

For Immediate Release



Greenwood Village

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Greenwood Village Response to U.S Court of Appeals, 10th Circuit – Leo Lech Case

This case was not about a shoplifter. As explained in the Tenth Circuit’s well-reasoned opinion, this case concerned a high-risk, barricaded suspect incident that occurred in Greenwood Village, wherein the Greenwood Village Police Department was faced with an armed suspect, who was wanted on multiple felony arrest warrants, had tried to run an officer over with a vehicle, who had shot at police officers multiple times, who had barricaded himself in the Lech’s rental house, and who had refused to come out.

During this 19-hour standoff, police spent hours negotiating with the suspect using specially trained negotiators and using tactics intended to extract the suspect without injury to persons or damage to property. Eventually, however, the police were forced to utilize methods that resulted in damage to the Lech’s rental property. The Greenwood Village Police Department actions, however, were taken to preserve life, and were at all times conducted in an appropriate manner and in accord with their recognized and lawful police powers.

The decisions made during this critical incident also involved the participation and expertise from other surrounding agency’s SWAT team leaders. Ultimately, following this critical incident, the City requested a review of its decisions and actions from the National Tactical Officer’s Association (“NTOA”). The NTOA is the premier law enforcement professional organization focusing on tactics and police response to critical incidents. The NTOA has an excellent reputation for critical, objective review and analysis of law enforcement special operations teams and their response to critical incidents. The NTOA determined that the law enforcement officers that engaged in this critical incident acted in a “highly commendable manner,” and “the overall result of their performance was a resounding success.” (Visit greenwoodvillage.com/2282/Alton-Street for information on the Arrest Affidavit, Complaint, and Incident Review).

As the owner of the investment property at issue, Mr. Lech had taken care to make sure that the property in question was fully insured. In fact, Mr. Lech’s insurance company paid him approximately \$345,000 following this critical incident, which he apparently used to build a much larger and more expensive home. A photo of the investment property and after it was rebuilt is attached for reference.

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Despite the fact the police officers on scene risked their lives to apprehend a suspect who was later convicted of numerous felonies, including nine counts of attempt to commit manslaughter with a deadly weapon against a peace officer, the Lechs sued certain of the police officers individually. After the Lechs' federal claims were initially dismissed in 2018, the Lechs continued to pursue claims in State Court, Arapahoe County, against the Chief of Police, and the SWAT Commander. The Lechs asserted that these two law enforcement officers acted willfully and wantonly during this critical incident, and they requested a monetary judgment against these individuals personally. The State Court found these claims to be without merit and dismissed them.

The Courts, both State and Federal who have analyzed this matter, have consistently ruled in favor of the police actions taken to resolve this critical incident. The Courts have recognized that while these types of events present difficult questions, the police should value life over property and may act pursuant to their police powers accordingly.

Despite not having any obligation to do so, Greenwood Village offered \$5,000 to pay the Lechs' insurance deductible and provide for temporary housing, but the Lechs refused the offer.

The armed gunman was convicted on 17 felony counts, including 11 counts of attempted manslaughter, and sentenced to 100 years in prison.

-End -

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