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June 24, 2024

Jeffrey P. Wood
P.O. Box 703
85 Mountain View Drive
Ouray, Colorado, 81427

Courtesy copy to relkus@elkusandsisson.com

Reid Elkus, Esq.
Elkus & Sisson, P.C.
7100 E. Bellevue Avenue, Ste 101
Greenwood Village, CO 80111

RE: Notice of Termination Action Pursuant to Personnel Regulations, Chapter 7

Dear Mr. Wood:

As you know, you were placed on administrative leave with pay on January 29, 2024, pending the outcome of the criminal trials for alleged rape of a young woman by your stepson and two others. The rape allegedly occurred in your home while you were upstairs sleeping.

Since you were placed on paid leave there have been two internal affairs investigations conducted by an independent investigator hired by the City Attorney because of three written complaints the city received. The first complaint and investigation involved a juvenile whose record has been expunged and an accusation of excessive force and, to a lesser degree, police misconduct, during the investigation. The second complaint and investigation involve a former police department evidence clerk and an accusation regarding the department's handling of an investigation involving a janitor at the elementary school who was taking inappropriate photos of young children at school, as well as other allegations about you. The criminal investigation at issue in the complaint was an important investigation involving digital evidence, a special needs perpetrator who was a janitor at the school and very young victims. The third complaint, which was part of the second investigation, involved a twenty-two (22)

year old citizen who said that she was made to feel uncomfortable on two different occasions by comments you made to her.

As a result of the investigations, on June 7, 2024, I issued a Notice of Contemplated Disciplinary Action to you, which is incorporated herein by reference. In response, you requested a meeting with me, which was held on June 21, 2024. Your attorney and the City Attorney attended this meeting along with you and me. At that meeting, in summary, you provided me with a list of accomplishments for me to consider. You also denied you treated the janitor case cavalierly and claimed you provided proper oversight concerning the investigation. As to the body worn camera violations, you said you had a complete exemption to the statutory requirements as a member of administrative staff. You also indicated you felt the second investigation was unfair and that you were targeted. Lastly, you claimed you had a first amendment right to speak regarding your opinions on the Black Lives Matter (BLM) movement, while on duty, including calling it a “terrorist organization.”

I have considered all the information, including what you provided at the meeting. After considering all the facts and information before me, I have determined that you engaged in poor work performance, violations of state law and other actions inappropriate for the Chief of Police. Despite your claim to the contrary, the evidence shows that you treated the janitor case in a cavalier manner, as well as provided insufficient oversight for the janitor investigation given the subject matter and importance of these types of cases within the community. You also failed to accept assistance from the Ouray County Undersheriff who is well seasoned in investigating allegations of sexually based offenses involving young children.

As for your failures associated with the state law requirement related to body worn cameras, it is my understanding that you are not completely exempt from ever having to use body worn cameras and that such was a state statutory requirement whenever you were engaged in enforcing the law or investigating possible violations of the law. Such actions are not administrative duties and therefore your claim of complete exemption is unreasonable, and you engaged in violations of statute law when you failed to use a camera during such law enforcement activities.

Next, I have seen no evidence that you are being unfairly targeted or that the investigations were in any way unfair. In fact, it seems just the opposite. Recently, people have spoken to me about your behavior and concerns surrounding you, but due to fear of retaliation, they were unwilling to provide formal complaints. From what I could tell, if you had not placed members of the public in fear of reporting, the City may have received more complaints which needed investigation.

As for your remarks about the BLM movement, I do not see how calling it a terrorist organization is protected speech, and in any event your speech while on duty would not be protected. Further, it shows a lack of regard for City staff and the public.

As a result, I do not find any of your claimed excuses and/or alleged mitigation for your poor work performance and/or misconduct to be reasonable nor mitigate the severity of these violations of policy and/or the law.

To make matters even worse, on June 21, 2024, I learned that you displayed an image on the back window of your vehicle while you were parked on Main Street. You were observed sitting in your vehicle for a significant amount of time. Frankly, more time than seems reasonable and therefore leads to questions as to your motives. That aside, the attached photos were taken and sent to me. In the photos you can see a graphic depicting two individuals engaged in doggie style sex, while an adult and two children are present. Not only is this graphic in poor taste and not conduct becoming of the Chief of Police, given the allegations involving your stepson and the type of activity at issue in those allegations, it is offensive. There is no legitimate reason for such a graphic to be on your vehicle and it constitutes a violation of the law enforcement code of ethics contained in the 2016 Ouray Police Department Policy Manual, p.1, ¶ 2. That code states:

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department.

It also violates the City of Ouray Personnel Regulations, Section 7-2(H) regarding conduct on or off the job which is unbecoming, or which has an adverse effect on the reputation of the City. Lastly, it violates the terms of the Written Action Plan, dated January 29, 2024, where as a condition of you being on administrative leave with pay, you were “to refrain from making any statements to anyone regarding these criminal proceedings, or any tangential issues” to protect the City of Ouray and the Ouray Police Department from further discredit.

While the recent photographs could provide separate grounds for serious disciplinary action, I have not made the disciplinary decision based on them. Rather, I only note this information because it provides but one more example of why I have not chosen lesser discipline. These photos show, at best for you, a horrible lack of judgment and, at worst, an intent to make a mockery of allegations of rape and a continued cavalier attitude as to sexual related offenses and your actions associated therewith.

In conclusion, based upon the conduct and policy violations set forth in the Notice of Contemplated Disciplinary Action, I find you have engaged in misconduct and violations of policy and state law. I no longer trust you to comply with policy, let alone enforce it or lead by example, and I do not trust your judgment to lead the police department.

Mr. Jeffrey Wood
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As a result, your employment is terminated effective today. HR will have your last paycheck available today.

Sincerely,

A handwritten signature in black ink, appearing to be 'SC', with a long horizontal line extending to the right.

Silas Clarke
City Administrator

Encl: Photos of vehicle, dated June 21, 2024

Cc: To be forwarded by City Attorney Carol Viner to Reid Elkus, Chief Wood's attorney

8:39

LTE 79

Photo

Done



8:30

LTE 80

Photo

Done

