

## Steve Hasler

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**From:** A A <andyleibbrand754@gmail.com>  
**Sent:** Friday, November 5, 2021 4:52 PM  
**To:** Steve Hasler; Michael Lawson  
**Cc:** Mike Lowe  
**Subject:** Response to Notice of Recommended Discipline

[EXTERNAL]

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Chief Hasler,

Thank you for the opportunity to provide you with a response and mitigating facts prior to you making a decision regarding my employment with Woodland Park, a community I have served faithfully for over ten years. You should know that in all that time, I rose through the ranks consistently and have no disciplinary history whatsoever. Please understand that in light of my record, commitment, and length of service to the people of Woodland Park, I have difficulty understanding how a single, tragic incident reviewed after the fact with the convenience of 20/20 hindsight could result in a recommendation of termination of my employment. During the Mitchell call, I performed consistent with not only how I had been trained in my years with Woodland Park, but also consistent with my years of practice and experience with the Department, which have never before been questioned.

It is important to point out at the beginning that Mr. Schultz's investigation leaves out several important factors, and seems to completely ignore others. Perhaps most critically, Mr. Schultz appears to make no effort to establish the training that Woodland Park PD engaged in and continues to engage in with respect to mental health contacts, and specifically suicidal individuals, consistent with national standards. For example, there is no mention in Mr. Schultz's investigation of our utilization of the Status: Code 4, Inc. training protocols, which is specifically targeted to provide mental health and trauma resources and training for first responders and their families. In fact, our Department utilizes their training protocols and conducts monthly reviews with the organization to ensure we are properly trained. There is no mention in the report that Sgt. McDaniel is the mental health advocate for the Woodland Park Police Department, or that Sgt. McDaniel brings over fifteen years of experience—the bulk of it with a major metropolitan police force, Denver—to his position with Woodland Park. To that point, it is fundamentally unfair for Mr. Schultz to ignore this fact of Sgt. McDaniel's experience, while claiming that I failed to recognize that Sgt. McDaniel had only been a sergeant for eight months at the time of this call. The fact is that Sgt. McDaniel has years of experience, is the mental health advocate for the Department, has attended the same training myself and the rest of the Department has attended and continues to attend, and there was thus no reason to suspect Sgt. McDaniel was not accurately and competently assessing the situation on an ongoing basis that evening, or that he was inadequately communicating with me. As a Commander, I have to be able to rely on the judgment and experience of my sergeants in the performance of their duties, and Sgt. McDaniel has never given me any reason to doubt his competence or judgment. It is thus unfair to graft a generalized policy regarding "appropriate guidance and control" of subordinates to the specific circumstances of the Mitchell case. It is simply not a policy violation to rely on experienced, high-performing subordinates. And there is no policy of the Woodland Park Police Department or the City that requires commanders to respond to the scene of suicidal suspects, or requires them to exercise command in-person rather than remotely, based on circumstances and information. To the contrary,

Woodland Park Police Department Policy 430, which covers persons in crisis, expressly states that “strategic disengagement” is to be considered in these situations and may be the most reasonable response. This is no surprise, as many of the resources cited by Mr. Schultz make similar recommendations. Critically, Mr. Schultz nowhere references the trainings of internationally-recognized Force Science Institute—utilized by Woodland Park—which presents training specifically stating that when confronting a suicidal individual who is not committing a serious crime and is not an active threat to anyone other than themselves, the best response may be to withdraw.

Similarly, none of the extensive training I’ve received indicated to me that Sgt. McDaniel was not handling the call appropriately, or that my presence was required. As with the rest of Mr. Schultz’s investigation, there is no mention in his report of the simulation scenarios we engage in yearly, at an extensive cost to a small jurisdiction like Woodland Park, where actors are paid thousands of dollars to come in and act the part of individuals in mental health crisis. Nor is there any mention of the ongoing Department efforts to send every officer to be CIT certified, or that the mental health concerns of citizens, and particularly veterans, falls very close to home with many at the Department. There is simply no mention, or even an indication, that Mr. Schultz considered the fact that our polices are not only regularly reviewed and updated, they are directly adopted from Lexipol, a nationally accredited agency and the gold standard for law enforcement policies.

The lack of recognition of these efforts, training and experience in Mr. Schultz’s report perhaps explain why the suggestions he makes as to other measures that could have been taken would actually have made the situation more dangerous, and more likely to result in harm to law enforcement, mental health professionals, or citizens on the evening of the Mitchell case. It is important to recognize that not one of the generalized articles Mr. Schultz references in his report addresses a scenario where a suicidal individual has threatened to kill himself if law enforcement is summoned, much less any scenario where the individual’s immediate family members *recommend* and *agree with* the decision to tactically withdraw, ensure their safety, and minimize the chance that the individual would escalate. In fact, one of the articles actually recommends that course of action in a scenario very similar to that encountered with Mr. Mitchell. The fact is that had we taken the measures suggested by Mr. Schultz in his report—me responding to the scene and assuming command, Sgt. McDaniel summoning a SWAT Team to the home, ordering MAPS or any number of other mental health professionals to the scene, making subversive attempts to contact Mr. Mitchell to discuss his mental state, etc.—Mr. Mitchell would almost certainly have made good on his threat to commit suicide, and then the Department and the City would be in an even less enviable position of justifying a response that almost certainly forced Mr. Mitchell’s hand, and would be spun in the media as the Department actually *making* Mr. Mitchell kill himself. Those suggestions from Mr. Schultz are thus not only without basis, they do not take into account the specifics of the situation confronted that night. Yes, it is a tragedy that Mr. Mitchell committed suicide that evening. But the actions taken that night, by everyone involved, were within policy and designed to minimize the chance of that happening. Unfortunately, those efforts were not enough, as is sometimes the case. It is important to note also that Mr. Schultz did not consult Officer Jeff Sanchez (the other Woodland Park Officer on the scene with Sgt. McDaniel that night), or the former Chief of Police, who agreed with the actions taken that night, along with the consulted family members.

There are several other factual misrepresentations in Mr. Schultz’s report, which, along with his failure to interview directly involved individuals, ought to throw his conclusions into question. The fact is that in September 2020, the last remaining hostage negotiator (which Mr. Schultz wrongly suggests should have been called to the scene) in Teller County left the Woodland Park Police Department. As of December 2020, no

replacement had been found. Therefore, despite Mr. Schultz's representations, that resource was simply nonexistent on that evening. Similarly, the citation to cases *subsequent* to the Mitchell incident that Mr. Schultz refers to, have no bearing on the common, historical practice of both MAPS and the SWAT team to not respond to suicidal parties. Those representations in the report are simply inaccurate and completely contrary to my years of application and experience with the Woodland Park Police Department.

Considered as a whole, Mr. Schultz's report seems to criticize the small Department of Woodland Park based on the perspective of much larger departments with a huge amount of manpower and resources, which our department simply does not have. That is simply unfair to place the limitations of a small police force on the shoulders of a single officer. In this case, the response should be to utilize this incident as a training opportunity, which I deeply wish to participate in. I would enthusiastically participate in the refinement and expansion of our training protocols and policies and procedures, targeted at improving responses to these scenarios. I would be an asset in that endeavor, and I would put all my energy into that process. But terminating a long-time officer who did not violate any policies or procedures of the Department is not an effective way to maintain and improve morale, and would in fact have the opposite effect.

Chief Hasler, I respectfully request that I be allowed to continue my service to the people of Woodland Park by continuing in my role as an Officer, and be allowed the opportunity to address any shortcomings in the Mitchell response through improvement and expansion of the practices, policies, and procedures of the Woodland Park Police Department.

Thank you for your consideration.

Sincerely,

Andrew Leibbrand