



BRUNO LILLY LECLERE, PLLC

A CRIMINAL DEFENSE LAW FIRM

June 11, 2024

Garden City Police Department, Garden City, CO
ATTN: Chief of Police
621 27th Street Road
Garden City, CO 80631

Re: Our Client: Sofia Salas
Date of Loss: December 14, 2023

RE: LETTER OF REPRESENTATION AND NOTICE FOR SOFIA SALAS

Dear Chief Jeremy Black,

Our Firm represents Ms. Sofia Salas in her claims against employees of the Garden City Police Department for violations of her civil rights, pursuant to 42 U.S.C. § 1983 and § 13-21-131, C.R.S.

NOTIFICATION PURSUANT TO C.R.S. § 24-10-109

CLAIMANT

SOFIA SALAS
1321 2nd Street
Greeley, CO 80631

CLAIMANT'S ATTORNEYS

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BASIS OF CLAIMS

The following facts clearly establish that members of the Garden City Police Department (“GCPD”) violated Ms. Salas’ constitutional rights under the United States and Colorado constitutions, vindicable by 42 U.S.C. § 1983 and § 13-21-131 C.R.S., respectively.

On December 9, 2023, at around 2355 hours, Officer Alyssa Hewell reportedly attempted a traffic stop on a vehicle that failed to yield and drove away. Officer Hewell reported that the vehicle was a gray Subaru Crosstrek with a black Colorado license plate. In her report, Officer Hewell mentions two license plate numbers: DYJZ83 and DYJZ40. Neither license plate number was connected with a vehicle that matched back to a Subaru. On December 13, 2023, Officer Jay Billings conducted a partial search of the license plate prefix DYJ and found that license plate number DYJZ48 was connected with a silver Subaru Crosstrek registered to Sofia Salas. Officer Billings printed off a photo of the vehicle and Officer Hewell alleged it was the vehicle she attempted to stop on December 9, 2023.

On December 14, 2023, at around 2115 hours, officers Alyssa Hewell, Jay Billings, and Sergeant Ken Amick arrived at 1321 2nd Street, Greeley, CO 80631, the home of Sofia Salas. Officer Hewell and Sergeant Amick knocked on Ms. Salas’ door and requested information about the vehicle parked in her driveway. Ms. Salas confirmed the vehicle belonged to her. The officers asked Ms. Salas who was driving her vehicle around midnight on December 9, 2023. Ms. Salas told the officers that she was sleeping at that time and that no one should have been driving the car. Officer Hewell explained to Ms. Salas that her vehicle matched the description of a vehicle that had failed to yield for a traffic stop – it was the “same Subaru, same plate, except for one digit.”

Officer Hewell then told Ms. Salas that if she did not tell the officers who was driving the car that night, they would tow the vehicle. Ms. Salas again explained that no one was driving the car at that time, as she was sleeping and her car was at her home all night. Sergeant Amick re-emphasized to Ms. Salas that if she did not tell them who was driving, they would tow her car. She responded, “I can’t,” because she knew and already told the officers that no one was driving her vehicle. The officers walked away from Ms. Salas, toward the driveway and back alley. The GCPD officers proceeded to call in a truck to tow Ms. Salas’ vehicle and waited for the truck to arrive. At around 2200 hours, Sergeant Amick and Officer Hewell spoke to Ms. Salas again. Sergeant Amick explained to Ms. Salas that her car would be placed on a criminal hold, so Superior Towing would not release the vehicle to her. Ms. Salas asked, “How am I supposed to get to work in the morning?” Sergeant Amick suggested that she talk to whoever was driving the vehicle, and Ms. Salas repeated that no one was driving the vehicle. All of this was done in front of Ms. Salas’ young grandchild. Further, police illegally confiscated the personal property contained inside the vehicle. Ms. Salas is the caretaker of her son, a handicapped individual who needs a wheelchair in order to move around. The wheelchair was in the vehicle upon the Garden City Police Department towing Ms. Salas’ vehicle.

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Ms. Salas' vehicle was towed and booked into Superior Towing, 3030 1st Avenue, Greeley, CO 80361, at 2242 hours on December 14, 2023. Ms. Salas was provided paperwork that indicated the vehicle in question was involved in a "failure to yield" which is a traffic infraction. The paperwork further indicated that the vehicle driver had not been identified. The vehicle was placed on an evidentiary hold and Ms. Salas was unable to retrieve it from the lot. On December 26, 2023, Ms. Salas received a voicemail from Sergeant Amick in which he stated, "If you have additional information in regard to who was driving the vehicle, please give me a call and then we can see about getting that hold taken off your vehicle."

It is unclear what, if any, investigation was being done during the month that the car was held at Superior Towing. After the tow on December 14, 2023, only one police report was written. In that report, Officer Hewell stated that she had "exhausted all efforts" to identify the driver and that Chief Black should release the vehicle. Officer Hewell incorrectly dated the report to December 9, 2023, so it is unclear when it was actually prepared. Ms. Salas was forced to hire an attorney to help her retrieve her personal property, including the wheelchair that was contained in her vehicle. On January 11, 2024, at 1612 hours, counsel sent a request to remove the hold to Garden City Police Chief Jeremy Black. Chief Black released the hold on January 11, 2024, at 1711 hours.

As a result of the towing of Ms. Salas' car without probable cause, Ms. Salas was needlessly deprived of her personal property and had no means of transportation to and from work for a month. Ms. Salas missed several days of work and lost the pay she would have otherwise made. Ms. Salas was also forced on several occasions to order rides through the Lyft app, costing her a total of \$365.96. Because the vehicle was on a law enforcement hold while in the tow lot, Ms. Salas was ultimately forced to pay \$1,745.24 to get her vehicle out of the Superior Towing lot. Ms. Salas son was unnecessarily bed ridden during this time. Ms. Salas and her family have been traumatized by the actions of the Garden City Police Department and have required mental health counseling.

NON-EXHAUSTIVE LIST OF GOVERNMENT EMPLOYEES INVOLVED

1. Jeremy Black – Garden City Police Dept.
2. Ken Amick – Garden City Police Dept.
3. Alyssa Hewell – Garden City Police Dept.
4. Jay Billings – Garden City Police Dept.

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INJURY SUFFERED

Ms. Salas has suffered the following harm:

1. Illegal and unconstitutional seizure in violation of Ms. Salas' rights under the 4th and 14th Amendments to the United States Constitution, as well as Article II, Section 7 of the Colorado State Constitution: Ms. Salas' vehicle and the items within it were seized by the Garden City Police Department without probable cause. Ms. Salas was therefore deprived of her personal property for a month despite there being no reason to believe that any crime was committed by Ms. Salas.
2. Illegal and unconstitutional seizure in violation in violation of Ms. Salas' rights under the 4th and 14th Amendments to the United States Constitution, as well as Article II, Section 7 of the Colorado State Constitution: As a result of the illegal seizure, Ms. Salas was forced to miss work, to pay for rides to and from work, and to pay the fee to get her vehicle out of the Superior Towing lot.
3. Illegal and unconstitutional seizure in violation in violation of Ms. Salas' rights under the 14th and 4th Amendments to the United States Constitution, as well as Article II, Section 7 of the Colorado State Constitution: Ms. Salas suffered significant psychological and emotional trauma from this incident from which she will likely never recover.

AMOUNT OF MONETARY DAMAGES

Ms. Salas is seeking damages of at least \$500,000.00, in addition to attorneys' fees, expenses, and future damages incurred.



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ACKNOWLEDGEMENT

Pursuant to § 13-21-131, C.R.S., the pre-filing procedure prescribed by § 24-10-118, C.R.S. is inapplicable to this action. Failure to respond to this notice will result in the filing of a formal action against one or more of the employees of the Garden City Police Department indicated above. Please send all correspondences to me directly.

Warmest Regards,

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