



# BRUNO LILLY LECLERE, PLLC

A CRIMINAL DEFENSE LAW FIRM

April 29, 2025

## THE FOLLOWING COMMUNICATION IS MADE FOR SETTLEMENT PURPOSES

### Delivered In Person to:

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

### **RE: SETTLEMENT DEMAND**

**Our Client:** Sofia Salas

**Date of Loss:** 12/14/2023

**Type of Claim:** C.R.S. § 13-21-131

Dear Mr. Jeremy Black, Mr. Ken Amick, Ms. Alyssa Bird f/k/a Hewell, and Mr. Jay Billings with the Garden City Police Department,

Please be advised that this office represents Ms. Sofia Salas in connection with serious individual rights violations and damages sustained on December 14, 2023 at the hands of the Garden City Police Department (also known as “GCPD”), specifically the individuals to which this letter is addressed. I write to submit our settlement demand for your review and evaluation. Currently, no legal action has been commenced on our client’s behalf, and this letter is intended to initiate an acceptable compromise of all claims before expending significant resources of time, finances, and emotions necessarily involved in litigating claims of this nature. Please respond within 14 days. If you need more time, please let me know.

### **FACTS**

On December 9, 2023, at around 23:55 hours, Officer Alyssa Bird (hereinafter referred to as “Officer Hewell” for clarity) 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 the 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. He printed off a photo of the vehicle and Officer Hewell confirmed it was the vehicle she attempted to stop on December 9, 2023.

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On December 14, 2023, at around 21:15 hours, officers Alyssa Hewell, Jay Billings, and Sergeant Ken Amick arrived at 1321 2<sup>nd</sup> Street, Greeley, CO 80631, the home of Sofia Salas. Greeley police officers were not present during the interaction and there is no indication that Greeley was notified that Garden City Police Officers intended to investigate a crime in the city of Greeley. Garden City Police Officers acted outside of their legal authority the minute they arrived in Greeley to conduct a criminal investigation. Nonetheless, Officer Hewell and Sergeant Amick knocked on Ms. Salas' door waking her and her family up. They proceeded to request 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.”

Even though GCPD had no legal authority to conduct a criminal investigation in Greeley and had no legal authority to seize Ms. Salas personal vehicle, Officer Hewell 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,” and the officers walked away from Ms. Salas, toward the driveway and back alley. In an astonishing display of their abuse of power, GCPD officers proceeded to call in a truck to tow Ms. Salas' vehicle and waited for the truck to arrive. At around 22:00 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.

Ms. Salas' vehicle was towed and booked into Superior Towing, 3030 1<sup>st</sup> Avenue, Greeley, CO 80361, at 22:42 hours on December 14, 2023. It was placed on an evidentiary hold and Ms. Salas was unable to retrieve it from the lot. Ms. Salas attempted to retrieve the vehicle on her own by calling the Garden City Police Department and requesting a release. 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 carried out during the month that the car was being 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 then retained the services of our law firm to assist her regain possession of her vehicle. On January 11, 2024, at 16:12 hours, undersigned 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 17:11 hours.

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As a result of the towing of Ms. Salas' car without any legal authority to do so, Ms. Salas was needlessly deprived of her personal property had no means of transportation to and from work for nearly a month. As a result, 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. Further, because the vehicle was on a law enforcement hold while in the tow lot, Ms. Salas was forced to pay \$1,745.24 to get her vehicle out of the Superior Towing lot. Additionally, Ms. Salas was forced to retain and pay for legal services in order to get her vehicle back from the Police Department.

## LIABILITY

Liability in this matter is clear. The City of Garden City and the employees named above are liable to Ms. Salas pursuant to C.R.S. § 13-21-131, which states that peace officers may be held liable in court for violations of individual rights.

To successfully prevail in an action under § 13-21-131, the plaintiff must allege and prove that a peace officer, acting under color of law, subjected Ms. Salas or caused Ms. Salas to be subjected to a deprivation of one or more of the individual rights guaranteed by article II of the Colorado Constitution that create binding obligations on government actors. Article II, section 7 of the Colorado Constitution guarantees the right to be free from unlawful searches and seizures by law enforcement. Further, Article II, section 3 provides the right to acquire, possess, and protect property. It is clear that each of the above-named peace officers, acting under color of law, either participated in the unlawful seizure of Ms. Salas' vehicle or permitted the vehicle to be seized and held for an extensive period of time. The Garden City Police Department did not have a valid warrant to seize Ms. Salas' property nor any reason to believe Ms. Salas had committed any crime. In fact, based on the officers' questions and statements, it is clear they did not suspect Ms. Salas of any wrongdoing. Further, it is well established law that even when a crime has been committed in a vehicle that police are not authorized to tow the vehicle simply because their policies authorize it, there must be a lawful reason to tow the vehicle. *See People v. Brown*, 415 P.3d 815 (Colo. 2018); *see also People v. Quick*, 417 P.3d 811 (Colo. 2018); *see also People v. Thomas*, 488 P.3d 1191 (Colo. App. 2021). Nevertheless, the officers unlawfully seized and held the vehicle to extract information from Ms. Salas and in retaliation for her noncooperation. In doing so, the officers deprived Ms. Salas of the right to possess and protect her vehicle. Further, neither statutory immunities nor qualified immunity act as a defense to liability for claims brought under § 13-21-131. *See* C.R.S. § 13-21-131(2)(a), (2)(b).

## DEMAND

For the purpose of initiating the settlement negotiation process, Ms. Salas makes the following demands to the City of Garden City:

1. Accept 100% liability for the injuries to Sofia Salas.
2. Remit payment in the amount of \$500,000 to Ms. Sofia Salas.

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## CONCLUSION

Sofia Salas was subjected to a baseless and serious deprivation of her rights when officers with the Garden City Police Department unlawfully seized her vehicle and held it for several weeks. As a result of the deprivation, Ms. Salas suffered significant financial losses due to missing work, paying for alternative transportation, and paying to retrieve the vehicle from the tow yard when it was finally released by Chief Black. Ms. Salas suffered further financial hardship by having to retain counsel to assist her in retrieving her property. Further, Ms. Salas suffered and continues to suffer significant emotional distress as a result of the deprivation of rights. While Ms. Salas is committed to achieving justice in this case, no matter how long it takes, we urge the City of Garden City to do the right thing and fairly compensate Ms. Salas without compelling her to file a lawsuit to recover what she has lost.

Please feel free to reach out to me directly with any questions or concerns.

Respectfully,  
**BRUNO LILLY LECLERE, PLLC**

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