

## Professional Police & Public Safety Consulting, LLC

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EXHIBIT

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**Dan Montgomery, Chief of Police (Retired) AS, BS, MS, CLS**  
Police, Security & Public Safety Expert  
57 Years of Experience and Court-Qualified  
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### **Expert Disclosure Information (Rev. 1-18-20)**

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#### **Curriculum Vitae**

##### **Summary of Qualifications**

I was a police officer for 47 years, the last 25 of which were served as the Chief of Police for the Westminster, Colorado Police Department, and then a one-year stint in 2010 as the interim chief of police in Lochbuie, Colorado. I am a past President of the Colorado Association of Chiefs of Police and past President of the Denver Metropolitan Association of Chiefs of Police. Since my retirement from active policing in 2007, I have been the owner and chief executive officer of Professional Police and Public Safety Consulting, LLC, located in Arvada, Colorado. As a court-qualified expert in police, security, and public safety practices, I have been retained in 345 cases in 25 different states from 1985 to the present and have testified numerous times over the years in the United States District Courts, state and county courts, and before a variety of personnel boards. I currently hold the following certifications:

- Certified litigation specialist in police practices, Americans for Effective Law Enforcement (AELE).

- Certified Force Science Analyst, Force Science Institute, Minnesota State University at Mankato.
- Certified instructor in the management of excited delirium/agitated chaotic events and the prevention of arrest-related in-custody deaths, Institute for the Prevention of In-Custody Deaths (ICIPD), Henderson, Nevada.
- Certified instructor in the Total Appendage Restraint System (TARP) and Agonal Breathing, Institute for the Prevention of In-Custody Deaths (ICIPD), Henderson, Nevada.

As a former police officer, supervisor, manager and chief of police, I have been trained in most all aspects of policing including the use of firearms and lethal force, pressure point control tactics (PPCT), TASERS, police pursuit driving, police motorcycle operation, riot control, the use of chemical agents, police batons and truncheon devices, hand to hand combat and arrest control tactics, handcuffing and other restraint devices, and the use of stop sticks. I also have achieved firearms expert and master certifications, including seven years of competitive shooting on the California Police Combat Association Circuit, and the Camp Perry style bullseye shooting circuit.

My 57-year career in the business of policing started in central California in the 1960's where I dealt with riots protesting the Viet Nam War and police brutality, unprecedented violence against the police, and political/societal upheaval. I have experienced, observed, studied, evaluated and written about established police practices and have had numerous occasions as a police sergeant, lieutenant, captain and chief of police to train, commend, promote, and present awards to officers when their actions were in concert with and/or exceeded expectations. Unfortunately, I have also found it necessary over the years to discipline, demote, terminate the employment of, and in some cases, cause the filing of criminal charges against police officers and occasionally civilian personnel, when their actions were not in concert with and/or did not meet professional expectations.

I know how and why police officers are trained, what established police practices and guidelines are, and how reasonably trained and prudent police officers perform in a variety of duty-related scenarios. This knowledge comes from my education, training, police experience, and my experience working as a court-qualified police practices expert. I have evaluated thousands of police incidents over my career in policing and as a police practices expert. Many of these incidents involved lethal force in officer-involved shootings resulting in serious bodily injuries and fatalities to citizens as well as police officers, and the use of less-lethal force which resulted in minor and serious bodily injuries to citizens and police officers. I have also managed and conducted many internal affairs investigations into allegations of police officer misconduct and have been involved as well in a variety of police personnel matters involving gender and/or race discrimination, disciplinary appeals, and job suitability evaluations.

## **Education**

I have the following three degrees in the areas of law enforcement and criminal justice, all of which were earned while going to school on a part-time basis and being employed full-time in law enforcement:

- A.S. Degree in Law Enforcement, West Valley Community College, Campbell, California, 1971.
- B.S. Degree, Magna Cum Laude, in Law Enforcement with a minor in Personnel Management, Metropolitan State College, Denver, Colorado, 1978.
- M.S. Degree, in Criminal Justice Administration with an emphasis on Public Administration, Graduate School of Public Affairs, University of Colorado at Denver, 1982.

## **Police Experience**

My 47-year career in active policing from 1962 through 2007 is as follows:

- 1962-1964: San Jose City College, Campus Police Department, San Jose, California: Campus patrol officer; this program consisted of approximately 15 campus police officers.
- 1964-1971: Los Gatos Police Department, Los Gatos, California; Patrol, prisoner care, custody and control, motorcycle traffic enforcement, traffic accident investigation, criminal investigations, assistant police canine trainer, and firearms instructor; The department consisted of approximately 18 sworn personnel in 1964 and grew to approximately 25 sworn personnel in 1971; California basic, intermediate and supervisory POST certified; Attained the rank of police sergeant 1968.
- 1971-1983: Lakewood Police Department, Lakewood, Colorado: Patrol, prisoner care, custody and control, traffic and traffic accident investigation, vice-narcotics, and organized crime investigations, criminal investigations, research and development; policy development; training, recruiting, and internal affairs investigations, staff inspection, criminalistics and forensics laboratory; rose to the rank of police lieutenant in 1972 and to the rank of police captain in 1973. The department grew from 66 sworn personnel in 1971 to 183 in 1982.
- 1983-2007: Westminster, Colorado Police Department: Entered the department and retired as the Chief of Police; Responsible for the overall command and responsibility for patrol and traffic enforcement activities; policy development; prisoner care, custody and control; traffic accident investigation; SWAT; SET (Special Enforcement Team targeting street gangs and pattern criminals); police canines; criminal investigations; community crime prevention education and

instruction; internal affairs investigations; recruiting and training; media relations; criminalistics and forensic sciences laboratory; property and evidence control; police records; code enforcement and animal control; liquor, vice and organized crime enforcement; and security industry liaisons; Colorado POST certified and Colorado Executive Certification. The department grew from 83 sworn personnel in 1983 to 181 sworn personnel in 2007.

- 2010 (January-October): Lochbuie Police Department, Lochbuie, Colorado: Entered the department and left as the Interim Chief of Police; Responsible for the overall command of the department, which at that time consisted of just six police officers.

### **Security and Public Safety Experience**

From 1966 until 1971, I was the Assistant Director of Security and Loss Prevention for the Emporium Department Store in San Jose, California. I held this position on a part-time basis while actively employed in policing.

In my capacity as a police officer and supervisor over the years, I have worked many private security assignments, including security at liquor licensed establishments and venues, and have supervised the deployment of police officers at taverns, bars, nightclubs and other venues licensed to sell alcoholic beverages. I have also handled many incidents as a police officer and supervisor that occurred in dram shops, oftentimes making arrests for a variety of crimes. I was also assigned to undercover work in vice and narcotics, where I was involved in working bars and nightclubs in order to ensure that the operations of those establishments were in concert with state laws and local ordinances concerning liquor licenses. As a chief of police, I also represented the city in liquor hearings before the special permits and licenses board in matters concerning liquor license suspension and revocation proceedings. We also conducted many sting operations at local bars and nightclubs to ensure that these establishments were not serving alcohol to minors.

I have been retained on many occasions and have testified as a security and public safety expert in matters concerning dram shop premise's liability matters where customers and/or employees became involved in use of force incidents that resulted in injuries, and sometimes death.

As a chief of police, I worked closely with the security industry in security guard licensing practices, providing oversight to security operations, and assisting in the development of security policies, procedures, rules, and practices. We were extremely proactive in educating our residents and business owners as to the steps they could take to reduce the risk of them, their family and their customers to becoming the victims of predators. The theme we consistently used was "target-hardening," and we were able to give them the knowledge and skills to become hard targets rather than soft targets. We assigned school resource officers to our middle school and our high schools, and we also permitted our officers to work "extra-duty" assignments where the funds to support their assignments were supplied by the merchants who needed extra-duty police services. I have been

involved in coordinating, monitoring and evaluating private security issues my entire career, and as a police, security, and public safety expert have worked on many security cases over the years involving security at hospitals, apartment complexes, construction sites, parking lots, concerts, etc.

### **Consulting & Expert Witness Experience**

My police, security, and public safety consulting and expert witness background commenced in 1985 on a part-time basis during my employment as the Chief of Police in Westminster, Colorado. On my retirement from active policing in 2007, I formally established my business, Professional Police & Public Safety Consulting, LLC.

My consulting business is founded on the principles of SPIRIT, which is an acronym for service, pride, integrity, responsibility, innovation, and teamwork, the same principles that underscored my successful 47-year career in active law enforcement...

As a police, security, and public safety practices expert, I have worked on cases in the following 25 states: Arizona, California, Colorado, Georgia, Hawaii, Idaho, Illinois, Kansas, Louisiana, Minnesota, Montana, New Hampshire, New Mexico, New York, New Jersey, Ohio, Oklahoma, Oregon, Pennsylvania, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming.

I have been qualified as a police practices expert numerous times before the United States District Courts in Denver, Colorado, Albuquerque, New Mexico, Las Cruces, New Mexico, and Austin, Texas.

In state and county courts, I have been qualified as a police, security and/or public safety practices expert, many times in Boulder, Colorado; Denver, Colorado; Adams County, Colorado; La Plata, County Colorado; Jefferson County, Colorado, Lake County, Colorado; El Paso County, Colorado; Mesa County, Colorado; Duluth, Minnesota; Chaska, Minnesota; Chisago City, Minnesota; Ottawa, Kansas; Phoenix, Arizona; Atascosa County, Texas; Santa Fe County, New Mexico; Larimer County, Colorado; Gunnison County, Colorado, and Nueces County, Texas.

With regard to personnel issues, I have been qualified as a police and personnel practices expert in cases involving race and gender discrimination, disciplinary actions, job terminations, and unemployment hearings before the State of Colorado Personnel Board, the State of Arizona Labor Board, and several municipal and county personnel boards in Sheridan, Colorado; Lafayette, Colorado; Loveland, Colorado; Lochbuie, Colorado; Louisville, Colorado, and Greeley, Colorado (Weld County).

I have also conducted many internal affairs investigations and have conducted policy, procedure, and property-evidence audits for small police departments in Colorado and one in New Mexico that needed an objective, outside perspective. I have served many times as a resource for media outlets in Denver, Colorado and outside of Colorado as well.

**Casework History (1985-Present)**

From 1985 to the present, I have been retained in a variety of cases involving police civil litigation, police personnel matters, police administrative investigations and audits, criminal litigation, and security/premises liability civil litigation. The following breakdown total helps illustrate the categories and quantities of cases I have worked on since 1985. I would point out that of this total number of cases, only 40 percent result in sworn testimony at depositions and/or trials.

**Police Civil Litigation**

Opinions favorable to the police	96
Opinions favorable to citizens	107

**Police Personnel Matters**

Opinions favorable to police management	8
Opinions favorable to police employees	7

**Police Administrative Investigations and Audits**

Internal affairs investigations	16
Policy evaluations and audits	8

**Criminal Litigation**

Opinions favorable to prosecution	4
Opinions favorable to citizen defendants	29
Opinions favorable to police defendants	10

**Security & Premises Liability Civil Litigation**

Opinions favorable to businesses	39
Opinions favorable to citizens	26

Total: 350

**Daubert & Schreck Challenges**

Over the years, I have survived several Daubert challenges in the United States District Courts in Denver, Colorado, Albuquerque, New Mexico, and Minneapolis, Minnesota, as well as district courts in the City and County of Denver, Colorado as well as Mesa County, Colorado. While there have been on occasion some areas of my testimony that were not permitted, I have never to my knowledge been disqualified as a police practices expert.

- 2012: *Eberle vs. Bernalillo County, New Mexico, et al.*, United States District Court, District of New Mexico, 11-cv-141-WJ/WDS, (Judge William Johnson), finding I was qualified to give expert opinions about police practices and training in a discrimination case and that my testimony was relevant as “helpful to the jury to understand the specialized law-enforcement context of the events in question.”

- 2013: *Ortega vs. City and County of Denver, Colorado, et al.*, United States District Court, District of Colorado, 11-cv-02394, (Judge William J. Martinez), finding my opinions reliable and allowing my testimony about “whether the degree of force used was in compliance with well-established modern police standards.”
- 2013: *Liberty Mutual vs. Wackenhut Security*, Denver County, Colorado District Court, 2012CV1904, (Judge Michael Martinez), finding that I was “generally qualified to provide an expert opinion regarding law enforcement practices by virtue of his extensive experience as a law enforcement officer and as a former police chief.”
- 2013: *Brownlee vs. Bair, Mesa County*, Colorado District Court, 11CV4783, (Judge Thomas M. Deister), finding that my “testimony is relevant and probative of the issues related to Plaintiff’s claimed damages,” and that “the methodology is sufficiently reliable to warrant the presentation of this testimony to the jury.
- 2014: *Ashley vs. City and County of Denver, Colorado et al.*, United States District Court, District of Colorado, 12-CV-01856, MSK-BNB, (Judge Marcia S. Krieger), finding my opinions as to police practices were relevant.
- 2016: *Davies vs. City of Lakewood, Colorado et al.*, United States District Court, District of Colorado, 1:14-cv-01285-RBJ-NYW, (Judge Brooke T. Jackson) finding my opinions both reliable and relevant, specifically that my “expert testimony regarding the standard of care applicable to supervision and training is relevant to excessive force claims.”
- 2017: *Arndt et al., vs. City of Colorado Springs*, United States District Court, District of Colorado, 15-cv-00922, (Judge Richard W. Matsch), denying the defendant’s motion and allowing my testimony to be heard at trial.
- 2017: *Johnson vs. City of Minneapolis, Minnesota, et al.*, United States District Court, District of Minnesota, 16-cv-00872-PAM-SER, (Judge William A. Magnuson), finding that 1) My “testimony with regard to the Minneapolis Police Department’s policies may be relevant to the issue before the jury;” 2) My, “opinion about whether defendants complied with established practices” was admissible; 3) My opinions that the defendants left out key facts in their reports as compared to video coverage is admissible; 4) My “opinions regarding the defendants’ motivations might be admissible.”
- 2019: *Nosewicz vs. Adams County, Colorado, et al.*, United States District Court, District of Colorado, 16-CV-00447-PAB-KLM (Judge Philip A. Bremer). In this jailhouse excessive force case, ruled that several of my opinions related to jail management would be excluded but on appeal, he ruled that several of my opinions concerning the use of force, failure to de-escalate the confrontation, the

inappropriateness of dismissing a prisoner's medical complaints, poor tactical judgement, and the failure to use a backup deputy for assistance were opinions that would be allowed at trial.

### **Training and Certification Highlights**

Over my career in the business of policing and as a police practices expert and consultant, I have received a great deal of training. The following highlights provide a summary of the formal training I have received:

- California Highway Patrol Training Academy: Police motorcycle operation and emergency vehicle operations, Sacramento, California, 1965.
- State of California Peace Officers Standards and Training Commission: Police supervision, Gavilan College, Gilroy, California, 1969.
- State of California Specialized Training Institute: Civil emergency preparedness and incident command, Camp San Luis Obispo, California, 1977.
- Southern Police Institute: Executive management and leadership, Louisville, Kentucky, 1978.
- New York University School of Medicine: Forensic pathology death investigations, New York, N.Y., 1980.
- Federal Bureau of Investigation: Law enforcement executive development session (LEEDS), Quantico, Virginia, 1987.
- Federal Emergency Management Association (FEMA): Executive emergency management and incident command, Emmetsburg, Maryland, 1997.
- Calibre Press: Officer Survival, Colorado Springs, 2000.
- Federal Emergency Management Association (FEMA): Civil emergency management and incident command, Mt. Weather, Virginia, 2002.
- Calibre Press: Officer Survival, Anaheim, California, 2003.
- Lorman Institute Guest Panelist: Defending police and sheriff liability claims, Denver, Colorado, 2008.
- Taser International: Use of force, risk management, and legal strategies, Westminster, Colorado, 2009.
- Tyco Electronics Guest Panelist: Ten years since Columbine, how far have we come? Denver, Colorado, 2009.



- Westminster Police Department: Off-duty police encounter tactics, 2009.
- Force Science Institute, Minnesota State College at Mankato: Force science analysis, and certification, San Jose, California, 2010.
- Institute for the Prevention of In-Custody Death (IPICD), Henderson, Nevada: The management of excited delirium and in-custody deaths, 2010.
- Colorado Association of Chiefs of Police Guest Panelist: Police chief survival, 2011.
- Lorman Institute: Defending police and sheriff liability claims, Denver, Colorado, 2011.
- Calibre Press: Officer Survival, Westminster, Colorado 2011.
- Martinelli & Associates, Justice & Forensics Consultants: Lethal and non-lethal uses of force, 2012.
- Americans for Effective Law Enforcement (AELE): Lethal and less-lethal force conference, 2012.
- Institute for the Prevention of In-Custody Deaths, Henderson, Nevada: Arrest-related deaths, excited delirium and sudden in-custody deaths conference, 2013.
- Institute for the Prevention of In-Custody Deaths (IPICD), Henderson, Nevada: Legal, medical, and scientific restraints on human restraint conference, 2014.
- Americans for Effective Law Enforcement (AELE): Force management conference, 2014.
- Larimer County, Colorado Young Lawyers' Guest Panelist for Law Day: Individual rights, from the street to the bench, 2015.
- California Training Institute: Force encounters analysis & understanding human performance during critical incidents, 2015.
- Institute for the Prevention of In-Custody Deaths (IPICD), Henderson, Nevada: 10<sup>th</sup> annual excited delirium, agitated chaotic events, and arrest-related, in-custody deaths. Instructor certification received in the management of excited delirium and prevention of arrest-related deaths, 2015.
- Institute for the Prevention of In-Custody Deaths (IPICD), Henderson, Nevada: Total appendage restraint system (TARP), and agonal breathing. Instructor certification received in both areas), 2015.

- Americans for Effective Law Enforcement (AELE): Use of force and the biometric psychological and legal aspects of lethal and less lethal force and the management, oversight, and monitoring of the use of force conference, 2016.
- Americans for Effective Law Enforcement (AELE): Legal aspects of discipline and internal affairs investigations for law enforcement, public safety, and corrections conference, 2016.
- Americans for Effective Law Enforcement (AELE): Certified Litigation Specialist (CLS) specializing in police litigation. Americans for Effective Law Enforcement (AELE), 2016.

### **Staying Current**

In order to remain current with policing news, police practices and guidelines, and policing trends throughout the United States and other parts of the world, I subscribe to the monthly, "Police Chief" magazine prepared by the International Association of Chiefs of Police (IACP); the "IACP Highlights," which is an internet bulletin product produced by IACP daily Monday through Friday; the monthly "Case Law Notes, Publications and Notices of Seminars," produced by Americans for Effective Law Enforcement (AELE); the monthly "Tactical Edge" magazine produced by the National Tactical Officers' Association (NTOA); Periodic newsletters and announcements from the Institute for the Prevention of In-Custody Deaths; Periodic newsletters from the Force Science Institute, Minnesota State University at Mankato; "Corrections Today," the magazine of the American Correctional Association which is produced six times each year; the "American Police Beat," produced monthly by the APB Media; "CLM," which is the monthly magazine produced by the Claims and Litigation Management Institute; Periodic internet bulletins from the Commission On Accreditation for Law Enforcement Agencies (CALEA); Police One daily and weekly updates on criminal justice and policing issues; Frequent conversations and dialogue with practicing police professionals and other police practices experts.; and my work as a police practices expert.

### **Professional Awards**

Over my career, I have received several distinguished awards, and the following highlights summarize my achievements:

- Two-time recipient of the Westminster 710 Rotary Club's "Vocational Excellence Award," presented for maintaining high ethical business practices.
- Three-time award recipient of the Denver Regional Council of Governments' Awards for "Innovation in Policing and Police Productivity Monitoring;" "Implementation of a Police and Citizen Complaint Review Team Program;" and "A Regional Crisis Intervention Training Program for Police Officers."

- Honored by Colorado Congressman Mark Udall and the United States House of Representatives, on June 13, 2007 for “leadership and fortitude” as well as “four decades of public service”, and a “life-long commitment to public safety.” (*Volume 153 No. 95 of the Congressional Record*).
- Recipient of the Westminster Police Department Medal of Meritorious Service for “lifetime achievement in law enforcement,” September 2010.

### **Professional Memberships & Organizations**

Over the years, I have been, and in some cases continue to be, a member of several professional organizations. The following highlights summarize my involvement and commitment:

- Lifetime member of the International Association of Chiefs of Police.
- Past-President of the Colorado Association of Chiefs of Police and chairman of the association’s legislative and professional accreditation committees and currently a retired member of the organization.
- Past-President of the Denver Metropolitan Association of Chiefs of Police.
- Past-President of the Westminster 710 Rotary Club and the Westminster DARE Foundation.
- Past member of the North Metro Drug Task Force Board of Directors and the West Metro Drug Task Force Board of Directors.
- Past member of the North Metro Combined Critical Incident Investigation Team and the West Metro Combined Critical Incident Investigation Team Board of Directors.
- Past member of the Denver Metropolitan Crime Stoppers Board of Directors and the Westminster Public Safety Recognition Foundation Board of Directors.
- Former member of the Jefferson County District Attorney’s Adult Diversion Council, and the Metropolitan State College Curriculum Development Advisory Council for the Criminal Justice Department.
- Current member of, and/or affiliations with the International Association of Chiefs of Police; Colorado Association of Chiefs of Police; Institute for the Prevention of In-Custody Deaths; Force Science Institute; Commission on Accreditation for Law Enforcement Agencies; American Correctional Association; National Tactical Officers’ Association; Americans for Effective Law Enforcement; and the Retired Peace Officers of Colorado.

## **Fee Schedule**

1. A retainer of \$2,500, \$3,500, or \$5,000 is required, depending on the complexity of the case, the volume of discovery to be reviewed, and discovery deadlines.
2. Casework is invoiced at \$175 per hour and includes such tasks as document review, case file management, research, investigation, site visits, interviews, meetings, telephone conferences, report preparation, deposition preparation and trial preparation.
3. "Rush" casework is invoiced at \$225 per hour in cases where the date for report disclosure deadline and/or sworn testimony is 14 or less days from the date of the executed engagement agreement and receipt of the required retainer.
4. Deposition testimony is invoiced at \$275 per hour and payment is required in advance of, or at the time of deposition.
5. Trial testimony is invoiced at \$275 per hour, with a four-hour minimum.
6. Work that is required outside of the Denver metropolitan area or out of state where overnight accommodations are in order, will be invoiced at a flat daily rate of \$1,500 plus expenses, in lieu of any hourly rates described above.
7. Reimbursement for reasonable expenses is applicable, e.g. airfare, lodging, car rental, meals, taxis, Uber, shuttles, parking, special supplies, etc.

## **Sworn Testimony (July 2015-Present)**

This document reflects only those cases in which I have provided sworn testimony at a deposition, trial or hearing, and does not reflect the entire body of my work as a police, security, and public safety practices expert. Only 40 percent of my total body of work involves the need for sworn testimony.

### 2016

- ***Davies vs. City of Lakewood***, United States District Court, Colorado; 14-cv-01285-RBJ-BNB (Daubert Hearing). I testified as to my qualifications, and my testimony as a police practices expert was allowed.
- ***People of the State of Minnesota vs. Michael Montgomery***, Carver County District Court, Chaska, Minnesota; 10-CR-15-831(Criminal Hearing). I testified on behalf of the citizen defendant.
- ***Arndt et al. vs. Colorado Springs et al.***, United States District Court, District of Colorado; 1:15-CV-00922 (Civil Deposition). I testified on behalf of 12 female Colorado Springs Police Officer plaintiffs.

- *Van Dorn vs. Kansas Trucking*, Franklin County, Kansas District Court, Ottawa, Kansas; 14CV155 (Civil Trial). I testified on behalf of the company defendant.
- *Zachary vs. City of Mesa, Arizona*, State of Arizona Industrial Commission, Phoenix Arizona; 201522500134; (Administrative Hearing). I testified on behalf of the defendant City of Mesa, Arizona.
- *People of the State of Colorado vs. Jeffrey Stovall*, Adams County District Court, Brighton, Colorado; 15M5139 (Criminal Trial). I testified on behalf of the police defendant.
- *People of the State of Colorado vs. Byron Linton*, Adams County District Court, Brighton, Colorado; D12015CR3429 (Criminal Hearing). I testified as a subject matter expert on behalf of the citizen defendant.
- *People of the State of Colorado vs. Byron Linton*, Adams County District Court, Brighton, Colorado; D12015CR3429 (Criminal Trial). I testified as a subject matter expert on behalf of the citizen defendant.
- *Arndt et al. vs. City of Colorado Springs, et al.*, United States District Court, District of Colorado; 15-cv-00922-RPM-MJW. (Civil Trial). I testified on behalf of 12 female plaintiff police officers.
- *Jackson et al. vs. City of Cleveland, et al.*, United States District Court, Northern District of Ohio, Eastern Division; 1:15-CV-989 (Civil Deposition). I testified on behalf of several police defendants (now deceased).

## 2017

- *People of the State of Minnesota vs. Bryan and Tammy Lyons*, Chisago County District Court, Chisago City, Minnesota; 13-CR-15-593 (Criminal Trial). I testified on behalf of the citizen defendants.
- ***Ceballos vs. City of Thornton, et al.*, United States District Court, District of Colorado; 15-cv-1783-RPM (Civil Deposition). I testified on behalf of the estate of Mr. Ceballos who brought an action as a result of Mr. Ceballos being shot and killed by a police officer. This case is significant because the Tenth Circuit Court of appeals upheld the District Court Judge's ruling denying the defendants' motion for summary judgement, *Ceballos vs. Husk; City of Thornton, (No. 17-1216) (10<sup>th</sup> Cir. 2019)*. As a result of this landmark decision, strong case law was established within the Tenth Circuit that police officers can be constitutionally liable for creating the need to use lethal force, and that the court would now analyze and evaluate officer conduct leading up to and directly connected to the use of deadly force. The Court established a foundation for the future labeling of questionable pre-shooting officer**

**conduct as reckless and causing a confrontation that results in a citizen's death.**

- ***Martinez vs. Cruser and Graham*, Adams County District Court, Brighton, Colorado; 2016CV30206 (Civil Trial).** I testified on behalf of the citizen plaintiff.
- ***Schreiber vs. City & County of Denver*, United States District Court, District of Colorado, 16-CV-00203 (Civil Deposition).** I testified on behalf of the citizen plaintiff.
- ***Nosewicz vs. Janosko*, United States District Court, District of Colorado, 16-CV-00447-PAB-KLM (Civil Deposition).** I testified on behalf of the citizen plaintiff.
- ***Rocky Mountain Gun Owners vs. Governor John Hickenlooper*, Denver County District Court, 2013cv33879 (Civil Trial).** I testified on behalf of the citizen defendant, Colorado Governor John Hickenlooper.
- ***Nguyen vs. City & County of Denver*, United States District Court, District of Colorado, 16-CV-00879-LTB-CBS (Civil Deposition).** I testified on behalf of the police plaintiff.
- ***Alcayde vs. City of Ronan, Montana et al.*, United States District Court, District of Montana, 9:16-cv-00086-DLC (Civil Deposition).** I testified on behalf of the citizen plaintiff.
- ***Blasich vs. Cigarette Store Inc.*, Boulder County, Colorado District Court, 2016CV30195 (Civil Deposition and Trial).** I testified, both in deposition and trial on behalf of the company defendant.
- ***Sandoval vs. Platte River Bar & Grill*, Arapahoe County, Colorado District Court, 2016CV31385 (Civil Trial).** I testified on behalf of the company defendant.
- ***Nilges vs. Arapahoe County, Colorado et al.*** United States District Court, District of Colorado, 16-cv-00884-MEH (Civil Deposition). I testified on behalf of the citizen plaintiff.
- ***Jackson vs. Santa Fe, New Mexico et al.*** United States District Court, District of New Mexico, D-101-CV-2016-02239. (Civil Deposition). I testified on behalf of the citizen plaintiff.
- ***Montoya vs. City of Albuquerque*, New Mexico et al., United States District Court, District of New Mexico, 1:13-cv-00773-WJ-SGY (Civil Trial).** I testified on behalf of the citizen plaintiff.

2018

- **Solawetz vs. Grand County, Colorado, et al.**, United States District Court, District of Colorado, 1:17-cv-00939-PAB-KMT (Civil Deposition). I testified on behalf of the citizen plaintiff.
- **Carrigan vs. Park County, Colorado, et al.**, United States District Court, District of Colorado, 1:16-cv-03079-MSK-MJW (Civil Deposition). I testified on behalf of the family of the slain police plaintiff.
- **People of the State of Texas vs. Shaun Puente**, Atascosa County, Texas District Court, 14-0040-CRA (Criminal Trial). I testified as a subject matter expert on behalf of the citizen defendant.
- **McGrath vs. Fort Collins, et al.**, United States District Court, District of Colorado, 17-cv-0177-LTB (Civil Deposition). I testified on behalf of the citizen plaintiff.
- **Jackson vs. Santa Fe, New Mexico**, Santa Fe County, New Mexico Judicial District, D-101-CV-2016-02239 (Civil Trial). As stated earlier, I testified on behalf of the citizen plaintiff.
- **People of the State of Colorado vs. Mikaela Surat**, County Court, Larimer County, Colorado, 2017M965. (Criminal Trial). I testified on behalf of the citizen defendant.
- **People of the State of Colorado vs. James Young**, District Court, Gunnison County, Colorado 17-287 (Criminal Sentencing Hearing). I testified on behalf of the citizen defendant.
- **Talley vs. City and County of Denver**, United States District Court, District of Colorado, 16-cv-2327(RPM) (Civil Deposition). I testified for the citizen plaintiff.
- **Mertes vs. City of Rogers, Minnesota**, United States District Court, District of Minnesota, 2018CV03243 (Civil Deposition). I testified on behalf of the citizen plaintiff.
- **Corporal Joe Lamb vs. City of Louisville, Colorado**, Appeal of Employment Termination (Administrative Hearing). I testified on behalf of the defendant chief of police.

2019

- ***Brian Maloney vs. City of Pueblo, Colorado et al.***, United States District Court, District of Colorado, 17-cv-02121-WJM-STV (civil deposition). I testified on behalf of the citizen plaintiff.
- ***People of the State of Colorado vs. Deputy Larry Wheeler***, Jefferson County, Colorado County Court, CO302018M002873 (Criminal Trial). I testified on behalf of the police defendant.
- ***People of the State of Colorado vs. Louis Sebastian***, Boulder County, Colorado District Court, 17CR1123 (Criminal Trial). I was retained as a subject matter expert on behalf of the citizen defendant.
- ***Al Baaq vs. City of Broomfield, Colorado et al.***, United States District Court, District of Colorado, 18-CV-618 (Civil Deposition). I testified on behalf of the citizen plaintiff.
- ***Talley vs. City of Denver, et al.***, United States District Court, District of Colorado, 16-cv-2327-RPM (Civil Deposition). I testified on behalf of the citizen plaintiff.
- ***People of the State of Texas vs. Gary Green***, Nueces County, Texas District Court, 19FC-1013C (Criminal Trial). I testified as a subject matter expert on behalf of the citizen defendant.
- ***People of the State of New Mexico vs. Police Sergeant David Priemazon***, Bernalillo County, New Mexico District Court, D-202CR-2-1803998 (Criminal Trial). I testified as a subject matter expert on behalf of the district attorney's office.

2020

- ***Holmen vs. Weld County Sheriff's Department***, Weld County, Colorado Personnel Board (Employment Termination Appeal). I testified on behalf of the appellant.
- ***People of the State of Colorado vs. William Cline***, La Plata County, Colorado District Court, Case No. 19CR91 (Criminal Trial). I testified on behalf of the citizen defendant.

**Published Articles (2000-Present)**

1. "Police and the Use of Force," Colorado Municipal League Newsletter, 2000.



2. "Excessive Force 101," FBI Law Enforcement Bulletin, 2005.
3. "Ten tips for management success and survival," Colorado Association of Chiefs of Police, Command Post Newsletter, 2008.
4. "Police lawsuits-some thoughts for sheriffs and chiefs, Colorado Association of Chiefs of Police Command Post Newsletter, 2009.
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