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## MEMORANDUM

To: Chris Deisler, Chief of Police

From: Kristyn Arseneau, Captain

Date: 03/06/2024

Ref: IA 2024-001

I am submitting this memorandum to you as it relates to the findings of Internal Affairs investigation 2024-001 conducted by Manitou Springs Police Department regarding Officer Patrick Vigil. At your direction, I initiated a formal investigation on February 6, 2024 into Officer Patrick Vigil making an untruthful statement in a case report.

Based on the allegations, it was determined an outside agency would conduct this investigation. On February 7, 2024, I spoke with Commander Sevene at the Manitou Springs Police Department for assistance with this investigation. He agreed to assist and requested all related documentation.

### **COMPLAINT SYNOPSIS:**

On February 5, 2024, Lieutenant Crist provided the following memorandum to me reference case 24-0102:

*"On 02/05/2024, I, Lieutenant Henry Crist reviewed Woodland Park Police Department (WPPD) case [REDACTED] – Information Item. During my review, I identified acting Sergeant Patrick Vigil and Officer Dominic Madronio responded to a domestic disturbance in progress on 02/04/2024. Based on information in acting Sergeant Vigil's narrative, I reviewed his body worn camera footage of the incident. My review disclosed acting Sergeant Vigil clearly established probable cause violation of Colorado Revised Statute occurred, and the suspect was in an intimate relationship with the victim. However, acting Sergeant Vigil and Officer Madronio failed to make an arrest IAW WPPD Policies 309 and 319 and CRS 18-6-803.6.*

*I rejected acting Sergeant Vigil's report and requested he articulate further concerning the criminal allegations, the steps taken to investigate the allegations, and how he came to the conclusion no criminal act occurred. Acting Sergeant Vigil made changes to the report to include*



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*the phrase “parties did not pursue charges.” During my review of body worn camera footage, I did not observe either acting Sergeant Vigil or Officer Madronio ask either party if they wished to pursue criminal charges. Rather, acting Sergeant Vigil made it clear to both parties their actions did violate harassment, but he did not think arresting either party was appropriate.*

*Based on the information I collected, I am forwarding to you for determination on whether this should be a supervisory investigation or internal affairs investigation.”*

#### **INVESTIGATION:**

Refer to the investigation binder provided by Commander Sevene.

#### **VIOLATIONS OF POLICY:**

- **Policy 319.3.2 (A)(1)(4) Conduct Unbecoming – NOT SUSTAINED**

- **Policy 319.4 (A)(D) Job Knowledge & Performance – SUSTAINED**

Officer Vigil failed to make an arrest for domestic violence case [REDACTED]. When his case report was rejected by his Lieutenant he provided clearly false information.

- **Policy 319.4 (G)(H) Job Knowledge & Performance/Truthfulness – SUSTAINED** Officer Vigil wrote in his official police report of this incident, “We discussed the water throwing incident and both [REDACTED] did not want to pursue charges.” Under the official IA investigation process, Commander Sevene asked Officer Vigil if that was a true statement. Officer Vigil responded, “That’s not a true statement. No.”

- **WPPD Policy 319.5(C) Neglect of Duty – SUSTAINED**

Officer Vigil wrote in his official police report of this incident, “We discussed the water throwing incident and both [REDACTED] did not want to pursue charges.” Commander Sevene asked Officer Vigil if that was a true statement and he responded, “That’s not a true statement. No.”

- **WPPD Policy 309.9.1 ((A)(C) Standards for Arrest (CRS 18-6-803.6) – SUSTAINED**

Per CRS 18-6-803.6, when a peace officer determines that there is probable cause



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to believe that a crime or offense involving domestic violence, as defined in section 18-6-800.3 (1) has been committed, the officer shall, without undue delay, arrest the person suspected of its commission.

Officer Vigil made it clear on body worn camera that the actions of the victim and suspect did violate the criminal statute Harassment but he failed to make an arrest.

### **RECOMMENDATION**

In light of the sustained policy violations, particularly one involving truthfulness, I recommend termination of Officer Vigil's employment.