

2018 Park County Sheriff Election Candidate Questions:

**Steve Spodyak**

Thank you for taking the time to submit these questions, and for reading my responses.

1. Q- Have you ever managed any employees and if so how many?

A – Yes I have managed employees. Prior to my Law Enforcement career, I was an Assistant Produce Manager for a grocery store chain where I managed 5 produce clerks. As for management in Law Enforcement: while a Detention Deputy I often supervised a shift of 3-4 Deputies as the Officer in Charge and also supervised inmate workers and work release inmates as the Work Release Officer. This number would have varied from about 5-20 inmates at a time. As a Senior Special Agent with the Railroad Police, I supervised 6 company Security Guards and a varying number of contract Security Guards. As a Detective Corporal with the Sheriff's Office I currently hold a supervisory rank and am the Team Leader for the SWAT Team where I am responsible for 4 to 8 SWAT Operators and additional personnel.

2. Q – What do you feel the minimum requirements are to be a Park County Deputy and what should the base rate be for that position?

A – The minimum requirements for a Park County Deputy should include honesty, integrity and character. Beyond that, the requirements would be dependent upon the specific position of Deputy as the employees are composed of certified and non-certified Deputies. The Detention Division is made up of POST certified and non-certified Deputies. The Animal Control Division is currently made up of non-certified Officers. The Patrol and Investigations Divisions are made up of POST certified Deputies. For all of these positions, a Deputy may be required to carry a firearm, and cannot have anything prohibiting them from legally doing so. Also, a background check, psychological and physical standards examinations and an examination of suitability should be required. If an applicant meets these requirements and the specific requirements for the position being applied for, they would meet what I would consider the minimum requirements.

As for the base rate of pay, I believe a 15%-20% increase in all levels below Command Staff should be sought to make the Park County Sheriff's Office more competitive with similar surrounding agencies and help with employee retention.

3. Q – Should you seek higher salaries for Deputies how will you ensure that ANY tax increase goes toward training and making sure that Park County has qualified people in the positions?

A – I will seek higher salaries for Deputies because the current salaries are not competitive for similar and surrounding agencies. As for ensuring that funding goes to salaries or to training or both, I will work with those in County Government to adjust the Sheriff's Office budget to accommodate the required funding and find ways within the current budget to address this need. A tax increase to provide these types of funding would need to be specifically earmarked for Sheriff's Office use, passed by the voters and not go into the county General Fund. Funds for training and equipment are also available through grants, and I will actively seek out grants to help funding in these areas. I will also work with those in county government on county ordinances to allow for some of the funds collected by the Sheriff's Office to be used specifically by the Sheriff's Office. As for ensuring qualified people in positions, I will work to keep those existing qualified employees, and seek out the best possible additions to the agency across all levels and divisions through more aggressive recruiting. Park County offers a beautiful work environment in a wonderful county. However, in order to attract the highest quality applicants there need to be opportunities for additional professional growth and incentives that the Sheriff's Office, and Park County as a whole, currently does not offer.

4. Q - What will you direct your deputies/employees to focus on and why? How do these issues effect citizens of Park County?

A – I will direct the employees of the Sheriff's Office to focus on customer service, producing a quality work product and providing quality service to the community with dignity and respect. Customer service: because I believe that the citizens of Park County are the customers of the Sheriff's Office, and the Law Enforcement services it provides are for the people. Producing a quality work product: because I believe each employee needs to treat each interaction as the most important interaction and the people of Park County deserve the best possible product the Sheriff's Office can produce. Providing quality service to the community with dignity and respect: because I believe this goes hand in hand with the previous two, but goes a step further by recognizing that a single interaction may deal with the very worst or most traumatic experience of that person's life and all deserve to be treated with dignity and respect. This will affect the citizens of Park County positively because it will strengthen the relationship between the Sheriff's Office and the people it serves.

5. Q - Do you support the AG's position on attempting to enforce federal law on Marijuana? Will you allow your deputies to assist Federal law enforcement in simple possession/manufacture cases?

A – I am a strong believer in State's Rights. While I do not support marijuana, I respect the people of the State of Colorado who voted to make medical and recreational marijuana a part of our state's Constitution. However, there are still many aspects of growing, possessing and manufacturing marijuana that violate state law, in addition to federal law. I would assist a federal law enforcement agency requesting assistance with matters violating both federal and state law, but not matters violating federal law alone. Federal Law Enforcement agencies have

many assets that can be brought to the table that could help a small, rural agency with limited resources, like this one, battle some of the drug/marijuana related illegal activity occurring in Park County. Many county residents are concerned with these issues, and the Feds can potentially be a force multiplier (manpower, equipment, funding), provided their assistance falls in line with the objectives of the Sheriff's Office.

6. Q - How do you plan to balance the wants and needs of the rural vs suburban residents. There is a perception that Park county is becoming Denver lite. Do you agree with the code of the west if so why if not why

A – I believe that people that choose to live in Park County do so for one reason or another, but a common reason is the privacy our rural county offers. There needs to be a balance between what the “suburban” and “rural” residents of the county desire and each and every case is different and should be addressed on a case by case basis. I am also a believer in property rights and feel that a person should be able to do with their property as they choose, within the constraints of the law.

As for the Code of the West: I believe in the ideals of acting respectfully and honorably, and trying to settle differences admirably. However, I feel that our society as a whole does not value these same principals and many are only interested in what benefits themselves and not necessarily the greater good and we are getting further and further away from this ideal as time goes on.

7. Q - What is your position of Civil Asset Forfeiture

A – Civil Asset Forfeiture is an interesting topic. I have not had personal dealings with this civil action process and have only seized property dealing directly with criminal cases. I can see the benefit of this practice for law enforcement to damage a criminal enterprise by seizing its assets, especially if the threshold of probable cause has not been met for a criminal case. However, I do not feel that this practice is worth the risk of seizing someone's property that has not been charged with or convicted of a crime. The whole premise of our criminal justice system is that someone is innocent until proven guilty. I feel Civil Asset Forfeiture violates the 4<sup>th</sup> amendment of the US Constitution that protects us against illegal searches and seizures. It seems to me that Civil Asset Forfeiture can punish someone before they have been charged or convicted, and is a violation of an individual's constitutional rights.

8. Q – What is your position on eminent domain

A – In general, I am not in favor of any level of government taking anything from its citizens without their permission. Federal Law allows governments to take private property for public use if just compensation is provided. In certain instances, I believe this practice may be justified; as in for the greater good of the public as whole, for things like the building of roads and for

providing utilities and other things that most people need and want. Like many things, I think what is important with eminent domain is a balance. I see the need for eminent domain in certain instances, but overall, I am not in favor of government having more power and control over a private citizen.

9. Q – What procedures will you implement to provide transparency in your departments activities and beyond the open records laws

A – Transparency really has to deal with communication and having open channels to communicate honestly. I am a big believer in communication, as we need to be able to communicate in order to be successful. I will be open with the public on matters of the Sheriff's Office. I plan on increasing the ways in which the Sheriff's Office communicates with the public, other emergency services and internally. Transparency, as it relates to this question refers to public scrutiny. Opening the channels of communication into and out of the Sheriff's Office will allow for more sharing of information. There are many ways to communicate and disseminate information. Many of these are not currently being utilized to their potential and I plan on changing that. There also needs to be stronger relationships built with the different communities in the county. This will also help to increase the flow of information into and out of the Sheriff's Office.

10. Q – Will you consider a run as an independent should you not be the caucus winner

A – The answer to this question is not a simple yes or no as it may seem, but my answer is no, I will not change my affiliation. The Caucus is where precinct delegates are elected to vote in the County Assembly. The County Assembly is where candidates are voted on by the delegates elected in the caucus. There may be more than the "winner" of the County Assembly that moves on to the Primary as there are multiple potential outcomes depending on the delegate votes. I am, and have been a registered Republican and am running as a Republican candidate and will not change my political affiliation or my conservative beliefs just to win an election.

11. Q – What will you do to streamline and optimize the budget of your department, what wasteful practices do you want to eliminate

A – A portion of my Law Enforcement background was in the private sector, working for corporations. This gives me a different perspective on spending money. I believe that government agencies are inherently wasteful because they are not spending their own money. I believe they should be more responsible with their funds because those funds belong to the people. I plan on trimming the fat within the budget, and ensuring the areas of highest importance and need, are receiving the funding they need while ensuring the statutory requirements of the Sheriff are met, and the people of Park County receive quality Law Enforcement services.

I believe that currently the most wasteful area of the Sheriff's Office is the continual training of new employees. This refers directly to the challenge of retaining employees that the Sheriff's Office, along with other county offices, experience in Park County. When a new employee is hired, there are the regular expenses of any employee like salaries and benefits that are a part of the employment package. However there are also the costs of uniforms, equipment, testing and paying a training officer to train the trainee (basically paying two employees to do the job of one during the training process). There is also the expense of continuing education that is lost to the county when an employee leaves. In addition, there is the loss of the knowledge and experience that employee gained while employed. Employee retention is a huge issue in Park County, and has been for as long as I can remember. This is one of the first things that I will address if elected Sheriff and I believe solving this problem alone will have a great impact on the Sheriff's Office and the communities within Park County.

12. Q – What personal and or economic relations do you have to current elected county officials

A – I do not have any economic relations with any County Elected Officials, nor do I have any personal relations to these same parties. I have current working relationships with the current Sheriff, Coroner, Judges, District Attorney and County Clerk. I anticipate that should I be elected Sheriff, I will develop the necessary working relationships with all those in Park County Government; elected and appointed alike. Those in county government need to work together to better their respective offices and benefit the people of Park County.

13. Q – (no question listed)

A –

14. Q – What would you do differently in regards to the most recent tragedy involving Miss. Long? Things leading up to, during and after this investigation.

A – At this time, I am unable to comment on anything regarding the ongoing investigation this question references.

15. Q - What will you do to ensure that an armed Resource Officer is ALWAYS present during school hours at the Fitzsimmons Middle School and High School?

A – The safety of all Park County Schools is of the utmost importance. Fitzsimmons Middle School and Platte Canyon High School are not the only schools in Park County. Since the inception of School Resource Officers in Park County, the Fitzsimmons Middle School/Platte Canyon High School campus, and later the Fairplay School Campus, have been the only schools in the county with dedicated School Resource Officers. (This statement is not meant to discount the volunteer services at some of the other schools.)

The first thing that I will do to ensure that properly trained School Resource Officers are available is work on employee retention. Turnover has been, and continues to be a challenge for the Sheriff's Office. I will also explore options to assist with funding resource officers and work with the schools to improve safety measures. Once the staff of the Sheriff's Office is stabilized, I will work to add additional Deputies to provide better service to all those in Park County and ensure that our schools are safe and protected.

16. Q – What will you do to decrease the illegal drugs coming into our county and the ability for our kids to obtain illegal drugs?

A – I plan on increasing the focus on illegal drugs coming into, going out of, being transported through and coming from within Park County, to include illegal marijuana. I will work to revitalize programs focusing on our kids like DARE and NOPE and work with our schools to increase drug enforcement, education and communication to help Law Enforcement and the schools ability to work together. I also plan on increasing the tools available to Deputies to help combat this issue facing our county, as well as work to increase communication and cooperation with Law Enforcement Agencies within and surrounding Park County.

17. Q – What will you do about the fact that some of our current Deputies have been involved in activities in the past that have gotten them relieved of their positions then rehired at a later date? Activities that are illegal and violate the sworn oath they have taken.

A – To my knowledge, there is currently no Sheriff's Office employee that falls into the categories listed in this question. I believe strongly in the Law Enforcement Code of Ethics, which reads:

*“As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.*

*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. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.*

*I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without*

*fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.*

*I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice. I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.*

*I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession... law enforcement."*

I will ensure that those within the Sheriff's Office abide by this standard and strive to act in accordance with this code, while in uniform and in their personal lives.

18. Q – What makes your promises or answers more believable than another candidates?

A – The first thing that makes my answers believable is that I have not made any promises nor will I make a promise I cannot keep. I realize that though the Sheriff is the head of the Sheriff's Office, Chief Law Enforcement Officer in the county and the Fire Warden, the Sheriff is not in total control of all of the factors that affect the agency. Cooperation is required with the many partners and other county and state officials for success. I also know that the Sheriff cannot be successful without a strong leadership team and employees with character, morals and values. These are things that I believe in strongly and will work hard to ensure these values thrive within the Park County Sheriff's Office.

19. Q – Why should we believe that you will truly do what you say you will do and that your answers aren't just campaign promises said to merely get elected?

A – I believe that I am known as a man of my word. I am not known for saying things that I do not mean and do not believe. The things that I have said that I will work to accomplish are realistic. I also realize that even the Sheriff is not sovereign, and needs to have the ability to work with others and other entities to accomplish goals. I am able to establish relationships based on trust and work hard to do what I say I will do. I also have established working relationships with many of the Emergency Services partners, surrounding agencies and local governments that are necessary to accomplish the goals I have for the Sheriff's Office.

20. Q – Do you have kids currently enrolled in the Park County school system?

A – Yes. I have two children that are currently enrolled in the Platte Canyon School District that attend Deer Creek Elementary and hope that they graduate from Platte Canyon High School as I did. I have a vested interest in their education and their safety, as well as all students and school staff within Park County. I also am, and have been involved in, several community organizations in direct relation to my children and many of yours as well. The children in Park County are our future, and I realize the importance of protecting them, educating them, and providing them with guidance and role models to give them the best chance of becoming successful adults.

21. Q – Would you support or not support teachers in the Platte Canyon school system being trained and authorized to maintain a firearm in select classrooms?

A – I am a supporter of the Second Amendment of the US Constitution and our right to bear arms. I also believe that having armed school staff members should be at the discretion of the school district and the community. Should a school district adopt this type of policy, I would assist in developing and training those selected employees to ensure proficiency, safety and compliance with state law.

22. Q – As an Accreditation & Policy Compliance Manager in a neighboring jurisdiction, I am wondering why the PCSO has not decided to pursue law enforcement accreditation? I believe many of the issues the PCSO has faced/is currently facing are covered by LE standards, and these programs would immensely help bring this agency back on track. Can the candidates speak as to their thoughts on pursuing this recognition?

A – I think that accreditation is very worthwhile for many Law Enforcement agencies. I was employed with an agency that went through the Commission on Accreditation for Law Enforcement Agencies (CALEA). Based on that experience, I do not believe that at this time, seeking accreditation would be the best use of the limited resources of a small agency like the Park County Sheriff's Office. These programs require substantial funding, continual maintenance and fees in order to gain and retain accreditation. The process is also lengthy.

I believe that the resources this agency would have to put into becoming and staying accredited would be put to better use by providing the citizens of Park County with quality Law Enforcement services. While the establishment of standards and initiatives accreditation requires is noble and necessary to provide quality service, I believe the same result can be accomplished with proper implementation of policy and standards within the agency itself and by having high quality and high character staff.

23. Q – Will you publish your agencies policy and procedure manual including use of force continuum and code of conduct publicly?

A – I believe it is important for there to be communication and openness between the citizens and the Sheriff's Office. I also believe it is important for the citizens to have an understanding of



the how the Sheriff's Office operates and how taxpayers' money is being spent. This would include things like the office's mission, code of conduct, employment qualifications and services provided. Most Law Enforcement agencies have gone away from using a "force continuum" in their use of force policies and operate under the necessary and reasonable standard.

I do not believe that it is in the best interest of the employees of the Sheriff's Office (or any Law Enforcement Agency) and their safety, to publish an agency's policy and procedure manual in its entirety. These manuals can contain protocols for responses to certain high risk, tactical and potentially dangerous situations.

Publishing this type of information potentially poses a substantial risk to the lives and safety of emergency responders, in and outside of the Sheriff's Office. The safety and well-being of the employees of the Sheriff's Office is a top priority to me. These men and women are my brothers and sisters. They have chosen a noble profession where they know the inherent risk of putting on their uniform each and every day. I do not support any measure that has the potential to place their safety at a greater disadvantage than it already is in this profession.

24. Q – What do you think are the appropriate circumstances and criteria before implementing “no-knock” raids on private property? When is such risk of life to the deputies and victims worth it?

A – In the State of Colorado, legally, a “no-knock raid” is not something that cannot simply be implemented. There could be circumstances where Law Enforcement would have legal justification to enter private property without announcing if exigent circumstances existed, like the eminent threat of serious bodily injury or death to the officer or another person, however the officer would have to have legal justification to be there to begin with.

The term “no-knock” typically refers to a specific type of search warrant. As with all search warrants, the warrant has to be signed by a judge finding that probable cause exists that what is being searched for, will be found at that specific location. The “no-knock” portion pertains to the officers executing the search warrant, not announcing their presence before entering the property. A judge has to be presented with evidence that is current and credible that there is a real and substantial risk to the officer's safety and that announcing their presence would elevate that risk further. These types of search warrants are typically executed by tactical teams.

I believe these types of search warrants have their place for the safety of Law Enforcement however; they are not something commonly granted by the courts. I believe if the criterion for a “no-knock” warrant is met, they are legal and constitutional. I have not heard of a “no-knock” warrant being issued anywhere in the 11<sup>th</sup> Judicial District, which covers Park, Chaffee, Fremont and Custer Counties.

25. Q – Do you support individuals being able to own guns? If not, why and if so, why?

A – As I have said before, I am a supporter of and believer in the right to keep and bear arms. This right is protected in the Second Amendment of the US Constitution and is listed in the Bill of rights following only the rights to free speech, religion, assembly, the press and petition. I believe this right is as important today as it was in 1791 and affords the people the ability to protect themselves and their property. I also believe in proper firearm safety and have seen first-hand the dangers of firearm irresponsibility.

26. Q – Do you support the federal government removing marijuana from a schedule 1 drug?

A – A schedule 1 drug, as classified under Federal Law is a drug that has no accepted medical use and has a high potential for abuse. While I have heard of instances where marijuana has been successfully used to treat certain medical conditions, I am not aware of accepted research that substantiates these claims. I am aware of instances where marijuana has been ruled the major contributing factor in the cause of someone's death, and also that marijuana is not the marijuana of yesteryear. Marijuana today typically has a much higher THC content than the marijuana of the past.

Based on the current studies and information that I have seen relating to marijuana, I do not believe that changing the scheduling of this drug is currently warranted. However, should research be able to show valid and reliable information contrary to this, a schedule change may be justified. In Colorado, with the legalization of medical and now recreational marijuana, I do not believe the schedule level classification of marijuana by the Federal Government makes much difference here.

27. Q – Have you ever disobeyed an order from a superior and if so, why?

A – I have not disobeyed a direct order from a superior officer. Fortunately, I have been able to establish relationships with my fellow officers based on respect and trust. This has allowed me to be able to discuss orders that I have not agreed with and come to a mutual agreement on how to proceed in a given situation. Respect and trust in one's superiors, peers and subordinates allows for respectful communication and sharing of ideas. Respect and trust go a long way when leading people as well as when being lead. These are characteristics that I believe are necessary in an organization where there is a chain of command and where there are occasions for making decisions quickly and under high stress.

28. Q – If there are no funds available from the county taxpayers, what can and will you do to augment the training and equipment for deputies?

A – Training and equipment are two continually important areas for any Law Enforcement Agency. Training is not only necessary because there is a minimum amount of training required by the State of Colorado per year, but because it creates a better prepared, more knowledgeable and more professional department. Equipment is important because the men

and women in Law Enforcement put their lives on the line to protect their citizens, and deserve the best protection and tools possible to accomplish the task of providing service to and protecting people.

There are several options available to potentially fund training and equipment. Grants are available to provide funding for specific areas of training and or equipment. I plan on seeking grant funding regardless of the status of the Sheriff's Office budget. Fund raising is another option to raise money for training and equipment and there are charitable organizations that also provide donations to Law Enforcement for training and equipment. All of these are viable options to pursue to ensure our deputies have the best available training and equipment.

29. Q – If elected, how will you avoid conflict of interest, favoritism and the perception of deep corruption that currently seems to be prevalent.

A – I believe that this question is basically a question of character and integrity, with a base in morals and values. I have strong character and integrity, and while these terms seem to be thrown around a lot, if you want a true sense of someone's values in this profession, talk to those they work with and have worked with. It is more than just knowing right from wrong; it's having the conviction to act in the appropriate manner and stand up for what is right. I am sure that in my case, you will find that these are attributes I possess. I am one who always tries to do the right thing, and do it to the best of my ability and I like to have the most reliable information I can before I make a decision. Living and acting in this manner allows me to avoid conflicts of interest and favoritism.

Corruption is fraudulent and dishonest conduct by a person in a position of authority for personal benefit. I do not know where the perception is coming from that the Sheriff's Office is corrupt. I speak with people across Park County on a regular basis, and while some are not pleased with certain aspects of the services provided by the Sheriff's Office, I have not heard of the perception of corruption being prevalent. However, the answer to this part of the question, for me, is the same as the parts regarding conflicts of interest and favoritism. Having leadership within an organization that possesses strong morals and values and has strong character and integrity will not allow for the presence of corruption, favoritism and conflicts of interest to exist.

30. Q- How would you have handled the Martin Wirth eviction differently? Please provide detail.

A – This tragic event affected this county, the Bailey community and countless lives. I lost a classmate, friend and brother that day, and many others lost much, much more than that when Cpl. Nate Carrigan was murdered.

First off, I was not at the eviction and do not have all the information about the incident. I also do not believe in "Monday-morning quarterbacking" a situation, especially one that I was not

directly involved in and do not have a complete understanding of. I believe that there are lessons to be learned from any situation, but that has to come in a constructive manner, even when the outcome is as tragic as this was.

I believe that in situations like this one, information sharing has to be paramount. Preparation and planning needs to be thorough and complete and tactical considerations need to be in place. Everyone involved in situations like this one needs to have all of the available information and have input into planning prior to any action taking place.

In barricaded subject situations, the typical protocol is to back off and secure a perimeter, then evaluate the situation and obtain whatever additional resources will be required before proceeding further. We will never know if the outcome would have changed if things had been done differently. Law Enforcement Officers have to make split second decisions each and every day. Most do not carry the weight that the decisions made that day did. We should strive to ensure that we possess the knowledge, training and judgement to make the best decisions possible, with the information that we have at the time.