to the MCSO during his hiring process. Lt. Prunty also provided the following information / timeline of Deputy Peterson previous law enforcement experience:

- August 2006 - August 2011 - Military Police
USMC Camp Lejeune, NC
- October 2011 - June 2012 - Dallas County SO
Detentions Deputy
- April 2013 - March 2015 - Dallas PD
Police Officer
- October 2015 - February 2021 - Corpus Christi PD
Police Officer

A short time after this Command CIRT briefing concluded, Sgt. Mecum forwarded me an email which he had just received from Deputy Peterson's attorney, Mallory Revel. The following is copy and pasted from Mallory's email and the entire email has been added to this internal case.

Hi Matt,

Deputy Peterson would like to submit the attached supplement to his previously submitted report. He would decline an interview at this time. If there is anything I can do to assist in the process, please don't hesitate to reach out. Thank you!

Deputy Peterson's supplemental report which Mallory referenced is copy and pasted below. This supplemental report has also been added to both this internal case as well as the MCSO case file.

I, Phillip Wayne Peterson, am submitting this supplemental statement in reference to the incident that occurred on April 24, 2024 at Central High School. This statement is intended to serve as a supplement to my previously submitted report.

When I placed my right arm around the male's shoulder, my purpose was to pull him close to me in order to prevent him from continuing to pull away from me. At no point in time did I place my arm around his neck. Rather, I placed my arm on his shoulder and upper torso with the intent to keep my body weight on top of him as he was still actively pushing against me and trying to get up off the ground. I was very cognizant of the fact that this was a juvenile that I was dealing with, and I was taking precautions to not cause injury or any pain to the male. The male did not follow my command to "stop" and continued to attempt to get up. I kept my arm around his upper torso only to keep balance on top of the male and keep him on the ground. I was also cognizant of the positioning of my arm and tried to readjust my positioning when I felt my arm was getting too close to the male's neck region at one point. I never applied any pressure to the male's neck. I did not under any circumstances try to restrict or impede his breathing in any way.

I asked the male several times after the incident if he was injured, as his safety and well-being were of primary concern to me. He stated he was not injured and declined to be seen by EMS. I asked him if he would agree to the school nurse checking on him as a precaution, and he agreed to that. The school nurse came and briefly examined him in

my presence, and did not observe any injuries. At no point in time did the male state he could not breathe or that he was in pain.

Administrative Interview with MCSO Deputy (SRO) Michael Hand:

On 05/10/24 at approximately 1230 hours I interviewed Deputy Michael Hand in reference to this incident. I provided Deputy Hand with a Subject Notification, which I read to him and he stated he understood. The following is a summary of the interview and is not a verbatim transcript. The interview was audio and video recorded and the recording has been added to this case file.

I asked Deputy Hand if he recalled working on the date I referenced in his Subject Notification (04/24/24) and he told me he did. Deputy Hand told me he was working as the School Resource Officer at Central High School on that date. Deputy Hand further added the SRO Unit is his assigned unit and Central High School is his assigned school. I asked if he recalled handling some type of altercation in the parking lot around 1230 hours and he told me he did. I told Deputy Hand that was the portion of the day which I was needing to talk with him about, and asked that he tell me about the incident.

Overall, Deputy Hand's recollection of events was very much consistent with what he outlined in his supplemental report and what I observed in my video footage review. Again, Deputy Hand's supplemental report was pasted towards the beginning of this investigative summary.

Deputy Hand told me throughout the morning of 04/24/24, he had been completing reports and other paperwork in order to drop it off at that MCSO later in the day. Deputy Hand told me he had also been completing other paperwork which he needed to drop off at the court house later in the day as well.

Deputy Hand explained he had completed all of his needed paperwork and was ready to head towards to the MCSO and courthouse, however he wasn't intending on leaving until after all the students at Central High had returned from lunch. Deputy Hand said when school starts, at lunch time, and when school ends are the busiest times of day with those times being the periods when almost all of the students are out of class and wandering around the campus. Deputy Hand said those timeframes are when they (SRO's) try to always be on campus and as available as possible in the event some kind of situation presents itself. Because of the timing, Deputy Hand told me his intention was to take his paperwork to the MCSO and courthouse around 1300 hours, once all the students returned from lunch.

Deputy Hand told me while finishing up his paperwork in the SRO office, he recalled Deputy Peterson stepping out of their office. Deputy Hand said he wasn't sure where Deputy Peterson went to, but assumed he either went to the main administration office or went to take care of something else. Deputy Hand said a short time later, an unknown female student briefly stopped by the SRO office and told Deputy Hand there was a fight in the parking lot. Deputy Hand told me he exited the SRO office and began walking towards the main entrance / exit of the school. Deputy Hand explained at about that time he realized his school radio was still in the SRO office, but he elected to continue outside towards the parking lot instead of turning back to go get his school radio. Deputy Hand

said while walking towards the front doors of the school, he used his MCSO radio to tell Deputy Peterson he needed his assistance in the parking lot.

Deputy Hand said as he exited the building he didn't notice any kind of obvious altercation taking place anywhere but did notice school administrators walking towards the north east corner of the parking lot. Deputy Hand said he proceeded that way as well and he thought by that time Deputy Peterson had also exited the school and was walking nearby him.

Deputy Hand said as they approached the east side of the parking lot they observed several students walking away from the area. He said he also recalled two school administrators, Vern MaGee and Shawna Hobbs near where the students appeared to be walking away from. Deputy Hand said at that time he and Deputy Peterson began talking to the Central High School Wrestling coach, Clint Trujillo. Deputy Hand said they spoke with Coach Trujillo on the north side of the bus loop / fire lane and he told them he never observed any kind of altercation taking place, but rather just some yelling and screaming back and forth between the groups of students.

Deputy Hand told me a short time later the school administrators began walking back towards the main entrance of the school and he and Deputy Peterson began following Shawna Hobbs as she was escorting two female students who had continued to argue with her. Deputy Hand said as they walked back to the main entrance of the school he remembered hearing several different students yelling and screaming at them, and also at the school administrators. Deputy Hand said he didn't recall any specific statements the students were making, but just heard them yelling; which Deputy Hand explained was common and not out of the ordinary.

Deputy Hand said just before he got to the front steps outside the main entrance of the school, he heard what he described as being a "different type of noise". Deputy Hand said he couldn't describe the type of noise he heard, but just recalled it being different than the yelling and screaming he had been hearing from the students. Deputy Hand explained the different type of noise caught his attention for some reason and because of such he turned to his right and upon doing so, he observed Deputy Peterson to be physically struggling with a student. Deputy Hand said he had no idea what was going on at the time, but thought he recalled seeing what he described as different pieces of Deputy Peterson's equipment falling off his body and "flying all over the place".

Deputy Hand told me he immediately began moving towards Deputy Peterson and as he approached him he drew his taser. Deputy Hand said upon approaching Deputy Peterson, he still had no idea what was going on but it was clear to him Deputy Peterson was attempting to get the student to stop struggling. Deputy Hand said he wasn't sure if the student () had assaulted Deputy Peterson or someone else, or what the reason was for Deputy Peterson to be struggling with him, but he also noticed there to be several students encircling them. Deputy Hand said the only thing clear to him at the time was that Deputy Peterson was trying to get the male student detained, and the male student seemed like he was physically resisting Deputy Peterson as he wasn't lying on his stomach and it seemed like he kept trying to stand up. Deputy Hand told me he pulled his taser out because he knew from his experience in the MCDF (jail) that sometimes just the simple sight of the taser and threat of being tased makes people comply, and he also said it was the least amount of force he felt he could offer to the situation at the time.

Deputy Hand said he began pointing the taser at the male's chest and yelling at him to lie down or he would be tased. Deputy Hand said the male student then laid on his stomach just a few seconds later and Deputy Peterson placed him in handcuffs.

Deputy Hand said while Deputy Peterson was placing the male student into handcuffs and asking him about any injuries he remembered what he felt to be several students getting closer and closer to them. Deputy Hand said he specifically remembered a female student named [REDACTED] standing just a few feet away from him and remembered her yelling and the only thing he remembered her yelling was something about recording. Deputy Hand said he then thought he remembered school administrator Shawna Hobbs telling [REDACTED] to either step away, leave or go to class and instead of doing so, he remembered [REDACTED] either staying where she was or possibly taking a step or two towards him and Deputy Peterson. Deputy Hand said around that time he yelled at [REDACTED] to leave the area or she would be charged for obstruction. Deputy Hand said he thought around that time [REDACTED] started to step back and away from the immediate area. Upon further clarification, Deputy Hand said he was aware it wasn't illegal for anyone to record the incident, but he was also aware it was against school policies and rules for students to record fights. Deputy Hand told me, had he chosen to charge [REDACTED] with obstruction, it would have been for her constantly getting too close to him and Deputy Peterson while they were dealing with the male student Deputy Peterson was trying to detain.

Deputy Hand explained just after yelling at [REDACTED], he felt the presence of even more students around them so he began standing up and yelling at all the other students around them to leave the area and get out of their scene. Deputy Hand said he thought he recalled possibly pointing his taser towards some of the other students while standing up and trying to re-holster his taser, and yelling at the other students, but he wasn't sure if he had in fact pointed his taser towards anyone else besides the male student Deputy Peterson was detaining. Deputy Hand said he never had any intention of pointing his taser towards anyone else at that time; (Of note, the video footage I reviewed captured all of Deputy Hand's actions he had described and there was no footage which depicted him pointing his taser at anyone besides [REDACTED]).

Deputy Hand said he recalled the majority of the other students to begin walking away from the area but then remembered hearing some kind of "chatter" from a male student and he recognized the student's voice to be that of [REDACTED]. Deputy Hand said he couldn't tell exactly what [REDACTED] was saying but it seemed as though he was trying to provoke other students. Deputy Hand told me he's known [REDACTED] and his sister, [REDACTED] for some time now though them being students at Central High School and him being the SRO. Deputy Hand said towards the beginning of the year he had a meeting with [REDACTED] and [REDACTED] grandfather and legal guardian, [REDACTED]; and during that meeting, [REDACTED] told Deputy Hand to contact him at any point in which [REDACTED] was being disrespectful, out of control, or otherwise not obeying rules. Deputy Hand told me, with his relationship with [REDACTED], coupled with [REDACTED] seeming as if he was trying to provoke some other type of disturbance or altercation in the parking lot, he (Deputy Hand), approached [REDACTED] and directed him to go to the office where they were going to call his grandfather, [REDACTED].

Deputy Hand told me he escorted [REDACTED] to the office without any incident and upon entering the office area, he remembered [REDACTED] yelling about calling their grandfather. Deputy Hand said a short time later he was informed that [REDACTED] had in fact been contacted already, therefore, Deputy Hand never personally called [REDACTED]. Deputy Hand said a little while later [REDACTED] arrived at the school, and he spoke with him about [REDACTED] and [REDACTED] attitudes and comments. Deputy Hand said he believed [REDACTED] ended up leaving the school with [REDACTED] a short time later. Deputy Hand said after that, he began checking with Deputy Peterson and school administrators to see if anyone needed assistance.

I asked Deputy Hand if he could recall and/or describe Deputy Peterson's movements and actions during his struggle with [REDACTED]. Deputy Hand said he again had no idea what started it, and the first thing he remembered was seeing what he thought were things falling off Deputy Peterson's body. Deputy Hand said the first kind of movement or action he noticed from Deputy Peterson was what he would describe as Deputy Peterson trying to either pull or throw [REDACTED] to the ground.

I asked Deputy Hand if he observed Deputy Peterson to have [REDACTED] in a headlock, a chokehold, or have any kind of pressure applied around [REDACTED] neck and throat. Deputy Hand told me he did not notice that at all. Deputy Hand said he recalled seeing Deputy Peterson pulling on [REDACTED] chest and arms and trying to get him to the ground. Deputy Hand said from what he recalled, he just remembered seeing Deputy Peterson's arms and hands on [REDACTED] chest and then grabbing onto [REDACTED] arms and hands.

I asked Deputy Hand if he heard [REDACTED] saying anything about not being able to breath, being injured, or making any kind of comment or movement about pain, pressure, and/or discomfort around his neck. Deputy Hand said he never heard [REDACTED] make any comment about being in pain or not being able to breath. Deputy Hand told me the only thing he remembered was [REDACTED] continually using "vulgar" language towards Deputy Peterson, but he couldn't remember the specific words [REDACTED] was using.

I asked Deputy Hand if he felt there was any point in time when he should or could have intervened to either help Deputy Peterson further or prevent Deputy Peterson from applying force on [REDACTED]. Deputy Hand stated there was not. He told me he didn't get more involved with assisting Deputy Peterson because there were so many other students around and his tunnel vision was already setting in so he didn't want to risk helping Deputy Peterson and then allow the other students to get closer and possibly assault Deputy Peterson or himself. Deputy Hand told me there was no point at all where he observed Deputy Peterson to be using excessive force or any kind of force or movement which wasn't needed to get [REDACTED] detained.

I asked Deputy Hand why he didn't activate his body-worn camera upon walking outside after being told there was a fight in the parking lot. Deputy Hand said his initial thought was to walk outside and ensure there was some kind of incident taking place before activating his body-worn camera, but then upon getting outside and noticing there was no longer any kind of altercation he forgot about his body-worn camera as he was just talking with school staff and walking back to the office. Deputy Hand admitted he should have activated his body-worn camera upon leaving his office and walking outside as he agreed it's better to have to label an accidental recording than to not have a recording at

all. Deputy Hand said he understood his body-worn camera mistake was solely his fault and he felt he let the MCSO down by not activating his body-worn camera which ultimately prevented the MCSO from having the video footage they would otherwise have had.

I asked Deputy Hand if he felt he was in full control of his emotions and actions during this incident and without hesitation he stated he did feel he had full control of his emotions and actions. Deputy Hand told me he understood he yelled and screamed at students, but again stated he felt his tone and attitude was needed due to the large number of students in the area and the fact some of them weren't complying with staff members' orders and directions.

I told Deputy Hand there were some concerning comments and discussions between him and Deputy Peterson in the Central High School office following the incident. I explained these comments were him and Deputy Peterson talking about the incident, and more specifically appearing to boast to each other about the incident. I also explained one of the other comments was him (Deputy Hand) yelling at two female students who were laughing at him and telling them he was going to charge them with everything he could throw at them. I told Deputy Hand no one else appeared to be present for the conversations between him and Deputy Peterson, but they were captured on both of their body-worn cameras. I explained however, there were other staff members in the office when he yelled at the two female students. I explained these comments, mainly the tone and context of the comments, could very easily cause the public to cast a poor view onto not only the MCSO but the law enforcement profession as a whole. Deputy Hand told me he understands they're held to a higher standard and should not be talking in any kind of way, or making any kind of comments which the public would look negatively upon.

I asked Deputy Hand if there was anything else about the incident which he remembered and he told me there was not. I asked Deputy Hand to contact me if he happened to remember anything further and he told me he would. Our conversation / interview ended a short time later.

Administrative Interview with MCSO Deputy (SRO) Phillip Peterson:

On 05/10/24 at approximately 1515 hours I interviewed Deputy Phillip Peterson in reference to this incident. I provided Deputy Peterson with a Subject Notification, which I read to him and he stated he understood. The following is a summary of the interview and is not a verbatim transcript. The interview was audio and video recorded and the recording has been added to this case file.

I asked Deputy Peterson if he recalled working on the date I referenced in his Subject Notification (04/24/24) and he told me he did. Deputy Peterson confirmed he was working as the School Resource Officer at Central High School on that date, and further added that's his assigned unit and assigned school. I asked if he recalled handling some type of altercation in the parking lot around 1230 hours and he told me he did. I explained to Deputy Peterson that was the portion of the day which I was needing to talk with him about, and asked that he tell me about the incident.

Overall, Deputy Peterson's recollection of events was very much consistent with what he outlined in his report and what I observed in my video footage review. Again, Deputy Peterson's report was pasted towards the beginning of this investigative summary.

Deputy Peterson started by telling me the initial verbal altercation in the parking lot which started everything, was actually started a couple days prior when Central High School administrators received one or two Safe2Tell tips about some female students possibly looking to fight another female student. Deputy Peterson said from what he recalled, he believed the information in the Safe2Tell was limited but there was mention of a female student named, [REDACTED] possibly being the instigator. Deputy Peterson said for a day or two before the incident on 04/24/24, school administrators had been keeping an eye on the different groups to see if any further details presented themselves as they didn't want to create issues by just "calling out" anyone or everyone.

Deputy Peterson continued by telling me that on, 04/24/24, around the lunch period, he had left their SRO office and went to use the restroom down the hall. Deputy Peterson said while finishing up in the restroom he heard Deputy Hand ask for his assistance via his MCSO radio. Deputy Peterson told me he thought he recalled Deputy Hand telling him he needed him in the parking lot. Deputy Peterson said he exited the restroom and began walking towards the main entrance / exit of the school. Deputy Peterson said as he exited the school he was either right behind Deputy Hand or fairly close to being beside him from what he recalled. Deputy Peterson said and they were walking into the parking lot, Deputy Hand told him a female student stopped by their office and told him there was a fight going on in the parking lot. Deputy Peterson said as they got into the parking lot they started walking east bound because that's where several students seemed to be walking away from and that's also where several school administrators and staff members were located.

Deputy Peterson said as they got to the east end of the parking lot they noticed there wasn't any kind of active fight going on so he and Deputy Hand began talking with the wrestling coach, Clint Trujillo. Deputy Peterson said coach Trujillo told them he had come outside and never noticed any kind of physical altercation but did notice two groups of students to be arguing with each other just across the bus / fire lane from where they were standing. Deputy Peterson said a short time later Administrator Shawna Hobbs began walking a couple female students back towards the office and while doing so, she told Deputy Peterson she could use their help because she was pretty sure the primary instigator of the altercation was [REDACTED] and she had reportedly got into a vehicle in the bus loop after dispersing the area. Deputy Peterson said Shawna told them she expected [REDACTED] to be very uncooperative with coming to the office.

Deputy Peterson explained he and Deputy Hand then proceeded to start walking back towards the main entrance of the school as they followed Shawna Hobbs. Deputy Peterson said he recalled around this same time frame that he tried to contact dispatch via his radio to see whether or not he and Deputy Hand had created a call for service for either the altercation or an assist to the school administrators. Deputy Peterson told me he couldn't remember if his radio was having technical issues with going through to dispatch or if he stopped trying to contact dispatch because while doing so, his attention became focused on a group of students who had formed on the sidewalk behind where he, Deputy Hand, and Shawna Hobbs were located.

Deputy Peterson told me he remembered a male student from the group repeatedly yelling, "hit her, hit her". Deputy Peterson said he believed the male student, later identified as [REDACTED], was telling [REDACTED] to hit Administrator Hobbs. Deputy Peterson said that's when he turned around and told [REDACTED], and the rest of the group to knock it off. Deputy Peterson said he turned around again to continue following Deputy Hand and Administrator Hobbs into the school, and within a second or so he heard [REDACTED] say, "Whatever Nigga". Deputy Peterson told me based on [REDACTED] prior statement of trying to provoke another student to assault someone, possibly a staff member, coupled with [REDACTED] calling him a derogatory name, he established probable cause to bring [REDACTED] to the office and charge him with at least disorderly conduct and possibly harassment.

Deputy Peterson said he began walking back towards [REDACTED] and the group of students [REDACTED] was with. Deputy Peterson said as he approached the group he asked [REDACTED] what he said and [REDACTED] eventually reiterated that he said "Whatever Nigga". Deputy Peterson said at that time he told [REDACTED] he was taking him to the office. Deputy Peterson said he grabbed [REDACTED] left arm or hand and used his right hand to slightly push on [REDACTED] back to direct him towards the office. Deputy Peterson told me it seemed like very quickly [REDACTED] stopped walking, stated, "Don't fucking touch me", and then quickly pulled his left arm out of his (Deputy Peterson's) grip.

Deputy Peterson told me between [REDACTED] statements, demeanor, and then pulling away from him, he felt [REDACTED] was preparing to assault him (Deputy Peterson). Deputy Peterson said he immediately tried to grab a hold of [REDACTED] left arm again and also reached his right arm up and over [REDACTED] shoulder so he could get [REDACTED] off balance. Deputy Peterson stated the entire time from that point forward the only thing going through his mind was the fact [REDACTED] was a kid and he did not want to hurt him. Deputy Peterson said, had [REDACTED] been an adult he would have just simply thrown him directly to the ground. Deputy Peterson said he wanted to get [REDACTED] off balance in hopes he would then just place his hands behind his back so he (Deputy Peterson) could apply handcuffs, and they could then continue to the office.

Deputy Peterson said [REDACTED] continued resisting him, at which point he began pulling [REDACTED] back towards him by grabbing onto [REDACTED] chest. Deputy Peterson explained that [REDACTED] seemed to try to stay on his feet, regardless of being pulled backwards, and this is when he began to rotate [REDACTED] to the right and ultimately onto the ground. Deputy Peterson said he thought it was about the time they got to the ground that he began trying to activate his body-worn camera. Deputy Peterson said he remembered students yelling about recording everything and he wasn't sure if that's what made him remember he hadn't activated his body-worn camera yet, or if he was just hitting the activation button out of habit. Deputy Peterson told me either right before that or right afterwards, his body-worn camera had fallen off his vest. Deputy Peterson said when his body-worn camera fell off, he switched his arms around [REDACTED] chest so he could use his right hand to retrieve his body-worn camera. Deputy Peterson said his intention was to get his body-worn camera attached back to his vest, but he remembered struggling with trying to grab it and couldn't recall whether he secured it with his leg or when he was finally able to get it reattached to his vest.

Deputy Peterson said while switching hands / arms in order to get his body-worn camera, he remembered when he reached over [REDACTED] left shoulder with his left

hand and arm he initially felt [REDACTED] collar bone. Deputy Peterson said he vividly remembered this feeling and it scared him because he knew [REDACTED] collar bone was close to his neck and throat and he did not want his arm or hand anywhere near that area. Deputy Peterson told me he remembered quickly repositioning his arm and hand closer to [REDACTED] chest so they weren't near [REDACTED] neck and throat.

Deputy Peterson said the next thing he remembered was Deputy Hand coming up to them with his taser and pointing his taser at [REDACTED] chest and yelling at [REDACTED] to get on the ground. Deputy Peterson said it seemed like [REDACTED] almost immediately laid on his stomach at that point; however, up and to that point it seemed like [REDACTED] was continually trying to stand back up.

Deputy Peterson said he was able to get [REDACTED] placed in handcuffs and remembered being worried and scared that [REDACTED] had gotten hurt while going to the ground. Deputy Peterson said he remembered asking [REDACTED] if he was hurt or injured. Deputy Peterson said during this time he also thought he remembered hearing Administrator Hobbs yelling at students to get away from the area and specifically remembered a female student, later identified as [REDACTED], to be standing very close to where he had [REDACTED] on the ground. Deputy Peterson said he also thought he remembered Administrator Hobbs telling [REDACTED] to stop recording and he (Deputy Peterson) told Administrator Hobbs, "it's okay, they can record".

Deputy Peterson said the next thing he remembered was getting [REDACTED] to his feet and walking him to the administration office inside the school. Deputy Peterson said, once inside the school, he placed [REDACTED] in one of the administrators' office's. Deputy Peterson said he asked [REDACTED] if he was okay and remembered at one point asking to have the school nurse come check on him. Deputy Peterson said he initially remained in the room with [REDACTED] for a bit and the two even talked on the phone with [REDACTED] grandmother. Deputy Peterson said after that he left [REDACTED] alone in the office because he didn't want it to seem like he was staying there to intimidate [REDACTED].

Deputy Peterson told me he entered the office room again once [REDACTED] grandmother arrived at the school. Deputy Peterson told me he spoke with [REDACTED] and his grandmother for some time and then [REDACTED] ultimately left the school with his grandmother for the remainder of the day. Deputy Peterson told me during that conversation he informed [REDACTED] and his grandmother that he was not going to pursue criminal charges against [REDACTED]. Deputy Peterson said as they were leaving, both [REDACTED] and his grandmother shook his (Deputy Peterson's) hand and apologized for [REDACTED] actions and language.

I asked Deputy Peterson if he knew who [REDACTED] was prior to this incident. Deputy Peterson told me aside from knowing he was a student at the school, he didn't know him at all. During this same portion of our conversation, Deputy Peterson told me he felt he had a pretty good relationship with staff and students at Central High. Deputy Peterson said students who don't know him well, refer to him as "Deputy Peterson". He explained students who know him and interact with him frequently call him, "Phil". Deputy Peterson then told me, students who appear to be very comfortable around him, school administrators, and other law enforcement, refer to him as, "Officer PP". Deputy Peterson explained this nickname comes from his initials "P" – Phillip "P" Peterson.

I asked Deputy Peterson why his body-worn camera wasn't activated upon walking outside to investigate the initial altercation. Deputy Peterson sighed for a brief second before telling me he was trying to prolong activating his body-worn camera because he knew the prior thirty second window of video recording upon activating it would have captured him using the restroom because he didn't turn his body-worn camera off while going to the restroom. Deputy Peterson said once he was outside in the parking lot and outside the thirty second window of his body-worn camera capturing the prior thirty seconds, they had determined there was no active altercation taking place and that's why he didn't activate it once they were outside. Deputy Peterson told me, looking back, it was a mistake to not turn his body-worn camera off while in the rest room and subsequently not activate it upon walking outside when his assistance was requested by Deputy Hand. Deputy Peterson agreed body-worn camera footage of any type is better than not having any at all. I explained body-worn camera footage can always be redacted, especially for situations where the footage captures someone using the rest room or conducting otherwise unrelated business. Deputy Peterson told me he understood.

I asked Deputy Peterson to further explain his reasoning behind reproaching [REDACTED] after [REDACTED] had called him a "Nigga". Deputy Peterson told me his overall goal was to preserve the peace while school administrators handled and dealt with the other students from the verbal altercation. Deputy Peterson explained his fear was that [REDACTED] was trying to provoke other students to fight, and more so, he felt [REDACTED] was trying to provoke [REDACTED] into assaulting Administrator Hobbs.

I asked Deputy Peterson why he didn't just disengage and let [REDACTED] walkaway when [REDACTED] initially tried to pull away from him. Deputy Peterson said [REDACTED] never seemed like he was intending on walking away. Deputy Peterson told me had [REDACTED] in fact just ran / walked away then he would have let him go. Deputy Peterson stated he would have let [REDACTED] run away if he would have done so after yelling at [REDACTED] to hit someone, after [REDACTED] called Deputy Peterson a "Nigga", and even while he was struggling to detain [REDACTED]. Deputy Peterson said his overall goal was again to preserve the peace and based on [REDACTED] comment's, it was clear his presence was only creating issues. Deputy Peterson told me, had [REDACTED] left the area at any point leading up to and/or during the incident, him being gone from the area would have benefitted the situation and therefore he would have let him go.

I asked Deputy Peterson to describe at what point he decided [REDACTED] needed to be detained and placed in handcuffs. Deputy Peterson told me when he started escorting [REDACTED] to the office and [REDACTED] pulled away, he determined [REDACTED] needed to be detained. Deputy Peterson said this determination wasn't based on [REDACTED] simply pulling away, but the fact [REDACTED] didn't try to run or leave the immediate area upon pulling away. Deputy Peterson told me, [REDACTED] pulling away but still remaining directly in front of him, led him (Deputy Peterson) to believe [REDACTED] was displaying signs of active aggression. Deputy Peterson said his training and experience have taught and shown that a subject displaying activate aggression and not just disengaging and leaving the area almost always leads to escalated violence from the subject. Deputy Peterson told me that is why he decided to place [REDACTED] in handcuffs. Deputy Peterson said he felt it was going to be the safest solution for both [REDACTED] and himself; to escort [REDACTED] out of the area while in handcuffs.

I asked Deputy Peterson to tell me at what point he determined he wasn't going to criminally charge [REDACTED]. Deputy Peterson told me he made the determination to not charge [REDACTED] after they were back in the office and following [REDACTED] attitude and demeanor becoming more calm and receptive. Deputy Peterson told me it has never been his goal to charge kids in general. He said once he realized [REDACTED] had no prior law enforcement contacts, coupled with [REDACTED] attitude changing, he felt allowing [REDACTED] grandmother to apply any kind of at home discipline would be much more beneficial to the situation than him having [REDACTED] formally charged.

I asked Deputy Peterson to explain his mindset and reasoning behind using force against [REDACTED]. Deputy Peterson told me he had no intention of using force against [REDACTED] until [REDACTED] pulled away from him and didn't just take off and create distance between the two of them. Deputy Peterson said that was the point when he felt [REDACTED] had intentions of either being assaultive or becoming violent in some way. Deputy Peterson said at that point he felt [REDACTED] needed to be placed in handcuffs for his safety, and Deputy Peterson's safety. Deputy Peterson said he grabbed a hold of [REDACTED] again and reached over and around [REDACTED] shoulder in order to grab onto his chest and pull him backwards to get him off balance. Deputy Peterson said he put his right arm over [REDACTED] shoulder because he was in a position to do so and he knew that if his arm was over [REDACTED] shoulder it would prevent [REDACTED] from being able to elbow him (Deputy Peterson). Deputy Peterson told me his sole intent was to be able to grab a hold of [REDACTED] chest as it was the biggest portion of his body and pull him backwards.

Deputy Peterson said once he realized [REDACTED] was still not going to cooperate, he chose to take him to the ground because he knew he would have more control of him there. Deputy Peterson said he did not want to just throw [REDACTED] to the ground because he knew that could cause him to get hurt, especially with him being a kid. Deputy Peterson said he tried to turn [REDACTED] to the ground in order to control the fall as best as possible. Deputy Peterson said once they were on the ground, [REDACTED] seemed like he kept wanting to stand up and Deputy Peterson feared that had [REDACTED] been able to stand up, he would have been assaultive and violent which would have led to the possibility of both he and [REDACTED] becoming injured. Deputy Peterson said because of this, his intent was to hold [REDACTED] on the ground, prevent him from getting up, and get him detained in handcuffs. Deputy Peterson said this is when he again placed his right arm over [REDACTED] shoulder and across his chest. Deputy Peterson said he wasn't sure where Deputy Hand was at the time, but knew he wasn't far and it wouldn't be long before he came back, so he knew all he needed to do was hold onto [REDACTED] long enough before Deputy Hand responded back to assist.

Deputy Peterson again told me, after his body-worn camera fell off, he switched arms and hands around [REDACTED] shoulders and chest and in doing so, that's when he felt his left hand on [REDACTED] collar bone and he immediately repositioned and lowered his hand to be closer to [REDACTED] chest.

Upon being asked, Deputy Peterson told me he never had any intention on placing any form of pressure around [REDACTED] neck or throat. Deputy Peterson said his sole intention was to get [REDACTED] to the ground by grabbing his chest and then hold him on the ground by applying his body weight and pressure down onto [REDACTED] shoulders. Deputy Peterson said he had no intention on restricting [REDACTED] breathing or blood flow through his neck, he again stated he had no intention on applying any kind of

pressure around [REDACTED] neck. Deputy Peterson said he had absolutely no intention on trying to hurt [REDACTED] in any way, and further added that his intention was the exact opposite. Deputy Peterson said had [REDACTED] not been a child he would have placed [REDACTED] wrist in a wrist lock or other type of hold; Deputy Peterson said these holds don't necessarily cause injury, but they are often painful and he didn't want to cause any pain to [REDACTED].

I told Deputy Peterson there were some concerning comments and discussions between him and Deputy Hand in the Central High School office following the incident. I explained these comments were him and Deputy Hand talking about the incident, and more specifically appearing to boast to each other about the incident. I told Deputy Peterson no one else appeared to be present for the conversations between him and Deputy Hand, but they were captured on both of their body-worn cameras. I explained these comments, mainly the tone and context of the comments, could very easily cause the public to cast a poor view onto not only the MCSO but the law enforcement profession as a whole. Deputy Peterson told me he understands he's looked higher upon, especially with working as an SRO and he knows he's held to a higher standard and should not be talking in any kind of way, or making any kind of comments which would look negative to the public.

I asked Deputy Peterson if there was anything else about the incident which he remembered and he told me there was not. I asked Deputy Peterson to contact me if he happened to remember anything further and he told me he would. Our conversation / interview ended a short time later.

Additional CIRT Communication / Information (05/16/24 @ 1600 hours):

On 05/16/24 at approximately 1600 hours, GJPD Detective McCullough advised the CIRT would not be having GJPD Commander Fisher conduct a use of force review for the incident. Det. McCullough also advised they had initially reached out to a Use of Force Subject Matter Expert in the Denver, Colorado area; however, upon asking him if he'd be willing to conduct a use of force review for this incident he declined the request, noting, "liability reasons".

GJPD's CIRT Investigation Summary (GJPD: 24-20509):

On 05/24/24, GJPD Detective Zach McCullough advised the CIRT had completed the investigation of this incident. Det. McCullough subsequently provided me with the CIRT case file for this investigation, and also advised of providing the same case file to 21st Judicial District Attorney Daniel Rubinstein. The CIRT case file contained Det. McCullough's "Case Summary" of the CIRT investigation.

The following are copy and pasted excerpts from Det. McCullough's CIRT case summary. The only portions of Det. McCullough's case summary which have not been copy and pasted below are portions of information which have already been previously detailed in this investigative summary (ex. Deputy Peterson and Deputy Hand's reports, and video footage reviews). The entire CIRT case file has been added to this case.

*Use of Force (Central High School, 550 Warrior Way): Investigative Summary
Grand Junction Police Department Case #2024-00020509
Mesa County Sheriff's Office Case # 2024-00013598
Detective Zachary McCullough*

The 21st Judicial Critical Incident Response Team (CIRT) was activated to investigate a use of force incident that occurred on April 24, 2024. This report contains information that was obtained from witness interviews, body worn camera, law enforcement reports, and other video footage.

On April 24th, 2024, Deputy Peterson was notified of a large crowd in front of Central High School (CHS) and there was possibly a fight occurring. Deputy Hand was notified by an unknown student that there was a large fight going on in the parking lot. Both Deputies are School Resource Officers (SRO) at CHS.

A use of force involving Deputy Peterson and [REDACTED] occurred during the response to the reported incident in the parking lot.

Interview

On 05/07/2024 [REDACTED] was interviewed at his residence; his legal guardian [REDACTED] was present. Also present via video chat was the family's attorney, James Roberts (Palmer Perlstein Attorneys & Counselors). The following is a summary of [REDACTED] statement. A transcript has been provided of the complete interview, for additional detail review the transcript and or body worn camera video.

[REDACTED] returned to the school during lunch with [REDACTED]. They were originally going to pick [REDACTED] up and go to McDonald's. [REDACTED] and [REDACTED] had been arguing with each other and were going to fight. From his understanding the issue between them was that [REDACTED] was going around telling people that [REDACTED] had asked her for nude photographs.

[REDACTED] boyfriend, [REDACTED], called his older brother [REDACTED] to come to the school. [REDACTED] came and started pushing [REDACTED] and [REDACTED]. [REDACTED] said when [REDACTED] initially drove past them in the truck, that [REDACTED] flashed what he believed to be a handgun or something of similar size/shape color to a handgun.

[REDACTED] went over and started arguing with [REDACTED]. The cops came outside of the school and he was still arguing with [REDACTED]. When [REDACTED] said, "who cares n-word", he said that was directed toward [REDACTED] not the cop. The cop turned around and asked [REDACTED] what he said and [REDACTED] told the cop what he said.

The cop told [REDACTED] to go to the office, so he started walking toward the office. The following is an excerpt from the transcription where [REDACTED] detailed the events that happened next.

[REDACTED]: And then he came, and then he was pushing [REDACTED] and [REDACTED], and then I went over there, and we were like arguing back and forth, and then the cops came out, and I was still arguing with [REDACTED], and when I said who cares n-word I was talking to [REDACTED] at the time, but then he turned around and was like what did you say,

and I was like I said who, who cares, and he was like what did you say after that, and I was like I said who cares, nigga, and then he goes okay, go to the office, so I was walking to the office, and then he put his hand on my back, and, like, as an instinct I kinda like shrugged it off, and then he put his arm around my neck and tackled me to the ground, and then while we were on the ground, his arm was around my neck, and I couldn't breathe, so I was, like, standing up as you can see in the video trying to, like, move his hand down, and then, um, the bigger one, Hand or Peterson, do you know what one?

Zach McCullough: Uh, do you know either of their names? Have you had previous interactions –

██████████: No, **** –

Zach McCullough: – with either of them? Okay. So the, the larger of the two –

██████████: Yeah. The –

Zach McCullough: Okay.

██████████: – one with the taser, he came, and he came out with the taser. At first I thought it was a gun until he said, um, get on your stomach or I'm gonna tase you, so I got on my stomach, and then they put me in handcuffs. Then walked – I didn't say anything. Like, some people are saying I said don't fuckin' touch me, and I didn't say that.

Zach McCullough: Mm hmm.

██████████: But, so we walked to the office, and then, like, as we were at the office doors, I'm like you don't have to grab me. I could walk, and then he's like okay, and then we went in the office, and I called my grandma, and then I was talking to her for a minute, and then he came back in, and then he threw, he asked if he could talk, and I was like, yeah, sure you can talk, and then he was like, um, as you've seen in the video, like, I, there was an altercation, and then I put my hand, my arm on his, oh, my hand on his arm, and then he pulled away and started to fight back, but I never fought back.

Zach McCullough: Hmm.

██████████: And then my grandma was like okay. Well, he deserved to go to the ground off of what she heard, and then she came to the school, and then that's it.

██████████ recounted what she was initially told by Deputy Peterson about the incident with ██████████. ██████████ mentioned how Deputy Peterson told ██████████ something about how he was lucky it happened on school grounds, because if had been somewhere else, he could have really “put the hurt” on ██████████. Deputy Peterson told ██████████ he could have used pressure points. They discussed not fighting with law enforcement.

██████████ said after she watched video(s) of the incident, you could see the cop grab ██████████ from behind and flip ██████████ over, in a “chokehold”. ██████████ said the cop held the “chokehold” for the whole time. ██████████ said that ██████████ father was murdered in a chokehold (MCSO 2013-0032659). Law enforcement was not involved in that incident,

after reviewing that case it was an incident between [REDACTED] father and another citizen.

[REDACTED] and [REDACTED] met with school staff the next day, [REDACTED] told staff that she watched the videos and informed them that the cop used "excessive force" for no reason. [REDACTED] said that was the last she talked about the incident except for with James (lawyer) and right then.

[REDACTED] was asked if [REDACTED] got any medical care after the incident and [REDACTED] said [REDACTED] did not. [REDACTED] said [REDACTED] had a bruise on his leg from the incident and the incident has caused [REDACTED] to experience "nightmares".

[REDACTED] said in addition to the reported bruise on his left calf, there was some previous "road rash" on his right forearm that opened again due to the incident. [REDACTED] said the bruise on his leg from the incident was gone.

James told [REDACTED] to be sure to talk about all his injuries. [REDACTED] said the day after the incident his neck was sore and he had a spasm in his back.

[REDACTED] advised that [REDACTED] took pictures of him in the time after the incident. I asked [REDACTED] if those pictures could be sent to me. James told me he would get the pictures from [REDACTED] and send them to me. I contacted James on 05/14/2024 to follow up with getting the pictures. James told me he would send the pictures, as of 05/16/2024 I have not received any pictures of the alleged injury.

Witness Interviews

[REDACTED] (Student):

[REDACTED] advised she witnessed the incident between [REDACTED] and law enforcement. [REDACTED] heard [REDACTED] say the "N-word", but she believed he was directing it at the people he had "beef with" not the cops. [REDACTED] said one of the guys in the truck was talking a lot of "crap" to [REDACTED].

After [REDACTED] said the N-word, the cop turned around and asked [REDACTED] what he said. [REDACTED] kind of changed his response a little bit, but still acknowledged saying the N-word. The cop said he was going to take [REDACTED] to the office.

[REDACTED] described that [REDACTED] put his hands up and said, "Don't touch me," and that's when the cop grabbed him by his neck and brought [REDACTED] down to the ground. She stated the cop was just wrestling [REDACTED].

[REDACTED] said the "bigger cop" came up with the taser and held it towards [REDACTED]. She advised she saw that the body camera fell off of the "smaller cop" and he put it behind his leg. [REDACTED] told me "that was kind of suspicious." She said the "bigger cop" started yelling at everybody to get back and get out of his scene.

I asked [REDACTED] if she could further describe how the deputy took [REDACTED] down to the ground and she said, "He grabbed him by the shoulder and then grabbed him by the neck and literally put all his weight on [REDACTED] and just brought him down to the ground."

██████████ (Student):

██████████ provided details about the initial altercation between the two groups of students in the parking lot. The following is what ██████████ said about the incident between law enforcement and ██████████.

██████████: So she drove her truck to the front and then that's when everybody started walking. Like, everybody that was involved, like that wasn't with us all walked to her truck in the front. And that's when the cops and all of the administrators came outside. And then ██████████, I don't know what the cop was talk... like, I don't know what the cop was saying to ██████████ but ██████████ ended up saying like, 'Who cares N word'.

██████████: The cop turned, he turned around and he was like, um, 'What did you say?' And ██████████ said, 'Who cares?' He said, 'No. What'd you say after that?' He said, 'I said, who cares?' And then he said, 'But you said something after that.' And then ██████████ said 'N word'. 'I said, who cares N word'. And then he was like, 'All right, let's go to the office'. And then the cop like, put his hand on ██████████ or ██████████. ██████████ back and ██████████ like went like, this means like 'Get your hands off me' or like, 'I could do it myself' or something. And then, um, that's when the cop like tackled ██████████ to the ground or like brought ██████████ down to the ground. And then ██████████ like, hands were out. And then the cop that came out with the taser, there was this kid named ██████████ that was screaming. Um, and he was like, 'You racist'. Like, he was like talking crap to the cop. So then I got in between the cop and ██████████ and I was pushing ██████████ back 'cause like ██████████ was obviously pissed off 'cause his friend was getting

Det. Archuleta: Mm-Hmm. <affirmative>

██████████: detained or whatever. And then, um, he walked away. ██████████ walked away with another teacher. They got up, went to the office, and then I went to the office with ██████████ too.

Det. Dennis: Okay.

██████████: And that was it.

██████████ (Student):

██████████ said he witnessed the incident between ██████████ and law enforcement. ██████████ said the officer was walking away and ██████████ said the "N" word. ██████████ believed ██████████ directed the word toward the officer. The officer turned around and asked ██████████ what he said, ██████████ acknowledged that he said the "N" word. The officer told ██████████ they were going to the office.

The officer grabbed ██████████ to take him to the office. ██████████ told the officer to "let go" and pushed the officer's arm off. The officer grabbed ██████████ and from his point of view it looked like the officer put ██████████ in like a "choke hold" with one arm. ██████████ was sitting on the ground with his arms out by his side. Another officer came up and started pointing a taser at ██████████ and told ██████████ to get on the ground or he would be tased. ██████████ was then placed in handcuffs.

██████████ (Student):

██████████ recounted some of the initial altercation between the various students in the parking lot.

██████████ said he witnessed the incident between law enforcement and ██████████. ██████████ said the cop was walking away from them and ██████████ were running their mouths at each other. ██████████ called ██████████ the "N" word and the cop took offense to that for some reason.

The officer grabbed ██████████ and started to take him to the office. ██████████ took a step to the right and the officer grabbed ██████████ around the neck and tackled him to the ground. After the officer had ██████████ on the ground, ██████████ had his arms out to side to show he was not trying to fight. The other cop ran up and had the taser to ██████████ chest. ██████████ got scared and laid down on the ground.

██████████ (Student):

██████████ recounted some of the initial altercation between the various students in the parking lot.

██████████ said he witnessed the incident between Deputy Peterson and ██████████. After the two groups separated in the parking lot, ██████████ said, "who cares n-word". ██████████ said the comment was likely directed at the other kids and not Deputy Peterson. Deputy Peterson approached ██████████, grabbed his arm, and told him to go to the school office.

██████████ believed ██████████ intended to go to the office with Deputy Peterson, but ██████████ did not want Deputy Peterson to touch him. ██████████ shrugged Deputy Peterson's hand off his arm, ██████████ described it as being non-combative.

Deputy Peterson then "grabbed him (██████████) by the throat and slammed him on the ground". ██████████ said ██████████ was attempted to cooperate, but Deputy Peterson's leg was on ██████████ leg so he was unable to move onto the ground as directed. ██████████ said Deputy Peterson took his body-worn camera off during the altercation. Deputy Hand then came and pulled out his Taser. ██████████ thought Deputy Hand was attempting to tase ██████████, even though he was cooperative.

██████████ did not think ██████████ was injured at all during the incident. ██████████ said ██████████ had a bruise on his leg from a prior injury and that Deputy Peterson placed his knee on the bruise during the incident.

██████████ (Student):

██████████ recounted some of the initial altercation between the various students in the parking lot.

██████████ said she witnessed the incident between Deputy Peterson and ██████████. ██████████ heard ██████████ say, "Who cares nigga". ██████████ was not sure who the comment was directed to. ██████████ explained the word "nigga" was commonly used by kids in her age group.

Deputy Peterson turned around and confronted [REDACTED]. Deputy Peterson asked [REDACTED] what he said and [REDACTED] admitted to saying "nigga". Deputy Peterson grabbed [REDACTED] shirt and told him to go to the school office.

[REDACTED] pushed away from Deputy Peterson. [REDACTED] said Deputy Peterson, "Threw him ([REDACTED]) in a chokehold like this". [REDACTED] demonstrated her arm around an imaginary neck as she described the incident.

Once they were on the ground, Deputy Peterson was behind [REDACTED] who had his hands up and spread apart. The other Deputy then pointed his Taser at [REDACTED]. This resulted in [REDACTED] getting onto his stomach and being placed into custody. [REDACTED] thought [REDACTED] was being cooperative during the whole incident.

[REDACTED] was asked if [REDACTED] complained about any injuries from the incident. [REDACTED] told [REDACTED] a week after the incident, "Yeah that kind of hurt a lot. Right after I saw that Taser I got scared and threw myself on the ground and put my hands behind my back."

Shauna Hobbs (Assistant Principal):

Shauna advised [REDACTED] was arguing with [REDACTED] in the front of the school. [REDACTED] brother [REDACTED] and [REDACTED] boyfriend, [REDACTED], were also present and arguing. Shauna asked all present to be quiet as she wanted to get [REDACTED] and [REDACTED] into her officer to defuse the situation. As Shauna was walking toward [REDACTED] and [REDACTED], she asked Deputies Hand and Peterson to take care of the crowd so Shauna could address [REDACTED] and [REDACTED]. Shauna was able to get the girls to come with her toward the building when they started to yell in Shauna's face. When this occurred, Shauna began to turn around to address the girls when she saw Deputy Peterson take [REDACTED] to the ground. Shauna began to go toward Deputy Peterson when Deputy Hand went by her to help Deputy Peterson. The students began to crowd around when [REDACTED] began to get in Deputy Peterson's face with her phone. Both Shauna and Deputy Hand began to yell for the students to move back from them. Shauna said this group of students is confrontational with no fear and began to yell things such as fat pig, we are going to fight you, and we are going to beat your ass. Deputy Hand continued to tell the students to back off and told [REDACTED] to knock it off repeatedly. [REDACTED] and [REDACTED] continued to be verbally aggressive toward Deputy Hand as Deputy Peterson had [REDACTED] on the ground. Shauna continued to address [REDACTED] and saw Deputy Peterson get [REDACTED] up and watched Deputy Hand bring [REDACTED] into the office. Shauna was asked about how Deputy Peterson detained [REDACTED]. Shauna advised Deputy Peterson was trying to put [REDACTED] hands behind his back before the two went to the ground and Deputy Peterson was on top of [REDACTED]. After this, Deputy Peterson was able to place handcuffs on [REDACTED]. Ms. Hobbs did not hear Deputy Peterson or [REDACTED] say anything, but [REDACTED] was yelling that they were going to lose their jobs.

[REDACTED] (Student):

[REDACTED] recounted some of the initial altercation between the various students in the parking lot.

██████████ said she witnessed the incident between Deputy Peterson and ██████████. ██████████ is her boyfriend and she recorded some of the incident on her cell phone, that video footage has been added to this case file.

██████████ was talking to some guys who were trying to get ██████████ to go hit someone. ██████████ said something to the boys like it doesn't matter "N" word. The cop thought ██████████ was talking to him. She started to video record the incident because she said there have been previous issues with that specific officer, where he was quick to get angry. The cop started asking ██████████ what he said. ██████████ told the cop what he said.

██████████ said the cop grabbed ██████████ by the neck and she kept telling the cop that he was being videotaped. ██████████ described ██████████ as having his hands out to the side the whole time. Deputy Hand started yelling at her that she was going to be charged with obstruction or something.

██████████ (Student):

██████████ recounted some of the initial altercation between the various students in the parking lot.

██████████ did not see the initial interaction between Deputy Peterson and ██████████. ██████████ heard/saw the disturbance going on in front of the school. ██████████ went over there and saw the cops had ██████████ on the ground. Deputy Hand had his taser out and was yelling for everyone to get back. ██████████ said when he first went over to area where the incident was happening, the cop had ██████████ in like a "chokehold". ██████████ was sitting on his butt but was also kind of on his feet. ██████████ eventually rolled over and Deputy Hand told everyone to get back.

William "Vern" McGee (School Staff):

Vern was a staff member assigned to "lunch duty" on 04/24/2024. Vern heard over the school radio someone requesting help outside in the parking lot. When Vern got outside, he estimated there was around 100 students gathered in the northeast corner of the parking lot. Vern described it as being "nuts".

There were other staff members outside and it was determined the initial altercation was primarily between a group of females. Vern said he saw ██████████ was upset and started screaming at an unknown person. ██████████ came over to Vern and asked what happened if he got into a fight. Vern told ██████████ he would get suspended.

Vern started speaking with ██████████ and ██████████ "took off". The next thing Vern saw was Deputy Peterson going "hands on" with ██████████ Vern said ██████████ was being non-compliant with Deputy Peterson and was "fighting". Vern described ██████████. was refusing to put his hands down even after multiple orders from Deputy Peterson. Vern described the hold Deputy Peterson had ██████████ in as a "reverse headlock". Vern turned his attention to keeping the other students back and calm.

Deputy Hand came over to the area with his taser and told [REDACTED] "comply or you will get tased". [REDACTED] was then placed in handcuffs. Vern said he did not know exactly why [REDACTED] was upset or the specific reason Deputy Peterson had to use force.

Clint Trujillo (School Staff):

Clint was in the weight room when a group of students approached him and said there was a potential fight between a large group of students. Clint looked outside and saw around twenty students gathered in the parking lot. Lunch had just ended and the two groups were starting to disperse. As the groups were dispersing, they were still verbally fighting with each other.

Clint saw Deputy Peterson come outside and it looked like he was telling the kids to disperse. Several more school administrators came outside as well. Clint believed the incident was under control and started to return to the weight room. Clint saw Deputy Peterson talking to three male students, one was wearing a white shirt, one was wearing a red shirt, and the other was wearing a black shirt. Deputy Peterson would speak to the students, walk away for a short distance, then speak with them again.

Clint said one of the students was "mouthing off" and cussing at Deputy Peterson. Clint did not provide a description of the physical incident between [REDACTED] and Deputy Peterson.

[REDACTED] (Student):

[REDACTED] said there was an ongoing problem between a group of female students. [REDACTED] identified the females as [REDACTED], [REDACTED], [REDACTED] and [REDACTED]. [REDACTED] described the altercation as being mostly verbal.

[REDACTED] provided further detail about what led up to the incident in the parking lot. [REDACTED] said after the two groups split up, she was standing in front of the school. [REDACTED] turned and saw [REDACTED] being "tackled to the ground". [REDACTED] could hear [REDACTED] being disrespectful toward Deputy Peterson and heard [REDACTED] say "get off me nigga". [REDACTED] said Deputy Peterson was trying to get [REDACTED] hands behind his back, she could see [REDACTED] was holding his hands up. [REDACTED] said Deputy Hand arrived with his taser out and [REDACTED] put his hands behind his back. [REDACTED] was then handcuffed.

[REDACTED] (Student):

[REDACTED] was not present for the initial altercation between the two groups of students in the parking lot. When [REDACTED] got there the two groups had moved from the parking lot and were around the front of the school. [REDACTED] went to find her "adopted sister" [REDACTED] because she wanted to keep [REDACTED] from getting in any trouble.

[REDACTED] was told by another student that [REDACTED] had "flashed" a gun. [REDACTED] was told one group of students was using racial slurs such as "beaners" and "niggers". [REDACTED] "group" went to Shauna Hobbs and told her what was going on.

As the groups continued dispersing, [REDACTED] heard [REDACTED] say, "who cares nigga". [REDACTED] said the "officer", identified as Deputy Peterson, told [REDACTED] to go to the office. Deputy Peterson grabbed [REDACTED] by the shirt near his shoulder. [REDACTED] demonstrated how [REDACTED] attempted to shrug Deputy Peterson's hand off his shoulder.

After [REDACTED] attempted to shrug Deputy Peterson's hand off, Deputy Peterson threw [REDACTED] to the ground and started choking him. Students in the area started yelling for Deputy Peterson to get off [REDACTED].

[REDACTED] said while Deputy Peterson was on the ground with [REDACTED] that Deputy Peterson was choking [REDACTED] and she was afraid [REDACTED] was "going to die". [REDACTED] said she was aware [REDACTED] had "severe asthma". [REDACTED] repeated several times that Deputy Peterson was choking [REDACTED] and that [REDACTED] was in a "choke hold". [REDACTED] said she did not know if [REDACTED] was being choked but [REDACTED] was in a "head lock".

Deputy Hand arrived and pointed his taser at [REDACTED]. [REDACTED] was placed on his stomach and Deputy Hand pointed his taser at [REDACTED] back. [REDACTED] said she believed that race played a factor in the incident.

[REDACTED] was asked if [REDACTED] had any injuries after the incident. [REDACTED] said [REDACTED] had bruises on his legs from Deputy Peterson kneeling on them and [REDACTED] later made a comment to her that he was afraid he was going to die during the incident.

Summary

On 04/24/2024, at approximately 1224 hours, Deputy Hand and Deputy Peterson went to the parking lot of Central High School in response to the report of an altercation occurring between students. A review of video footage and witness statements found probable cause that several students committed the crime of disorderly conduct, prior to Deputy Hand and Deputy Peterson arriving outside.

The initial altercation between students occurred on the northeast side of the parking lot. By the time Deputy Peterson and Deputy Hand came outside, the two groups had mostly separated. One of the groups had moved to the area around a black truck that was parked in front of the school, the other group was a little bit to the east of the truck on the sidewalk.

Members of each group were still verbally arguing with each other. Shauna Hobbs (Assistant Principal) was outside and requested Deputy Peterson/Deputy Hand to assist her with contacting a female who was known to be uncooperative.

Deputy Peterson and Deputy Hand walked past the group on the east side of the sidewalk. As they were walking past the group, Deputy Peterson reported hearing someone in the group yelling something like, "hit her [REDACTED], hit her". Deputy Peterson felt the group was trying to provoke violence. Deputy Peterson turned to the group and told them to "knock it off".

Deputy Peterson turned around and started walking west bound on the sidewalk again. Deputy Peterson noted a male from the group Deputy Peterson told to knock it off said, "what nigga". A review of video footage of the incident found the male said, "Who, who,

cares nigga". There were conflicting statements about who the comment was directed toward, either law enforcement or another student. The male who made the comment was later identified as [REDACTED]. Deputy Peterson turned around and confronted [REDACTED] about what was said. [REDACTED] told Deputy Peterson what he said.

Deputy Peterson noted in his written report at that time he had developed probable cause to charge [REDACTED] with disorderly conduct. Deputy Peterson told [REDACTED] to come with him to the office to separate [REDACTED] from the crowd. Deputy Peterson touched [REDACTED] back and [REDACTED] said, "Don't touch me". [REDACTED] hands were in his pockets and [REDACTED] pulled his left shoulder away from Deputy Peterson. Deputy Peterson noted concern related to [REDACTED] hands being in his pockets and not knowing whether [REDACTED] had a weapon or not. Deputy Peterson did not know at the time, but it was reported that [REDACTED] had flashed a handgun or something that looked like a handgun during the initial altercation in the parking lot.

Deputy Peterson decided due to [REDACTED] being uncooperative, [REDACTED] needed to be detained in handcuffs. After [REDACTED] pulled away from Deputy Peterson, a use of force occurred. [REDACTED] was taken to the ground and placed in handcuffs. During the use of force, [REDACTED] was yelling that he did not do anything and for Deputy Peterson to get off him and "get off me nigga". While Deputy Peterson and [REDACTED] were on the ground, [REDACTED] got both feet on the ground and appeared to be trying to stand up. [REDACTED] did not roll onto his stomach until Deputy Hand arrived with his taser drawn and began giving [REDACTED] commands to get down.

The incident from the time [REDACTED] pulled away until he was stood up in handcuffs lasted approximately 01:15 (one minute/fifteen seconds).

[REDACTED] was taken to the school office where he was checked by the school nurse. [REDACTED] did not report any injuries. [REDACTED] grandmother (legal guardian), [REDACTED], was contacted. [REDACTED] responded to the school and met with Deputy Peterson. Deputy Peterson decided to not charge [REDACTED] with disorderly conduct and [REDACTED] was released to [REDACTED]. [REDACTED] was suspended from school for the remainder of the day.

On 05/07/2024, after obtaining an attorney, [REDACTED] was interviewed. During that interview, [REDACTED] reported he was choked by Deputy Peterson during the incident and could not breathe, this was never reported previously. [REDACTED] said/demonstrated that while he was being choked, he moved his hands up to grab onto Deputy Peterson's arm.

[REDACTED] reported having a bruise on his left calf from the incident (that was healed), a previous scab on his right forearm that was broken open during the incident (confirmed on body camera video), that his neck was sore the next day and he had a back spasm. [REDACTED] said he did not see a doctor for any of the reported injuries.

During the interview with [REDACTED], [REDACTED] advised she had not seen video of the incident prior to meeting with Deputy Peterson and [REDACTED] the day it happened. [REDACTED] said after she had a chance to review the video, she went to the school the next day and told school staff that law enforcement used excessive force for no reason. This was not consistent with [REDACTED] original statement to Deputy Peterson of having seen video of the incident prior to responding to the school the day of the incident.

Attached to this report is video footage recovered during the investigation, law enforcement reports, body worn camera footage, and witness interviews. Reference the attached materials for additional detail.

End of report.

21st Judicial District Attorney's Findings of Fact Letter (Daniel Rubinstein):

On 06/13/24 at approximately 0930 hours MCSO Command Staff advised me they had received a formal phone call from 21st Judicial District Attorney Daniel Rubinstein. DA Rubinstein advised he had reviewed the CIRT case related to this incident, in its entirety and concluded that, based on the totality of the circumstances surrounding the incident, the 21st Judicial District Attorney's Office would not be filing charges against Deputy Peterson nor Deputy Hand for their respective involvement(s) in this case. DA Rubinstein further advised he was anticipating a delay in having his formal Findings of Fact letter for the case completed and sent to the MCSO. Due to this delay, DA Rubinstein wished to at least verbally notify MCSO Command Staff of his findings regarding the case, so MCSO Command could proceed accordingly regarding this internal investigation.

Once DA Rubinstein's formal Findings of Fact letter is received it will be added to this internal case file.

Investigation Findings:

This Department – Citizen Complaint Investigation was initiated by the MCSO's Professional Standards Unit immediately following the reception of information from [REDACTED] and his wife, [REDACTED] on 04/25/24. The information [REDACTED] and [REDACTED] provided, pertained to a use of force incident at Central High School on 04/24/24, which involved MCSO Deputies (School Resource Officer's) Phillip Peterson and Michael Hand.

In their own words, [REDACTED] and [REDACTED] respective allegations pertained to the following key points:

- *Deputy Peterson tackled [REDACTED] to the ground, placed him in a choke-hold, handcuffed him, and used excessive force in doing so.*
- *Deputy Hand threatened to tase [REDACTED], and did so in a manner, both physically and verbally, which appeared to be out of control.*
- *Deputy Hand yelled at their "daughter" [REDACTED], and threatened to criminally charge her with obstruction for being near the altercation and recording the incident on her cell phone.*

[REDACTED] and [REDACTED] allegations, which, if true and factual, would amount to violations of MCSO Policies and Procedures, as well as potential violations of state law.

Were the actions taken by Deputy Peterson and Deputy Hand within the standards and policies established by the agency?

1. Deputy Peterson and Deputy Hand had legal and lawful standing at the scene / school as they were asked by school administration to assist with investigating a reported fight that was either taking place or took place on school property. Both MCSO Deputies were also assigned School Resource Officers at the time of the investigation as well.
2. As Deputy Peterson and Deputy Hand proceeded across the parking lot they discovered the reported altercation to have since stopped. This was also relayed to both Deputies by school administrators and staff members as Deputy Peterson and Deputy Hand approached the area where the altercation was said to have taken place.
3. Deputy Peterson and Deputy Hand were asked by Administrator Hobbs to remain close by and monitor the area while school administrators and staff members gathered involved students and escorted them to the office.
4. While remaining in the area and attempting to keep the peace through "Officer Presence", several students continued arguing with school staff members. During this timeframe, one student, [REDACTED], began yelling at another student to hit someone. At the time, Deputy Peterson believed this comment was that of [REDACTED] telling another student to hit Administrator Hobbs; however, regardless of who the comment(s) were directed at, Deputy Peterson believed [REDACTED] was intentionally provoking violence. Deputy Peterson verbally addressed [REDACTED], telling him to "knock it off". [REDACTED] continued with his comments, and yelled, "Who cares Nigga". Deputy Peterson advised of establishing Probable Cause at this point for charging [REDACTED] with at least Disorderly Conduct.
5. Deputy Peterson attempted to escort [REDACTED] to the office and away from the other students, and while doing so, [REDACTED] pulled away from Deputy Peterson. Rather than pulling away and leaving the area, or at least the immediate vicinity of Deputy Peterson and the other subjects, [REDACTED] remained in close proximity to Deputy Peterson which led Deputy Peterson to believe [REDACTED] was intending on using physical force and/or some form of violence against him. Due to this, Deputy Peterson felt [REDACTED]

██████████ needed to be detained in handcuffs for not only Deputy Peterson's safety, but for ██████████ safety as well.

6. Deputy Peterson attempted to gain physical control of ██████████ ██████████, however, ██████████ seemed to passively and physically resist Deputy Peterson's attempts at gaining control of him.
7. Deputy Peterson elected to pull ██████████ to the ground in order to gain full control of him, and in doing so, Deputy Peterson placed his hands and arms around ██████████ shoulders, chest, and neck area.
8. On several different occasions during Deputy Peterson's physical struggle with ██████████, Deputy Peterson had one of his arms placed over top of ██████████ shoulder(s) and the forearm of said arm was placed around ██████████ upper chest / torso area. At times, Deputy Peterson had both arms over top of ██████████ shoulders as well. During these periods of time when Deputy Peterson's arms were over top of ██████████ shoulders and laid across ██████████ upper chest and torso, there were moments when his inner arm(s) and forearm(s) did in fact appear to have made contact with each respective side of ██████████ neck area; however, there is no clear and convincing evidence (based on interviews and an overall video footage review) to support the fact that Deputy Peterson ever applied any significant or direct pressure to ██████████ neck in a way which limited ██████████ blood flow and/or air intake. Furthermore, through Deputy Peterson's report, interview, and my review of video footage, there is no evidence to show Deputy Peterson ever intended on applying any form of pressure to ██████████ neck, which would amount to fitting the Colorado Revised Statute (18-1-702) definition of "Chokehold" (I) *As used in this subsection (2.5), "chokehold" means a method by which a person applies sufficient pressure to a person to make breathing difficult or impossible and includes but is not limited to a windpipe that may prevent or hinder breathing or reduce intake of air.* (II) *"Chokehold" also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.* **This conclusion is drawn from not only the above facts, but also the simple fact Deputy Peterson had multiple opportunities to fully place ██████████ in a chokehold and apply ample amount(s) of pressure to any portion of his neck and windpipe, but rather, Deputy Peterson's actions appeared to be consistent with his statements of being conscious of where his arms, hands, and pressure was/were being applied.**

9. Deputy Peterson continually struggled with getting [REDACTED] to the ground and [REDACTED] appeared to only comply and go to the ground once Deputy Hand arrived, directed his taser at [REDACTED] person, and told [REDACTED] to get on the ground or he would be tased.
10. Deputy Hand admitted to yelling and screaming at other students in the area as he felt they were getting too close to the incident and creating a safety risk for him and Deputy Peterson. Deputy Hand advised of the need to yell based on the situation, and felt that a less direct approach / tone would not have achieved the goal of getting the students to leave the immediate area.
11. Deputy Hand also admitted to yelling at [REDACTED] during the incident, and stating he would charge her with Obstruction. Deputy Hand advised the charge, had [REDACTED] not cooperated, would have been for [REDACTED] getting too close to them when directed to stay back; rather than it seeming as if he was going to charge her for recording the incident on her cell phone.
12. Both Deputy Peterson and Deputy Hand admitted to their conversation / comments to each other following the incident as not being professional, nor casting a positive light on not only them, but the MCSO and the law enforcement profession as a whole.
13. Deputy Hand admitted to his comment of, yelling at the female students laughing at him and stating he was going to charge them with everything he could throw at them, as casting the same negative light on not only him, but the MCSO and law enforcement profession as a whole.

After a thorough review of this incident; including information gathered from CIRT briefings, reviewing the related CIRT and MCSO reports, conducting and reviewing interviews, and reviewing all pertinent camera footage; I find that Deputy Peterson and Deputy Hand did not act outside of the scope of MCSO policy and procedure, Federal Law, or Colorado Law in regards to their actions of using and/or displaying force during this incident. I do however, find both Deputy Peterson and Deputy Hand violated the MCSO's Body-Worn Camera policy and procedure, as well as the MCSO's Standards of Conduct policy.

The Mesa County Sheriff's Office has established an expectation, through policy, procedure, and training, for members to make decisions that are both within the law and policy. The decisions should be made to limit any liability of the agency and to the employee(s). When applying Deputy Peterson and Deputy Hand's conduct during this incident to the use of their respective body-worn cameras; and their use of obscene,

indecent, profane or derogatory language; I find that said conduct on both of their behalves does not fall within the established standards of the MCSO's Body-Worn Camera and Standards of Conduct policies / procedures.

When comparing the totality of the circumstances surrounding this investigation; coupled with Deputy Peterson and Deputy Hand's actions during the incident, to MCSO Policies and Procedures; the applicable policies and procedures include the following;

- **Use of Force (MCSO Policy 300)**
- **Handcuffing and Restraints (MCSO Policy 302)**
- **Standards of Conduct (MCSO Policy 320)**
- **Body-Worn Camera (MCSO Policy 421)**
- **Body-Worn Camera (MCSO Procedure 321)**

When applying these noted MCSO Policies and Procedures to my investigation, I find the following dispositions to apply:

- **Exonerated - Use of Force (MCSO Policy 300)** - *When the investigation discloses the alleged act occurred, but the act was justified, lawful, and/or proper.*
- **Exonerated - Handcuffing and Restraints (MCSO Policy 302)** - *When the investigation discloses the alleged act occurred, but the act was justified, lawful, and/or proper.*
- **Sustained - Standards of Conduct (MCSO Policy 320)** - *When the investigation discloses sufficient evidence to establish the act occurred, and it constituted misconduct.*
- **Sustained - Body-Worn Camera (MCSO Policy 421)** - *When the investigation discloses sufficient evidence to establish the act occurred, and it constituted misconduct.*
- **Sustained - Body-Worn Camera (MCSO Procedure 321)** - *When the investigation discloses sufficient evidence to establish the act occurred, and it constituted misconduct.*

MCSO Policy 300 – Use of Force:

300.2.1 DUTY TO INTERVENE AND REPORT

Any deputy present and observing another law enforcement officer or a member using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intervene to prevent the use of unreasonable force.

300.2.3 PERSPECTIVE

When observing or reporting force used by a law enforcement officer, each deputy should take into account the totality of the circumstances and the possibility that other

law enforcement officers may have additional information regarding the threat posed by the subject.

300.3 - USE OF FORCE

Deputies shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the deputy at the time of the event to accomplish a legitimate law enforcement purpose.

The reasonableness of force will be judged from the perspective of a reasonable deputy on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that deputies are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving. Given that no policy can realistically predict every possible situation a deputy might encounter, deputies are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which deputies reasonably believe that it would be impractical or ineffective to use any of the tools, weapons, or methods provided by this office. Deputies may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires a deputy to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.2 - FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether a deputy has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include but are not limited to:

- a. Immediacy and severity of the threat to deputies or others.
- b. The conduct of the individual being confronted, as reasonably perceived by the deputy at the time.
- c. Deputy/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of deputies available vs. subjects).
- d. The effects of suspected drug or alcohol use.
- e. The individual's mental state or capacity.
- f. The individual's ability to understand and comply with deputy commands.
- g. Proximity of weapons or dangerous improvised devices.
- h. The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
- i. The availability of other reasonable and feasible options and their possible effectiveness.
- j. Seriousness of the suspected offense or reason for contact with the individual.
- k. Training and experience of the deputy.

- l. Potential for injury to deputies, suspects and others.
- m. Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the deputy.
- n. The risk and reasonably foreseeable consequences of escape.
- o. The apparent need for immediate control of the individual or a prompt resolution of the situation.
- p. Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the deputy or others.
- q. Prior contacts with the individual or awareness of any propensity for violence.
- r. Any other exigent circumstances.

300.3.6 - PROHIBITION ON CHOKEHOLDS

A deputy is prohibited from using a chokehold upon another person. A chokehold is defined as a method by which a person applies sufficient pressure to a person to make breathing difficult or impossible. It also includes pressure to stop the flow of blood to the brain via the carotid arteries (CRS § 18-1-707).

MCSO Policy 302 – Handcuffing and Restraints:

302.3 - USE OF RESTRAINTS

Only members who have successfully completed Mesa County Sheriff's Office-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, deputies should carefully balance officer safety concerns with factors that include, but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

302.3.1 - RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain an individual who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to assure the safety of deputies and others. When deciding whether to remove restraints from a detainee, deputies should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

302.3.3 - RESTRAINT OF JUVENILES

A juvenile under 14 years of age should not be restrained unless the juvenile is suspected of a dangerous felony or when the deputy has a reasonable suspicion that the juvenile may resist, attempt escape, injure themselves, injure the deputy, or damage property.

A school resource officer or a law enforcement officer acting in the officer's official capacity on school grounds, in a school vehicle, or at a school activity or sanctioned event shall not use handcuffs on any student, unless there is a danger to themselves or others or handcuffs are used during a custodial arrest that requires transport.(CRS § 26-20-111).

MCSO Policy 320 – Standards of Conduct:

320.5.8 - PERFORMANCE

- e. Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this office or subverts the good order, efficiency and discipline of this office or that would tend to discredit any of its members.
- i. Any act on- or off-duty that brings discredit to this office.

320.5.9 - CONDUCT

- g. Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.
- m. Any other on - or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this office, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this office or its members.

MCSO Policy 421 – Body-Worn Camera:

421.6 - ACTIVATION OF THE BODY-WORN CAMERA (CRS 24-21-902)

All agency members required to wear a Body-Worn Camera recording device will activate the camera immediately upon the following:

- When arriving at a call for service, received through central dispatch or self-dispatched.
- Responding to assist another officer on a call for service.
- Any self-initiated contact with a member of the public, for the purpose of enforcing the law or investigating possible violations of the law.
- Any interview or interrogation conducted at a location other recording devices are not available.
- All traffic contacts.
- All welfare checks.
- Any other time the deputy feels the recording may transition to a contact, as previously defined.

MCSO Procedure 301 Body-Worn Camera:

301.6 - BODY-WORN CAMERA ACTIVATION REQUIREMENTS

All agency members required to wear a Body-Worn Camera recording device will activate the camera immediately upon the following:

- When arriving at a call for service, received through central dispatch or self-dispatched.
- Responding to assist another officer on a call for service.
- Any self-initiated contact with a member of the public, for the purpose of enforcing the law or investigating possible violations of the law.

Copies of these specific policies and procedure(s) have been added to this case file.

Deputy (SRO) Phillip Peterson Disciplinary History - (Use of Force):

- Deputy Peterson has not received any counseling or other forms of discipline during his employment at the MCSO.

Deputy (SRO) Michael Hand Disciplinary History - (Use of Force):

- Deputy Hand received a verbal counseling in September of 2023 for a case he handled and/or was involved in during the same month. In that case, Deputy Hand was working a security assignment at Stocker Stadium for a high school football game. An altercation between students took place and several students were asked to leave the property. One of the students refused to leave, even after District Security Officers told the student they would be charged for trespassing. Deputy Hand subsequently placed the student in handcuffs but never charged the student with trespassing or any other crime; rather, Deputy Hand released the student to their parent(s). Deputy Hand received verbal counseling and training regarding emotional intelligence, and understanding the need for the application of force and/or handcuffs. - Guardian Tracking Case: 11231.

Internal Case File Information:

The case file for this incident can be located in its entirety in the SO shared drive > SO > PSU > PSU – Internal Affairs > IA Investigations > 2024 > Phillip Peterson – Michael Hand > Phillip Peterson – Michael Hand – Department Complaint - Use of Force 04-24-24.

A confidential Guardian Tracking entry was also created under # 12142.

End of Summary:

JMM # 2243



215 Rice Street
P.O. Box 20,000
Grand Junction, CO 81502

970-244-3500 Phone
970-244-3503 Fax
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Notice of Administrative Leave

To: Deputy Phillip Peterson
From: Division Chief Art Smith
Re: Administrative Leave – Paid
Date: April 30th, 2024

On April 24, 2024, at Central High School (CHS), you were involved in a Use of Force incident, with a juvenile CHS student, MCSO Case 24-13598. We have requested that the Grand Junction Police Department activate the 21st Judicial District Critical Incident Response Team to conduct a criminal investigation into this incident. Additionally, this incident is being investigated internally, by our Professional Standards Unit.

Effective immediately, you are being placed on paid administrative leave. The fact you are being placed on leave should not be construed to indicate any inference of guilt or innocence, but is done strictly for your protection and protection of the agency pending the outcome of the investigation.

You have the right to retain an attorney, but the attorney cannot be present during any administrative interview. I strongly encourage you to not discuss the details of the incident with anyone other than your attorney, any assigned criminal investigator or the assigned Professional Standards Investigator. You are specifically ordered not discuss the details of the incident with Deputy Michael Hand.

During the course of this leave, you are required to be available by telephone (personal cellphone, department issued cellphone or landline) between 0800hrs and 1700hrs Monday through Friday and available to respond to the Sheriff's Office within two hours of notification.

As a part of the administrative leave process, at this time, I will be collecting your ID/proximity card and your department issued firearms.

During the course of this leave, you are not to be at the Sheriff's Office, at Central High School, or at any Sheriff's Office sponsored event unless specifically requested by a member of our Professional Standards Unit, by me or by the Undersheriff.

A handwritten signature in blue ink, appearing to be "Art Smith", written over a horizontal line.

Division Chief Art Smith #2107
Operations Division
Cell: (970)985-0089