

District Court, El Paso County, Colorado 270 S. Tejon Street, Colorado Springs, CO 80903	DATE FILED May 28, 2025 9:56 AM FILING ID: 54841EA4AAE84 CASE NUMBER: 2025CV31152  <div style="text-align: center;">□ COURT USE ONLY □</div>
<b>JESSICA HALLING,</b> Plaintiff  vs.  <b>GREGORY CAMPBELL,</b> <b>ADRIAN VASQUEZ,</b> <b>MICHAEL ALLEN</b> Defendants	
<b>Mehr Law PLLC,</b> <b>KEVIN MEHR, #49108</b> 3107 W. Colorado Ave. #186 Colorado Springs, CO 80904 Phone: (719) 315-4606 E-mail: Kevin.Mehr@mehrlawcolorado.com	Case Number: TBD   Division: <b>TBD</b>
<b>COMPLAINT AND TRIAL DEMAND</b>	

COMES NOW, Jessica Halling, by and through counsel, for her C.R.S. § 13-21-131(1) action against Defendant Colorado Springs Police Officer Gregory Campbell (“Campbell”), Defendant Michael Allen (“Allen”), and Defendant Colorado Springs Chief of Police Adrian Vasquez (“Vasquez”) states and alleges as follows:

### **PARTIES**

1. Plaintiff Jessica Halling is and was at all times mentioned a resident of Colorado Springs, Colorado.
  
2. Defendant Gregory Campbell is and was at all times mentioned a resident of Colorado Springs, Colorado and was at all times relevant an acting police officer with the Colorado Springs Police Department (“CSPD”).

3. Defendant Adrian Vasquez is and was at all times mentioned the Chief of Police for the Colorado Springs Police Department in Colorado Springs, Colorado.
4. Defendant Michael Allen is and was at all times mentioned the elected District Attorney for the 4<sup>th</sup> Judicial District of Colorado, which includes El Paso County, Colorado and the City of Colorado Springs.

### **JURISDICTION AND VENUE**

5. This action arises under the Constitution and laws of the State of Colorado through C.R.S. § 13-21-131.
6. Venue is proper in the District Court of El Paso County, Colorado because all of the parties are residents of El Paso County, and all of the relevant events occurred in El Paso County Colorado.
7. Pursuant to C.R.C.P. 65, and F.R.C.P. 65, this court has jurisdiction to enter a Declaratory Judgment and issue injunctive relief in accordance with the relief and issue sought herein.

### **FACTS**

8. On June 3rd, 2023 Defendant Campbell responded to a neighbor dispute at 1616 Red Fir Point in Colorado Springs, CO.
9. When Campbell arrived, he spoke with Plaintiff's neighbors, who alleged numerous complaints about Plaintiff. Specifically, Ms. Halling's neighbors alleged that Ms. Halling's black lab ran towards their son, scaring him. The neighbors also alleged that Ms. Halling had reported them to the HOA for parking their camper in violation of their HOA code. The

neighbors further asserted that Ms. Halling had been sitting in her car, which was parked on the street in front of her house, for “hours.”

10. Additionally, Ms. Halling’s neighbor also informed Officer Campbell that she had recently posted publicly online discouraging people from using Ms. Halling as their real estate agent in retaliation for Ms. Halling’s alleged conduct.

11. Other neighbors later indicated that Ms. Halling’s vehicle had been parked in the same position since 5:30 AM. Officer Campbell arrived approximately 7 hours later at 12:30 PM.

12. Following his conversation with her neighbors, Officer Campbell then approached Ms. Halling’s car, which she was sitting in. The car was not running. The following exchange occurred:

- a. Campbell: “Hello, whats your name?”
- b. Ms. Halling: “Jessica.”
- c. Campbell: “what’s going on today?”
- d. Ms. Halling: “What do you mean?”
- e. Campbell: “Why am I getting calls about you?”
- f. Ms. Halling: “Because my neighbors are fucking crazy.”
- g. Campbell: “Ok, what’s going on today though?”
- h. Ms. Halling: “What do you mean?”
- i. Campbell: “Why are we getting phone calls?”
- j. Ms. Halling: “Well did you ask them?”
- k. Campbell: “Yeah, but I’m asking you.”
- l. Ms. Halling: “Well did I call you?”

m. Campbell: "Ok, what's with all the White Claw?"

13. At this point, Officer Campbell noticed open cans of White Claw, an alcoholic beverage, on the passenger floor board. Officer Campbell then told Ms. Halling to get out of her car, which she immediately did.
14. Campbell told Ms. Halling to "face that way", pointing to the side of her car, to which she replied "yep" and immediately complied.
15. Campbell then told Ms. Halling to place her hands behind her back, to which she replied "yep" and immediately complied.
16. Campbell then handcuffed Ms. Halling. Upon doing so, he told her "you are being detained under suspicion of DUI, among other things. If you resist my control, or do anything else against me, that will result in additional charges, do you understand Jessica?". Ms. Halling replied "yep."
17. Campbell then told Ms. Halling to walk back to his police cruiser, which she immediately began doing and said "got it."
18. Ms. Halling walked the approximate 50 yards to Campbell's police car, without issue.
19. Once at Campbell's police car, he asked Ms. Halling if she had any weapons on her, or anything in her pockets that would stick or prick him, to which Ms. Halling calmly replied "Please give me a lawyer."
20. Campbell angrily responded "that's not what I asked you." Ms. Halling again calmly requested a lawyer.

21. At this point, Campbell began physically searching Ms. Halling's person by running his hand down the front of her thigh area near her waist pockets. In response to this physical touching, Ms. Halling reflexively shifted her hips away from Campbell, and said "and a female officer."
22. In response to Ms. Halling moving her hips away, Campbell lifted upwards on Ms. Halling's hands, which were handcuffed behind her back, and slammed her into the side of his patrol car.
23. Ms. Halling repeated her request for a female officer. After repeating this request several more times, Campbell then pushed his body weight against Ms. Halling, pressing her up against his patrol car. Ms. Halling was neither physically nor verbally resistive, and simply repeating her request to have a female officer conduct the search of her person.
24. Campbell then again lifted Ms. Halling's handcuffed hands upwards, spun her body around and slammed her face down on the pavement.
25. As Ms. Halling laid unmoving, face down on the pavement, Campbell dropped his knee in her back, placing all of his body weight on her. He told her she was then under arrest.
26. After approximately 15 seconds in this position, Ms. Halling stated "I can't breathe."
27. Campbell then rolled Ms. Halling onto her side, and she again repeated her request for a female officer to search her. Campbell ignored this, and again began searching Ms. Halling's pockets while she laid motionless on the pavement, handcuffed behind her back.
28. Campbell then placed his knee on Ms. Halling's hands, pinning her handcuffed arms to the pavement with his body weight.

29. Ms. Halling again, now agitated that her request for a female officer to conduct the search was not even being acknowledged, loudly repeated the request. Ms. Halling continued to lay on her side, handcuffed behind her back.
30. Ms. Halling recoiled from Campbell's attempt to reach into her waist pocket, but at no point attempted to get up onto her feet, and immediately became motionless upon Campbell's removal of his hand from her waist.
31. Ms. Halling did not verbally threaten, did not physically threaten, nor did she make any attempt to flee from Campbell.
32. Despite this, Campbell repeatedly told Ms. Halling to stop resisting.
33. After additional demands from Ms. Halling for a female officer to conduct the search of her person, Campbell removed her glasses and yelled at her "If you don't stop resisting, I will spray you!"
34. After Campbell told Ms. Halling this, she yelled "female officer, right now", without moving her body, still laying on the ground with her hands handcuffed behind her back, and Campbell holding and kneeling on her arms.
35. Campbell then pepper sprayed Ms. Halling directly into her eyes from approximately 18 inches away. Ms. Halling had not moved, attempted to flee, or verbally threatened officer Campbell in any way.
36. Officer Campbell then again began reaching into Ms. Halling's front waist pocket. Ms. Halling did not recoil or move, however she again demanded a female officer conduct the search, yelling "Female officer, that's all I want. As a male officer I don't want you to touch me."

37. At this point, Ms. Halling was still handcuffed behind her back, laying on the ground and officer Campbell was continuing to kneel on her hands, pinning her to the pavement.
38. Ms. Halling, again without moving, attempting to flee or in any way threaten Campbell, repeated her demand for a female officer to search her person. Campbell then pepper sprayed her in the face a second time, from approximately 10 inches away.
39. After being pepper sprayed the second time, Ms. Halling continued to lay on the pavement, handcuffed behind her back, and Campbell kneeling on her hands. She continued her demand for a female officer to search her person. She in no way threatened Campbell nor made any attempts to flee.
40. In response to her continued demands for a female officer to search her person, Campbell responded "If you keep resisting additional levels of force will be used against you." At no point in this encounter had Ms. Halling resisted Campbell, verbally or physically threatened him, or attempted to flee.
41. After approximately 7 minutes of laying on the ground, handcuffed behind her back, Ms. Halling cooperated with Campbell commands to stand up and get in the back of his patrol car.
42. A supervisor arrived on scene shortly thereafter, and Campbell recounted the incident, telling the supervisor that Ms. Halling had tried to pull away from him, then he "threw her hard to the ground." Campbell then falsely claimed that Ms. Halling tried to "wiggle out of his control" and tried to stand up. At no point did either of these things happen.
43. Campbell further claimed that Ms. Halling had claimed that he was raping her. This did not happen.

44. He also told his supervisor: “I gave her multiple warnings to stop resisting, she continued to resist so I sprayed her.” This is not accurate.
45. In his report, Campbell wrote that upon his initial conversation with Ms. Halling, she “became uncooperative and evasive in her answers.” This, as outlined above, is not true.
46. Also, Campbell falsely claimed in his report that upon attempting to pat down search Ms. Halling became “physically resistive and tried to evade my control.” This, as outlined above, is not true. When Campbell attempted to reach into Ms. Halling’s waist pocket, she rotated her hip away from Campbell’s hand, while requesting a female officer conduct the search. No reasonable interpretation of what happened could conceivably determine that Ms. Halling was “resisting control.” This is clear because every time Campbell removed his hand from Ms. Halling’s waist area, she completely stopped moving. Campbell’s statement here was a clear attempt to justify his blatantly excessive use of force through clear misrepresentation of what actually occurred.
47. Finally, Campbell wrote in his report that after he slammed her to the ground, Ms. Halling “tried to escape his grasp.” This again is patently untrue. Ms. Halling laid on the ground, handcuffed behind her back, while Campbell kneeled on her back and hands.
48. At no point during any of her encounter with Campbell did Ms. Halling do or say anything that could have reasonably been deemed to be a threatening maneuver towards Campbell or anyone else.
49. Likewise, Ms. Halling never did anything to indicate she was attempting to escape or flee. In fact, throughout the entire encounter, every command that Campbell gave Ms. Halling was met with an acknowledgement, agreement and cooperation. It was only when Campbell attempted



to touch Ms. Halling around her waist and groin area that she recoiled from his touch and requested a female officer.

50. To simply have Ms. Halling, an otherwise completely cooperative and unthreatening arrestee, sit handcuffed and wait a few minutes for a female officer to arrive on scene and conduct the search of Ms. Halling would have cost nothing. Instead, however, Campbell gave no explanation about how that was impossible, nor made any effort to seek a female officer to conduct the search, prior to slamming Ms. Halling into his patrol car, then onto the ground “hard.”

51. Officer Campbell immediately escalated this situation with violence upon Ms. Halling’s simple request that he, a man, not touch her waist and groin, and have a female officer instead do the search. Campbell testified later that it was department policy to have a female officer conduct a search, when available, yet he made no attempts to determine if a female officer was available, or explain anything of the sort to Ms. Halling prior to slamming her to the ground and pepper spraying her.

52. A female officer in fact arrived on scene minutes after Campbell initially handcuffed Ms. Halling.

53. Ms. Halling was transported from the scene to the hospital, where a blood draw was conducted in connection with Campbell’s assertion that she had been driving under the influence.

54. Ms. Halling was subsequently charged with DUI and obstruction of justice in El Paso County Case 23M4128.

### **DUI TRIAL**

55. On August 1, 2024 a jury trial commenced in El Paso County Court in case 23M4128.

56. During the trial, Campbell testified that he had not personally observed the blood draw of Ms. Halling on the date of the incident, and this was clearly confirmed through his body camera. However, Campbell's had signed, under penalty of perjury, a certification on the blood draw form sent to the Colorado Bureau of Investigation ("P23 Form"), that he *had* personally observed the blood draw from Ms. Halling. This falsified P23 Form was submitted by Campbell as an official criminal justice record in the case against Ms. Halling, and was preserved in the criminal case discovery.
57. This P23 Form was also sent to the Colorado DMV and Department of Revenue and used as the basis for revoking Ms. Halling's driver's license.
58. The falsified P23 Form was provided to Ms. Halling's criminal defense attorney through discovery on October 11, 2023, nearly a year prior to her trial. The body worn camera for Officer Campbell proving that he did not witness the blood draw of Ms. Halling, appears to have been provided contemporaneously with the disclosure of the falsified form. Thus, Campbell's falsification of a document used against Ms. Halling in the criminal prosecution against her, was known to both Campbell's supervisors at CSPD, and the district attorney's office who processed the evidence provided in discovery, nearly a year before the trial against Ms. Halling commenced. Despite this knowledge, Campbell was never included on any *Brady* list provided in Ms. Halling's case. Campbell has apparently never appeared on, and continues to be absent from any *Brady*<sup>1</sup> list provided by CSPD or the 4<sup>th</sup> Judicial District Attorney's office.

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<sup>1</sup> *Brady v. Maryland*, 373 U.S. 83 (1963).

59. Additionally, during his testimony in 23M4128, Campbell was asked about his take down of Ms. Halling. Specifically, Campbell was asked: “Your testimony today is that you did not think you threw her hard to the ground?” Campbell answered “Correct.” Officer Campbell was then presented with his body camera footage from the incident in which he specifically stated to another officer “...so I threw her *hard* to the ground.”
60. Based on these false statements, the presiding judge, the Honorable Regina Walter, ruled that Campbell was incredible as a matter of law. Specifically, Judge Walter found Campbell’s falsification of the blood draw certification to be a “fabrication” and a “lie.”
61. Further, based on Judge Walter’s view of Campbell’s body camera, she also entered a factual finding that officer Campbell had engaged in “blatant use of excessive force” against Ms. Halling.
62. In response to these findings, the District Attorney prosecuting the case requested a “due process” hearing on behalf of Officer Campbell because of the potential employment implications of her findings, and requested that Campbell be permitted to have counsel present at the hearing.
63. Prior to conclusion of the trial, a juror failed to show and a mistrial was declared. A trial was rescheduled and the criminal prosecution against Ms. Halling continued, despite Judge Walter’s findings about Campbell’s untruthfulness and his use of excessive force, resulting in her determination that he was “incredible as a matter of law.”
64. At the request of Officer Campbell, through the District Attorney, a hearing was set regarding these findings for August 2<sup>nd</sup>, 2024 to allow Officer Campbell to appear with his own counsel, in addition to the District Attorney.

### **SUBSEQUENT COURT HEARINGS**

65. At the August 2<sup>nd</sup>, 2024 hearing, Officer Campbell arrived with his personal counsel, Frederick Stein from the Colorado Springs City Attorney's office. Mr. Stein entered his appearance on the record as counsel for Officer Campbell, specifically for the issues arising from Judge Walter's findings that Campbell lied and used excessive force.
66. To begin the hearing, the Court reiterated its findings that Campbell had lied about the blood draw form, lied about throwing Ms. Halling to the ground hard, and that he had use excessive force against a completely compliant subject.
67. Judge Walters also voiced concerns about the search of Ms. Halling by Campbell, in spite of department policy stating that a female officer should be provided, if available, and Campbell made to attempts to request a female officer before using excessive force against Ms. Halling.
68. Mr. Stein, Campbell's attorney, then asked for the hearing to be continued to challenge the finding that Campbell was incredible as a matter of law. Mr. Stein asked for more time to present case law regarding a finding of "incredible as a matter of law." Notably, Mr. Stein did *not* challenge Judge Walter's findings that Campbell had used excessive force against Ms. Halling, *nor* did he challenge her finding that Campbell had lied multiple times on official criminal justice records in this case.
69. Judge Walter granted the request for more time from Mr. Stein, however, before setting a new hearing date, read into the record an email that she had personally sent to the Colorado Springs Police Chief, Adrian Vasquez and the Chief Judge for the 4<sup>th</sup> Judicial District, Erin

Sokol. In her email, Judge Walter informed Chief Vasquez that Officer Campbell had lied on the P23 Form.

70. Judge Walter issued a written order to both the District Attorney and Mr. Stein, ordering that they provide a brief to the Court about why Officer Campbell was entitled to the “Due Process Hearing” they had requested.
71. Neither the District Attorney’s office, nor Mr. Stein filed any such brief. In fact, Mr. Stein represented to the Court that he had never received the order to file the brief. Judge Walter confronted him with proof that he had been properly served with the order.
72. At the final scheduled hearing, on August 26<sup>th</sup>, 2024, Mr. Stein again appeared on behalf of Officer Campbell, as well as then Chief Deputy District Attorney Andrew Vaughn. Mr. Stein urged the Court to retract its determination that Campbell was incredible as a matter of law, however, he clearly admitted, on the record, that Campbell was “inaccurate” in signing the blood draw certification, conceding that Campbell had falsified a criminal justice record.
73. The Court then read into the record her written order. Judge Walter first addressed “several factual misrepresentations” made by the District Attorney’s office in its motion regarding admitting the blood results. Judge Walter compared the assertions in the District Attorney’s motion with the transcript from the previous hearings, proving this District Attorney’s representations to also be untrue. The Court reaffirmed its ruling that the P23 Form would not be admissible, because Campbell had provably falsified the certification.
74. Next, Mr. Stein argued that the Court did in fact have jurisdiction to enter a finding regarding whether Campbell was incredible as a matter of law.

75. After a brief recess, the Court retracted its finding that Campbell was incredible as a matter of law. However, the Court again reaffirmed that the blood draw results were not admissible into evidence *because* of Campbell's falsification of that certification. The Court also noted that two of the jurors from the trial approached her, one asking "is someone going to direct his supervisor to that body worn camera?" and another asking "Does she [Ms. Halling] have a civil suit against the Police Department?".
76. Finally, the Court made a further record in connection with whether the case against Ms. Halling should be dismissed on the basis that Officer Campbell's actions rose to the level of Outrageous Governmental Conduct. Mr. Vaughn, on behalf of the District Attorney's office, asked the Court if it would like to hear additional testimony or evidence on that issue, to which the Court responded "No, I heard the trial." The Court also stated that "what is in the body camera [the use of force] is of significant concern to the Court, and you just put the lie on top of that." While the Court ultimately never made a ruling on whether Campbell's conduct rose to the level of Outrageous Governmental Conduct, the Court never waived on, and neither the District Attorney's office, nor Campbell's personal counsel refuted the Court's findings of fact, that Campbell had used excessive force, that he falsified the P23 Form or that he lied on the stand about the manner in which he slammed Ms. Halling to the ground.
77. Shortly thereafter, Ms. Halling entered a plea to open container and the remaining charges against her were dismissed.

#### **INTERNAL AFFAIRS INVESTIGATION**

78. On August 29<sup>th</sup>, 2024 Ms. Halling made an official CCJRA request for the Internal Affairs file investigating Campbell for his conduct, both the excessive force and untruthfulness in which he engaged in the criminal case against her. Ms. Halling was told on September 30<sup>th</sup>, 2024, that the IA investigation had not been completed.
79. On April 30<sup>th</sup>, 2025 Ms. Halling was sent a completed copy of the IA investigation. The IA investigation exonerated Campbell for his use of the pepper spray.
80. This exoneration was in blatant contradiction to CSPD policy on the use of pepper spray (“OC spray”). CSPD policy provides that an officer is justified in using OC spray on a person when:
- a. The officer has grounds to arrest or detain the person and the person is engaged in active resistance, and/or
  - b. The officer has a reasonable belief the person poses an imminent danger to themselves or others, and/or
  - c. A supervisor has authorized OC spray use to disperse a civil disturbance or demonstration.
81. Clearly, Ms. Halling’s actions met none of these definitional requirements. Ms. Halling was in no way actively resisting arrest when Campbell pepper sprayed her- she was laying motionless, on her side, handcuffed behind her back while Campbell kneeled on her handcuffed arms.
82. Active resistance, per CSPD policy requires the person to engage in some movement to defeat the officer’s ability to control the person. At no point in the interaction with Campbell did Ms. Halling attempt to remove herself from the control of Campbell. Both times he

pepper sprayed her, she was lying motionless on her side, handcuffed behind her back, while Campbell kneeled with his body weight on her hands. Campbell maintained complete control over Ms. Halling from the moment she willingly allowed him to handcuff her. Any movements she made after that point, were clearly and obviously in response to Campbell's attempts to touch her groin area. Each time this happened, Ms. Halling became motionless the *moment* Campbell discontinued touching this area of her body.

83. Additionally, when Campbell slammed Ms. Halling to the ground, she was likewise completely compliant with Campbell's control.

84. Assuming, for argument sake, that Ms. Halling was presenting active resistance, neither of the other two requirements were met here- Ms. Halling was not engaged in a civil disturbance/demonstration, and no conceivable circumstance existed to suggest she was an imminent danger to anyone. When Campbell slammed her to the ground, Ms. Halling was handcuffed behind her back and giving absolutely no indication that she was attempting to hurt herself or anyone else. Likewise, when Campbell pepper sprayed her, she was laying motionless on her side, handcuffed behind her back, and Campbell was kneeling on her hands, in complete control over her.

85. The IA's exoneration is particularly alarming given the repeated findings by Judge Walter, as well as the numerous jury comments about Campbell's conduct relayed into the record.

86. However, perhaps the most concerning aspect of the IA investigation is that Campbell was not even investigated for his dishonesty and falsification of evidence. After numerous factual findings by the Court, the appearance of personal counsel for Campbell from the City



Attorney's office *because of those findings*, and a direct email from the Court to Chief Vasquez, Campbell was simply not investigated for his dishonesty.

87. In violation of his obligations under C.R.S. § 16-2.5-502, Officer Campbell was not reported for his dishonesty and fabrication of evidence, as found by Judge Walter. In fact, CSPD did not even investigate him for such.

### **RES JUDICATA**

88. During the criminal trial against Ms. Halling for DUI, Judge Regina Walters repeatedly made the following findings:

- a. Campbell falsified the P23 Form by certifying that he personally viewed the blood draw from Ms. Halling when he in fact did not,
- b. Campbell lied in his testimony concerning the manner in which he slammed Ms. Halling to the ground,
- c. Campbell used excessive force against Ms. Halling.

89. Present for those ruling were no less than three separate members of the 4<sup>th</sup> Judicial District Attorney's Office, and personal counsel for Campbell, Ms. Stein.

90. Mr. Stein entered his appearance on the record for the express purpose of protecting Campbell's rights *because* of Judge Walter's findings that Campbell had lied and used excessive force. Mr. Stein openly acknowledged the Court's findings would have permanent and lasting consequences for Campbell.

91. Campbell, through Mr. Stein, did not challenge Judge Walter's findings that he used excessive force and that he falsified the P23 Form. Campbell, through Mr. Stein only challenged the finding that he was "incredible as a matter of law."
92. Judge Walter's findings that Campbell used excessive force and falsified the P23 Form remain undisturbed. Thus, Judge Walter's rulings that Campbell used excessive force against Ms. Halling, falsified the P23 Form, and lied on the stand should be given res judicata effect.

### **FIRST CLAIM FOR RELIEF**

#### **Civil Action for Deprivation of Rights, Pursuant to C.R.S. §13-21-131**

#### **Article II Section 7 of the Colorado Constitution– Excessive Force**

(against Defendant Campbell)

93. Plaintiff hereby incorporates all other paragraphs of the Complaint as if fully set forth herein.
94. At the point in which Defendant Campbell used excessive force against Ms. Halling, she was already under arrest. She had been handcuffed and walked willingly to Campbell's police car when he slammed her hard to the ground after requesting a female officer conduct the search of her person.
95. Ms. Halling also remained compliant, posed no risk to anyone, and her behavior was completely devoid of any indication of an intent to harm anyone when Campbell continued to use excessive force against her via pepper spray, twice.

96. No officer would consider Defendant's deployment of painful force and excessive aggression upon Plaintiff to have been reasonable or justified under the circumstances. Additionally, Defendant's action was in blatant disregard for his own agency's policies. This unreasonableness was repeatedly acknowledged by Judge Walter, concluding that Campbell's conduct here constituted "blatant excessive force."
97. Defendant's physical assault on Plaintiff was unnecessary and unreasonable. Article II Section 7 of the Colorado Constitution forbids unreasonable seizures, which includes seizures carried out with excessive force, like this one. Defendant Campbell effected this assault and injuries to Plaintiff with deliberate indifference to her rights.
98. Defendants' unjustified and violent seizure and assault upon Plaintiff caused her to experience great physical pain, injury, and terror. This experience continues to cause Plaintiff trauma and emotional distress.
99. Plaintiff further seeks injunctive relief against Defendant Campbell, prohibiting him from maintaining P.O.S.T. certification. C.R.S. § 13-21-131(1) authorizes this court, upon a finding of Defendant's liability, to order "legal or equitable or any other appropriate relief." Plaintiff believes this injunctive relief, in the form of revoking Defendants' P.O.S.T. certification, would be particularly appropriate in this action, not only as a sanction for unlawful behavior, but also in an effort to protect the community from similar injury.

## **SECOND CLAIM FOR RELIEF**

**Injunctive relief, pursuant to C.R.C.P. 65, ordering compliance with C.R.S. § 24-31-301, et**

**seq.**

(Defendant Vasquez in his official capacity)

100. Plaintiff hereby incorporates all other paragraphs of the Complaint as if fully set forth herein.
101. In the first criminal trial against Ms. Halling, Campbell was determined to have lied in his testimony, and falsified the P23 Form.
102. These findings were made in the presence of no less than 3 separate attorneys for the 4th Judicial District Attorney's Office, an attorney from the Colorado Springs City Attorney's office, and emailed directly to Chief Vasquez.
103. Despite this abundant notice of Campbell's dishonesty and falsification of official criminal justice records, Chief Vasquez has taken zero action, in violation of his duty to do so and report the finding to the P.O.S.T. Board, pursuant to C.R.S. § 24-31-307; and § 16-2.5-502.
104. Pursuant to C.R.S. § 24-31-303(1)(r), et seq. CSPD must provide the P.O.S.T. Board with notice that any officer has violated the credibility prohibitions by falsifying a criminal justice record.
105. Officer Campbell remains employed by CSPD, and according to the P.O.S.T. Database has not been disciplined either for his excessive force, or untruthfulness, as of the filing of this Complaint.

106. Ms. Halling therefore requests this Court, pursuant to C.R.C.P. 65, issue an Order directing CSPD, through Chief Vasquez, to give notice to the P.O.S.T. Board of Campbell's untruthfulness, in accordance with the law.

### **THIRD CLAIM FOR RELIEF**

**Civil Action Pursuant to C.R.S. §13-51-105; § 24-31-305; § 13-21-131:**

**Seeking declaratory judgment Campbell violated C.R.S. § 24-31-305 with respect to misrepresentations in an official criminal justice record; Fabrication of Evidence, in violation of Ms. Halling's right to Due Process under Article II Section 25 of the Colorado**

### **Constitution**

(Against Defendant Greg Campbell)

107. Plaintiff hereby incorporates all other paragraphs of the Complaint as if fully set forth herein.

108. C.R.S. § 24-31-305 prohibits officers from making material misrepresentations in official criminal justice records.

109. Here, Campbell signed the P23 Form, certifying that he personally viewed the blood draw of Ms. Halling. This is patently false, and was admitted by Campbell in his trial testimony.

110. Additionally, Campbell lied in his testimony characterizing the manner in which he threw Ms. Halling to the ground. Campbell testified unequivocally that he did not throw her to the ground "hard." However, this was also patently false, as made clear both by the body camera

itself, and Campbell's contemporaneous statements in which he said exactly that: "I threw her *hard* to the ground."

111. The Court in 23M4128 repeatedly held that these statements were lies and fabrications. Despite their untruthfulness, Campbell put forth these statements into evidence, and they were used against Ms. Halling at her jury trial.

112. Additionally, Campbell caused this falsified statement to be transmitted to the Colorado DMV and Department of Revenue as the basis for revoking her driver's license. Because of this falsified evidence, Ms. Halling's driver's license was revoked for more than 18 months.

113. Judge Walter, in 23M4128, was so concerned about Campbell's conduct of excessive force and untruthfulness against Ms. Halling that she emailed Chief Vasquez directly, informing him of Campbell's untruthfulness, and urging him to investigate. Chief Vasquez apparently ignored the entirety of this situation, as made apparent in the IA Investigation in which only Campbell's excessive force was examined.

114. Both Campbell's certification on the P23 Form and his dishonest trial testimony fall squarely within the prohibition of making "untruthful statement[s]" in C.R.S. § 24-31-305(2.5)(I).

115. These false statements, which were clearly established well before the jury trial commenced against Ms. Halling in 23M4128, were used against her seeking a criminal conviction as if true, in violation of Ms. Halling's right to Due Process, guaranteed by Article II Section 25 of the Colorado Constitution.

116. In addition to damages for violation of her right to Due Process under Article II Section 25 of the Colorado Constitution, Plaintiff seeks a declaratory judgment that Campbell

knowingly made two false statements of material fact, as defined in C.R.S. § 24- in violation of C.R.S. § 24-31-305.

#### **FOURTH CLAIM FOR RELIEF**

**Injunctive relief pursuant to C.C.R.P. 65: directing the 4<sup>th</sup> Judicial District Attorney's office to comply with Colo. RPC. 3.8(d), C.R.S. § 16-2.5-502, C.R.Crim.P. 16, and their obligations pursuant to *Brady v. Maryland***

(Defendant Michael Allen in his official capacity)

117. Plaintiff hereby incorporates all other paragraphs of the Complaint as if fully set forth herein.
118. Judge Walter made repeated findings that Campbell had lied in his testimony and falsified evidence in the criminal case against Ms. Halling. These acts of untruthfulness by Campbell undoubtedly constitute “untruthful statement[s]” as contemplated in C.R.S. § 24-31-305(2.5)(I). These findings were made in the presence of no less than 3 separate District Attorneys, including then Chief Deputy Andrew Vaughn. Despite the resetting of the trial in 23M4128, after these findings, no credibility disclosure regarding Campbell was provided in the continued prosecution of Ms. Halling.
119. Despite this abundant notice, the District Attorney has failed to provide any credibility disclosures related to Campbell's conduct. As of the filing of this Complaint, Campbell continues to be absent from any credibility disclosures provided by the 4<sup>th</sup> Judicial District Attorney's office. This failure is in blatant violation of the District Attorney's obligations

under *Brady v. Maryland*, 373 U.S. 83 (1963); *Giglio v. United States*, 405 U.S. 150 (1972); *Kyles v. Whitley*, 514 U.S. 419 (1995) and C.R.S. § 16-2.5-502.

120. As such, Plaintiff requests this Court enter an Order, declaring that the 4<sup>th</sup> Judicial District Attorney's Office is in violation of its credibility disclosure obligations, and Order their immediate compliance therewith, including but not limited to correctly including Defendant Campbell on the "*Brady* list" disseminated in every criminal case prosecuted in this jurisdiction, indicating that significant material exists which may have an impact on his credibility.

**WHEREFORE**, Plaintiff prays judgment against Defendants for such sum that will fairly and adequately compensate Plaintiff for her damages and for such other and further relief as the Court deems just and proper under the circumstances, and for her costs incurred and expended.

Plaintiff requests a jury trial.

/s/ Kevin Mehr  
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