

# Mesa County Sheriff's Office

Sheriff Todd Rowell



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July 23<sup>rd</sup>, 2025

To: Sgt. Joe LeMoine  
From: Art Smith, Operation Division Chief  
Re: AXON Standards EVT-00001149  
CC: Professional Standards Unit  
Mesa County Human Resources

## **Notice of Minor Discipline**

The above referenced Professional Standards Unit (PSU) investigation revealed misconduct on the part of K9 Deputy Alex Zwinck and K9 Deputy Erik Olson beginning prior to 05/20/25 and running through 06/13/2025. You were the direct supervisor of Deputy Zwinck and Deputy Olson at all times relevant to this investigation.

The investigation revealed a series of incidents, beginning prior to 05/20/25, in which Deputy Zwinck and Olson assisted, detained and/or provided direction of travel and vehicle identification information to HSI/ICE personnel after having learned HSI/ICE officers wished to contact subjects of their traffic stops solely for the purpose of enforcing civil immigration violations.

The actions undertaken by Deputy Zwinck and Olson, were in violation of two separate directives, issued on 02/08/24 and 01/30/25, respectively. There is a preponderance of evidence their actions were in violation of C.R.S 24-76.6-102 prior to the passage of SB25-276. There is a preponderance of evidence their actions were in violation of provisions of SB25-276, post its passage on 05/23/25.

Their actions were contrary to our agency's years old policing philosophy and practice of **not** investigating, enforcing or assisting in the enforcement of civil immigration violations.

The investigation revealed despite being Deputy Zwinck's and Deputy Olson's direct supervisor, at all times relevant, you were unaware of their series of actions. As their direct supervisor, you were the person best situated and directly responsible to have operative knowledge of their actions, and to interrupt and course correct their actions to insure they continued to operate in compliance with our longstanding policing philosophy and practices, internal directives and relevant Colorado statutes.

## **Findings:**

As revealed in this investigation, beginning prior to 05/20/25 and running through 06/13/2025, I find you were in violation of the following Mesa County Sheriff's Office policies:

- **Standards of Conduct 320.3.2 – Supervisor Responsibilities**
  - (a) *Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.*
  
- **Standards of Conduct 320.5.7 – Efficiency**
  - (b) *Unsatisfactory work performance including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.*

**Mitigating Factors:**

You started with the MCSO as a patrol deputy in 2017, promoted to patrol sergeant in February of 2022 and assumed your current position as the drug task force sergeant in October of 2023. You have served the MCSO as a driving instructor/lead instructor. I am unaware of you having ever received any documented discipline in the history of your employment with the MCSO. You served as a patrol sergeant successfully and honorably. Aside from this incident, I am unaware of any other issues related to your supervision at the drug task force. Aside from this incident, I have personally observed you to consistently be a conscientious and thoughtful supervisor and leader. I weigh all these factors heavily in determining reasonable and appropriate discipline in this matter.

**Discipline:**

Your discipline, related to this incident, is as follows: two (2) days suspension without pay (16.0 hours suspension without pay), to be served by or before 09/07/25 and to be scheduled at the discretion of your captain, Cpt. Curtis Brammer.

**Appeal Rights:**

Pursuant to MCSO Policy 1011.7, you may appeal this discipline. Any such appeal, must be submitted in writing to Undersheriff King, no later than 1600 hours on 07/26/25.

**Conclusion**

I am sincerely hopeful for your continued success at the Mesa County Sheriff's Office. Any future similar incidents may subject you to progressive discipline.

Respectfully,



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Art Smith  
Operations Division Chief