



## Council Request Update

January 25, 2018

**Council Request: 17-089**

**Requested by:** Council Member Barrentine

**Request:** Update on Simon Center resident convicted of sexual harassment of other residents. What can the City do to see that he is evicted from the building?

**Assigned to:** Police Department

**Response:** Please see attached response from Deputy Chief Sam Watson

**Council Request: 18-002**

**Requested by:** Mayor Pro Tem Russell

**Request:** Request for information on assault in the 4300 block of S. Broadway and ongoing problems at Giving Heart

**Assigned to:** Police Department

**Response:** Please see attached response from Commander Kelly Martin

**From:** Eric Keck  
**Sent:** Wednesday, January 24, 2018 1:54 PM  
**To:** #City Council  
**Subject:** FW: Comment Form  
**Attachments:** 17-089 Simon Center 2.doc; 17-089 Simon Center.doc; 17-089 Simon Center 2 Update.doc

Here is an update on the Simon Center complaint that a few Council members have forwarded and/or spoken with me about.

Thank you.

Eric Keck

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**From:** Sam Watson  
**Sent:** Wednesday, January 24, 2018 1:47 PM  
**To:** Eric Keck <ekeck@Englewoodco.gov>  
**Cc:** John Collins <jcollins@Englewoodco.gov>  
**Subject:** FW: Comment Form

Eric,

Below is the response from IMPACT on this Webmaster inquiry. As you will see IMPACT contacted the author of the webmaster inquiry who is satisfied with the outcome relative to the police investigation and response. It appears that his concern is still directed at the Housing Authority although this is a civil situation that is in their hands.

Additionally, I attached the Council Requests that were generated on this issue last year.

Please let me know if you need any more on this.

Sam

**From:** Daniel McCubbin <[dmccubbin@Englewoodco.gov](mailto:dmccubbin@Englewoodco.gov)>  
**Date:** January 23, 2018 at 2:15:50 PM MST  
**To:** Reid McGrath <[rmcgrath@Englewoodco.gov](mailto:rmcgrath@Englewoodco.gov)>  
**Subject:** RE: Comment Form

I just spoke with Bob Jennings about his frustrations with this. He told me that he has no concerns with the Police department and that he has called the EHA several times trying to figure out why Theodore Abeyta has not been evicted or removed from the building. He understands that Eviction is a civil matter. He also told me that he has had almost no interaction with Abeyta since the court case was completed.

I asked him if he had any concerns that I could help him with and he told me he no. I told him to contact me if he had any Police matters he needed help with.

Please let me know if there is anything else I can do with this.

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**From:** Reid McGrath  
**Sent:** Tuesday, January 23, 2018 9:51 AM  
**To:** Daniel McCubbin <[dmccubbin@Englewoodco.gov](mailto:dmccubbin@Englewoodco.gov)>  
**Cc:** Sam Watson <[swatson@Englewoodco.gov](mailto:swatson@Englewoodco.gov)>  
**Subject:** FW: Comment Form

Dan  
Please contact Bob Jennings and anyone else related to this complaint that may have new information.

Since this is a council/CMO generated issue please handle as a priority and complete the investigation as soon as possible.  
Thanks  
Reid

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**From:** Sam Watson  
**Sent:** Monday, January 22, 2018 12:26 PM  
**To:** Reid McGrath <[rmcgrath@Englewoodco.gov](mailto:rmcgrath@Englewoodco.gov)>  
**Cc:** John Collins <[jcollins@Englewoodco.gov](mailto:jcollins@Englewoodco.gov)>; Tim Englert <[tenglert@Englewoodco.gov](mailto:tenglert@Englewoodco.gov)>  
**Subject:** FW: Comment Form

Reid,  
This was an IMPACT Project and I have attached the (three) Council Requests that were generated back in May, 2017 that relate to this issue. The CM has asked that we follow up on this new inquiry. Can you please review the case and have someone from IMPACT contact Mr. Jennings.

Thanks and please let me know how it goes.

Sam

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**From:** Alison Carney  
**Sent:** Monday, January 22, 2018 11:02 AM  
**To:** Sam Watson <[swatson@Englewoodco.gov](mailto:swatson@Englewoodco.gov)>  
**Subject:** FW: Comment Form

Hi Sam,  
I showed this to Eric and he said it should go to you.

Thanks,  
Alison

**From:** [info@englewoodgov.org](mailto:info@englewoodgov.org) [<mailto:info@englewoodgov.org>]  
**Sent:** Sunday, January 21, 2018 1:48 PM  
**To:** #Webmaster <[webmaster@englewoodco.gov](mailto:webmaster@englewoodco.gov)>  
**Subject:** Comment Form

A new entry to a form/survey has been submitted.

**Form Name:** Comment Form  
**Date & Time:** 01/21/2018 1:48 PM  
**Response #:** 695  
**Submitter ID:** 9333  
**IP address:** 75.166.95.154  
**Time to complete:** 11 min. , 6 sec.

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**Survey Details**

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**Have a question or comment? We'd like to hear from you.**

Please submit your inquiry or comment on the form below.

**I'd like to comment or inquire about:**

Other

**If other, please specify:** Englewood Public Housing criminal activity

**Your Name:**

[REDACTED]

**Question or Comment:**

To members of the City Council;

Since you are the ones who appoint members of the board of Englewood Housing Authority, why aren't you monitoring the situation concerning the situation concerning the criminal activity in Simon Center?

One man, Theodore Abeyta, (Apt. 306), has been convicted TWICE of hitting other residents of the above building.

EHA management has decided to defer any action against that person even tho' Federal HUD rules states clearly that such behavior is one that should result in (immediate) eviction.

Can anyone give me a reasonable answer for the inaction?

I am available to discuss this with anyone at any time.

[REDACTED]

Thank you,  
**City of Englewood, Colorado**

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**TO:** Chief John Collins  
**FROM:** Deputy Chief Sam Watson  
**DATE:** May 17, 2017  
**SUBJECT:** Council Request 17-089

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CR17-089

Requested by: Council Member Barrentine: Requested that the City provide an update on the man from the Simon Center who was convicted of sexual harassment of residents within the building. He is still living in the Simon Center and on probation; What can the City do to see that he is evicted from the building?  
Assigned to: Police Department

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This case has been assigned to the Englewood Police IMPACT Team. Officer Dan McCubbin has been assigned this case and will follow up with those at the Simon Center who may offer more information. Officer McCubbin will then analyze any new information and determine if probable cause exists for new criminal charges or if the information will be supplemental to the previous police case.

The previous police case (from October 3, 2016) was investigated for a municipal violation of Harassment (not sexual harassment) and as a result, a municipal summons was issued. The defendant plead guilty to the charge of Harassment and received a deferred judgment. The City Prosecutor has been provided new information by Ms. Hults and is reviewing it for a potential violation of that judgment.

A potential eviction is a civil matter that (if it occurs) will be between the landlord (property owner) and the tenant, and commonly that will occur as a result of a lease violation. The Police Department does not initiate an eviction; however, they can assist when all of the civil paperwork and judgments are issued.



**TO:** Chief John Collins  
**FROM:** Deputy Chief Sam Watson  
**DATE:** May 17, 2017  
**SUBJECT:** Council Request 17-089

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CR17-089

Requested by: Councilmember Barrentine: Requested that the City provide an update on the man from the Simon Center who was convicted of sexual harassment of residents within the building. He is still living in the Simon Center and on probation; What can the City do to see that he is evicted from the building?

Assigned to: Police Department

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A potential eviction is a civil matter that (if it occurs) will be between the landlord (property owner) and the tenant, and commonly that will occur as a result of a lease violation. The Police Department does not initiate an eviction, however, they can assist when all of the civil paperwork and judgments are issued.



**TO:** Chief John Collins  
**FROM:** Deputy Chief Sam Watson  
**DATE:** May 31, 2017  
**SUBJECT:** Update to Council Request 17-089

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CR17-089

Requested by: Council Member Barrentine: Requested that the City provide an update on the man from the Simon Center who was convicted of sexual harassment of residents within the building. He is still living in the Simon Center and on probation; What can the City do to see that he is evicted from the building?

Assigned to: Police Department

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**Update to Council Request that was submitted on response on 5/17/2017.**

Officer McCubbin (Police IMPACT Team) was tasked with looking into incidents that took place at the Simon Center, 3333 S. Lincoln. The Officer learned that the most recent incident did not involve Ms. Hults. When the Officer spoke with her (Ms. Hults), she reported that she had no interaction with Mr. Abeyta since the original case where he was charged with Harassment. She also reported that although she was aware of this most recent incident (that took place on 5/1/17) she was not involved.

In summary, during this most recent incident Mr. Abeyta was upset with another resident. Mr. Abeyta verbally confronted this tenant and during the confrontation, Mr. Abeyta poked him in the chest with his finger. Although this did not cause any pain, it will result in Mr. Abeyta receiving a summons for Harassment.



**TO:** Chief John Collins  
**FROM:** Commander Kelly Martin  
**DATE:** January 23, 2018  
**SUBJECT:** Council Request 18-002

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**18-002 Request for information on Assault in the 4300 block of S. Broadway and ongoing problems at Giving Heart**

Requested by: Mayor Russell  
Assigned to: Police

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On January 16, 2018, police responded to the 4300 block of S. Broadway to contact an individual reporting a prior assault. Police contacted the party who works at a business in the 4300 block of S. Broadway. The reporting party said they had observed two individuals standing in front of the door of the business and that they had gone outside to ask them to move on, as these individuals were blocking access in and out of the business. When asked to leave one of the individuals, a female, became angry, and struck the reporting party, causing pain but otherwise no injuries. The reporting party refused any medical assistance. An independent witness advised that when the reporting party asked the two individuals to move, the female suspect stuck the victim at which point the incident moved out of the witnesses view. The witness further described several employees and patrons of Giving Heart approaching the altercation in an attempt to end the disturbance.

The suspect and other party left prior to police arrival. Police contacted employees at Giving Heart and were able to identify both, the individual responsible for the assault and the other subject. Employees of Giving Heart told police that the two individuals had caused problems recently and were no longer welcome at their facility. The Police attempted to locate the suspect but were unsuccessful at that time. The case was assigned to the Investigations Bureau and an arrest warrant is pending for the party responsible for the assault.

Problems associated with the homeless population that patronize Giving Heart are documented when reported to police and appropriate follow-up is conducted on criminal complaints. Additionally, the police department's impact team will follow-up with the ongoing problems around Giving Heart. The Impact Team will work closely with business owners, the homeless coalition, and mental health professionals in an attempt to resolve some of the on-going issues associated with the increase in the homeless population in the area.