



# El Paso County Sheriff's Office



## INTRA-OFFICE MEMORANDUM

**TO:** Bureau Chief [REDACTED] B1 [REDACTED] L4  
**FROM:** Lieutenant [REDACTED] L4 [REDACTED]  
**DATE:** August 17, 2016  
(August 2 original memorandum revised to satisfy request for additional justification for my findings.)

**SUBJECT:** PS2016-016 Possible Policy Violations Involving:

Deputy Brandon Burgess  
Deputy Brett Dawson  
Deputy Gina Goodloe  
Deputy Sean Grady  
Deputy Steven Paddack  
Deputy Sandra Rincon  
Deputy Brendon Sanchez-Allee  
Deputy Ryan Sanders  
Deputy Jake Smith

Then-Deputy (now Sergeant) Lawrence Gallegos  
Then-Deputy (now Sergeant) Phillip Goodloe

Sgt. Christopher Klug  
Sgt. Robert "Bud" Perry  
Sgt. Jeanette Reid

Lt. Eric Carnell  
Lt. Lari Hanenberg

### Background Information:

On April 26, 2016, Mr. [REDACTED] A (father of former Deputy [REDACTED] D2) initiated communication with Sheriff [REDACTED] Sh about Deputy Sean Grady and his alleged involvement in a so-called "fight club" at the El Paso County Sheriff's Office (Intake and Release Section). Subsequently, Lt. [REDACTED] L1 conducted some preliminary investigation and, upon learning there were a number of people possibly involved in the allegations, he was directed to refer the investigation to Professional Standards.



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Inspector [In] and Sgt. [S1] conducted numerous interviews with the named employees and summarized the content of those interviews. The investigation was then returned to the Detentions Bureau for Chain of Command recommendations on the findings of Inspector [In] and Sgt. [S1]. As I am outside the span of supervision of the named employees, the investigation was assigned to me on July 18, 2016.

#### **Summary of Allegations:**

In summary, it was alleged that Intake and Release Deputies Brandon Burgess, Brett Dawson, Lawrence Gallegos (now a Sergeant), Gina Goodloe, Phillip Goodloe (now a Sergeant), Sean Grady, Steven Paddock, Sandra Rincon, Brendon Sanchez-Allee, Ryan Sanders, and Jake Smith participated in a competition among themselves regarding Use of Force incidents and statistics. At some point, this group or this competition unofficially became referred to as a "Fight Club." It is further alleged that this was done under the knowledge and supervision of Sergeants Christopher Klug, Robert "Bud" Perry, and Jeanette Reid, as well as Lieutenants Eric Carnell, Lari Hanenberg, and Dean Kelsey (now retired). These events allegedly went on between approximately 2012 and 2016 and the participants celebrated certain milestones by rewarding one another with (for example, with celebratory cakes). The allegations would lead an outsider to envision a group of deputies and supervisors who were completely out of control, competing with each other for the most use of force incidents and creating opportunities during the normal course of duties for incidents to involve the use of force.

#### **Preliminary Investigation:**

I was first made aware of these allegations when Lt. [L1] shared early details with me in the first 24 hours of him knowing about the allegations. Subsequently, I learned that the investigation appeared to be widespread and it was sent to Professional Standards. I then heard very little about it other than to hear supervisors throughout the building and on all shifts sternly warning deputies that "there had better not be anyone engaging in competition" regarding Use of Force. I heard supervisors from the rank of Sergeant all the way up to Chief [B1] give this type of admonishment in shift briefings. Over the next several weeks, I knew that Professional Standards was trying to conduct and conclude interviews, but I heard no details on what was being learned, proven or disproven.

Upon receiving the related documentation of this investigation on July 18, 2016, I read everything except the transcribed notes from each of the interviews conducted by Inspector [In] and Sgt. [RED]. Instead of reading each transcription, I relied on the summary memo they compiled, as well as the other provided memos and documents.

#### **Summary of Possible Policy Violations by All Involved Employees:**

313 (IV) (A) (1) Obedience to Orders  
313 (IV) (A) (4) Performance of Duty  
313 (IV) (A) (7) Respect for Commanding Officers, Other Employees, and Citizens  
313 (IV) (A) (15) Conduct Unbecoming

313 (IV) (A) (40) Use of Force

105 (IV) (G) (3) Rank Structure and Responsibility

**Summary of Possible Policy Violations, Findings by Individual Employee:**

**Sean Grady**

313 (IV) (A) (1) Obedience to Orders-

**Unfounded**

313 (IV) (A) (4) Performance of Duty-

**Unfounded**

313 (IV) (A) (7) Respect for Commanding Officers, Other Employees, and Citizens-

**Not Sustained**

313 (IV) (A) (15) Conduct Unbecoming-

**Sustained**

313 (IV) (A) (40) Use of Force-

**Unfounded**

**Deputy Jake Smith**

313 (IV) (A) (1) Obedience to Orders-

**Unfounded**

313 (IV) (A) (4) Performance of Duty-

**Unfounded**

313 (IV) (A) (7) Respect for Commanding Officers, Other Employees, and Citizens-

**Not Sustained**

313 (IV) (A) (15) Conduct Unbecoming-

**Sustained**

313 (IV) (A) (40) Use of Force-

**Unfounded**

**Deputy Ryan Sanders**

313 (IV) (A) (1) Obedience to Orders-

**Unfounded**

313 (IV) (A) (4) Performance of Duty-

**Unfounded**

313 (IV) (A) (7) Respect for Commanding Officers, Other Employees, and Citizens-

**Not Sustained**

313 (IV) (A) (15) Conduct Unbecoming-

**Sustained**

313 (IV) (A) (40) Use of Force-

**Unfounded**

**Deputy Sandra Rincon**

313 (IV) (A) (1) Obedience to Orders-  
**Unfounded**

313 (IV) (A) (4) Performance of Duty-  
**Unfounded**

313 (IV) (A) (7) Respect for Commanding Officers, Other Employees, and Citizens-  
**Not Sustained**

313 (IV) (A) (15) Conduct Unbecoming-  
**Sustained**

313 (IV) (A) (40) Use of Force-  
**Unfounded**

**Deputy Brett Dawson**

313 (IV) (A) (1) Obedience to Orders-  
**Unfounded**

313 (IV) (A) (4) Performance of Duty-  
**Unfounded**

313 (IV) (A) (7) Respect for Commanding Officers, Other Employees, and Citizens-  
**Not Sustained**

313 (IV) (A) (15) Conduct Unbecoming-  
**Sustained**

313 (IV) (A) (40) Use of Force-  
**Unfounded**

**Deputy Steven Paddack**

313 (IV) (A) (1) Obedience to Orders-  
**Unfounded**

313 (IV) (A) (4) Performance of Duty-  
**Unfounded**

313 (IV) (A) (7) Respect for Commanding Officers, Other Employees, and Citizens-  
**Not Sustained**

313 (IV) (A) (15) Conduct Unbecoming-  
**Sustained**

313 (IV) (A) (40) Use of Force-  
**Unfounded**

**Deputy Gina Goodloe**

313 (IV) (A) (1) Obedience to Orders-  
**Unfounded**

313 (IV) (A) (4) Performance of Duty-  
**Unfounded**

313 (IV) (A) (7) Respect for Commanding Officers, Other Employees, and Citizens-  
**Not Sustained**

313 (IV) (A) (15) Conduct Unbecoming-  
**Sustained**

313 (IV) (A) (40) Use of Force-  
**Unfounded**

**Deputy Brendon Sanchez-Allee**

313 (IV) (A) (1) Obedience to Orders-  
**Unfounded**

313 (IV) (A) (4) Performance of Duty-  
**Unfounded**

313 (IV) (A) (7) Respect for Commanding Officers, Other Employees, and Citizens-  
**Not Sustained**

313 (IV) (A) (15) Conduct Unbecoming-  
**Sustained**

313 (IV) (A) (40) Use of Force-  
**Unfounded**

**Deputy Phillip Goodloe (now a Sergeant)**

313 (IV) (A) (1) Obedience to Orders-  
**Unfounded**

313 (IV) (A) (4) Performance of Duty-  
**Unfounded**

313 (IV) (A) (7) Respect for Commanding Officers, Other Employees, and Citizens-  
**Not Sustained**

313 (IV) (A) (15) Conduct Unbecoming-  
**Sustained**

313 (IV) (A) (40) Use of Force-  
**Unfounded**

**Deputy Lawrence Gallegos (now a Sergeant)**

313 (IV) (A) (1) Obedience to Orders-

**Unfounded**

313 (IV) (A) (4) Performance of Duty-

**Unfounded**

313 (IV) (A) (7) Respect for Commanding Officers, Other Employees, and Citizens-

**Not Sustained**

313 (IV) (A) (15) Conduct Unbecoming-

**Sustained**

313 (IV) (A) (40) Use of Force-

**Unfounded**

**Lieutenant Lari Hanenberg**

105 (IV) (G) (3) Rank Structure and Responsibility-

**Unfounded**

**Sergeant Jeanette Reid**

105 (IV) (G) (3) Rank Structure and Responsibility-

**Unfounded**

**Deputy Brandon Burgess**

313 (IV) (A) (1) Obedience to Orders-

**Unfounded**

313 (IV) (A) (4) Performance of Duty-

**Unfounded**

313 (IV) (A) (7) Respect for Commanding Officers, Other Employees, and Citizens-

**Not Sustained**

313 (IV) (A) (15) Conduct Unbecoming-

**Sustained**

313 (IV) (A) (40) Use of Force-

**Unfounded**

**Lieutenant Eric Carnell**

105 (IV) (G) (3) Rank Structure and Responsibility-

**Unfounded**

**Sergeant Christopher Klug**

105 (IV) (G) (3) Rank Structure and Responsibility-  
**Unfounded**

**Sergeant Robert "Bud" Perry**

105 (IV) (G) (3) Rank Structure and Responsibility-  
**Unfounded**

**Summary of Findings:**

In reviewing the provided documentation, I find that no "Fight Club" existed- at least not in the form, sense, or definition that the title implies. Rather, there was a group of deputies who at one time or another were (or are currently) assigned to Intake and Release who unquestionably engaged in a practice (to varying degrees) of monitoring Use of Force statistics. This practice seems to have originated out of their collective curiosity and (at least as much) based on their concerns of being counseled because of the El Paso County Sheriff's Office own internal "Early Warning System." By all appearances, their intentions (at least in the beginning) seemed to have been innocent enough. The mechanism by which these statistics were tracked was a particular field in the Jail Management System (JMS). It was accessible to all and no policy existed which prevented or forbade deputies or supervisors from looking at the statistical information. Access to that field has since been restricted.

This practice occurred under the limited knowledge of past and current supervisors in the Intake and Release Section. There is no evidence that any of the supervisors had reason to believe that they were unwittingly condoning any prohibited practice or activities. There is no evidence of a pattern (or even a singular instance) of uninvestigated excessive use of force by the named group of deputies, or of any pattern or trend that should have caused a reasonably tenured supervisor to question that the deputies were acting in a manner other than professionally and as they were trained with respect to use of force.

What seemingly originated from an innocent curiosity about statistics appears to have morphed in an unhealthy, unsavory, and unintended "competition" among deputies that supervisors were largely or entirely unaware of. The title "Fight Club" (or "Mid-Night Fight Club") was not used by anyone until it was uttered by Deputy **D4** when he brought forward concerns about a particular use of force incident. In speaking of that particular instance, he alluded to what he viewed as a larger problem of a number of deputies seeming too eager to become involved in use of force incidents (their own or others'). Paraphrasing Deputy **D4** observations and feelings, these deputies took too much pride and satisfaction in using force- even if justified- rather than being proud of the ability to tactfully think and speak to mitigate or avoid use of force applications. While his concerns cannot be entirely disproven, they also were not proven



through this investigation to be accurate depictions of misconduct in the form of blatant excessive force, use of force for "sport" or "competition," or lack of oversight by supervisors.

From the interviews conducted, there is no evidence that any of the named deputies were acting in an "out of control" or rogue manner, or that any of the supervisors were so out of touch as to have failed to notice or address any obvious problems or patterns.

Rather than identifying rogue deputies and bringing to light an alleged epidemic of excessive force, this investigation seems to have identified a group of deputies who rather innocently started monitoring their own and others' use of force statistics in anticipation of being identified by an internal Early Warning System and being counseled. Working in an environment where use of force is frequently justified and necessary, and working under the "threat" of being counseled for a certain number of uses of force in a given period, it is understandable that deputies would be curious of where they stood. It is also understandable that supervisors- especially absent a policy prohibiting such monitoring- would not feel compelled to discourage the deputies from monitoring these statistics. In the few cited instances where it was possible for a supervisor to intervene and discourage public conversations about use of force statistics, the evidence exists that these supervisors acted appropriately and did what should reasonably have been expected of them.

**I find no evidence (Unfounded) of any of the named deputies violating the following policies:**

**313 (IV) (A) (1) Obedience to Orders**

**313 (IV) (A) (4) Performance of Duty**

**313 (IV) (A) (40) Use of Force.**

**While I believe that there were probably instances of all of the deputies violating Policy 313 (IV) (A) (7) Respect for Commanding Officers, Other Employees, and Citizens,** I feel there is not sufficient evidence to hold any of them accountable for any of these instances. There simply were not sufficient details provided citing specific dates, instances, inmates, or circumstances. Therefore, my finding is **Not Sustained**.

**I find no evidence (Unfounded) that any of the named supervisors violated Policy 105 (IV) (G) (3) Rank Structure and Responsibility.** To the contrary, the investigation revealed such specifics as deputies quoting Sgt. Reid as she frequently reminded them to "take the high road." She prided herself on her professionalism and was known to subordinates to expect professionalism from them, and she has retired honorably and voluntarily as this investigation has been underway. Sgt. Klug responded immediately and appropriately when he learned of a possible "competition" that had been taking place since a time before his assignment to Intake and Release. There is no evidence that Lt. Carnell, Lt. Hanenberg, or Sgt. Perry failed to



supervise or intervene, or that any of them had reasonable cause to know anything inappropriate was occurring.

**Finally, regarding Policy 313 (IV) (A) (15) Conduct Unbecoming**, I feel there is sufficient evidence (**Sustained**) that each of the named deputies violated this policy by continuing to engage in a practice that started as an innocent "monitoring" and (formally or informally) morphed into a competition that lasted for several months. Participating deputies engaged in public conversations about the comparisons of their individual statistics, subjecting non-approving and/or non-participating coworkers, civilian employees, and likely contract workers and inmates to comments that were in poor taste and did not reflect favorably on the deputies, the supervisors, the Sheriff's Office, or the law enforcement profession.

While I cannot conclude that there were uninvestigated instances of use of force, or excessive force, and I cannot conclude that anyone was otherwise fulfilling their duties in anything but a professional manner, it is a rather easy conclusion that this "competition" eroded and created the perception (and maybe the reality) of a culture where it seemed okay for deputies to embrace use of force as a "badge of honor" and a part of everyday conversation. Because of this, and because each of the participants should have known what the perception of their behaviors and comments could be, I believe it is imperative and appropriate to recommend a **Letter of Reprimand** for each involved deputy and to establish with each of them that this is not the culture we want the El Paso County Sheriff's Office known for. Given the extended period of time during which the interviews indicate these behaviors spanned, I feel it is impossible to "scale" or "score" the levels of involvement or culpability among the named deputies. Instead, I find it more appropriate to opine that they should all have known better, could have chosen to not participate, and could have (like Deputy **D4**) encouraged one another to discontinue the behaviors and commentary.

In closing, in the time since I became aware of this investigation and deputies began getting interviewed for it, I have witnessed positive evolution at the El Paso County Sheriff's Office. Command Staff members, lieutenants, sergeants, and Training Deputies have all actively and vocally participated in dialogue, training, and a push for better understanding and application of our Use of Force policy. There is an intangible feeling of a heightened awareness by deputies about force alternatives and always applying the reasonableness standard in situations where force may have to be considered. I consider this a positive outcome for all.

DO'D/do'd