

Weak Case Cited in Ex-Cop's Deal

DA alleged he faked disability, collected pay

By Sue Lindsay

A former Denver police officer indicted last year for fraudulently collecting more than \$667,000 in disability payments while building an international reputation as a bowhunter received a seemingly lenient plea deal because prosecutors weren't sure they could prove the case. Last week, David Holt, 61, pleaded guilty to a single charge of making a false statement and received a deferred judgment, which will be cleared from his record if he stays out of trouble for four years.

The judge also ordered him to pay \$135,000 in restitution to the Fire and Police Pension Association. Holt faced 54 years in prison and a fine of up to \$2.5 million on the 12-count indictment for forgery, theft and making a false statement.

The indictment charged that he lied about a disability for 18 years, convincing doctors that he suffered from serious physical, psychological and cognitive problems from a brain injury.

Meanwhile, Holt took African hunting trips, formed several companies, wrote books and starred in instructional videos, prosecutors said.

"We think it's a fair resolution of a very complex case," defense attorney Richard Kornfeld said. "Various complex legal issues coupled with the effects of Mr. Holt's closed-head injury justified a resolution of the case."

Apparently the strength of the case was beginning to crumble on a number of fronts.

The attorney general's office declined comment, except to say that "there were some serious evidentiary concerns," including the city's settlement with Holt in its petition to revoke his worker's compensation.

'Made no secret'

The indictment charged that Holt stated on benefit forms each year that he was not employed and remained eligible for disability payments.

Kornfeld said Holt made no attempt to hide his hunting activities, and gave copies of his tax returns containing his business income to the FPPA.

"He was, and is, well-known in the bowhunting community," Kornfeld said. "He made no secret of that." Kornfeld said Holt, a former SWAT officer, continues to suffer from a brain injury.

"He was, and is, occupationally disabled," Kornfeld said. "It's one thing to sit in a tree stand all day waiting for game. It's another thing to have the physical and emotional capacity to make the decisions a police officer has to make every single day."

A Denver police officer beginning in 1968, Holt was put on disability in 1986 after he claimed to have suffered a head injury while running a Denver Police Department obstacle course.

Holt told doctors he was suffering severe psychological problems, including paranoia, short-term memory loss and an inability to control his emotions, according to the indictment. Although Holt walked with a shuffling gait immediately after the accident, his girlfriend at the time said the injury cleared up within a few weeks of the accident and that Holt showed no signs of lasting effects except when he went to a doctor, the indictment said.

Holt self-published his first book, *Balanced Bowhunting*, in 1988. He formed High Country Publishers in 1995 and in 1999 formed a company called Dave Holt's Africa, to take bowhunters on overseas trips. He published *Balanced Bowhunting II* in 2004 and was featured on the cover of the 2005 DVD *Africa with*

Stick and String.

When Denver challenged his disability claims and required him to undergo another psychological exam, Holt cowered in a corner, appearing "childlike and fearful" and said he couldn't read or write without help, the indictment said.

The psychologist concluded Holt was malingering and Denver moved to revoke his disability status.

Worker's comp halted

Attorney General John Suthers took the case to a statewide grand jury in 2006. Holt was indicted last June.

Under Holt's settlement with Denver, reached many months before trial, the city stopped his worker's compensation payments but did not require reimbursement for past payments, Kornfeld said.

Under a preliminary agreement with the FPPA, Holt has lost full disability pension, but retains a 30 percent occupational disability, Kornfeld said.

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Call Us At
303.573.1900
Fax: 303.446.9400
1600 Stout Street, Suite 1000
Denver, CO 80202