

Deputy Groene Internal Affairs Investigation: Untruthfulness

Prepared on: September 12, 2020

Prepared by: Chief Deputy of Operations Lathrop

Prepared for: Undersheriff Burchetta

On Wednesday, September 7th, 2022 I, Chief Deputy Lathrop, was made aware that Deputy Aerial Groene had possibly received unreported monies from the victim in a felony vehicle theft case currently under investigation by the Pitkin County Sheriff's Office. Due to the severity of the allegation, I, with the assistance of Undersheriff Burchetta and Sergeants Robles and Voss, opened an investigation into the alleged incident. The alleged incident occurred on Thursday, September 1st, 2022, and the PCSO became aware of it the following day.

It was reported that on Thursday, September 1st, Deputy Groene was assisting in transporting the victim (Masters) of a felony car theft, case 22P009801, to the found vehicle in Glenwood Springs, Colorado and that in doing so, the victim gave Deputy Groene \$20 from the recovered vehicle for providing her a ride. Deputy Groene did not initially record that there were any monies located in the recovered vehicle, that monies from the recovered vehicle were released, or that she received any monies from Masters. The PCSO was first made aware of the exchange of monies the following day, Friday, September 2, when the Masters discussed giving \$20 cash to Deputy Groene with Deputy [REDACTED] while she was on follow-up for the vehicle theft. Not seeing any mention of the monies in Deputy Groene's report, Deputy [REDACTED] reported what she had been told in her conversation with Masters to Sergeant Voss.

Sergeant Voss met with Deputy Groene in person at the Mountain Rescue Aspen facility on Saturday, September 3rd, 2022, to discuss what Voss had learned from his previous conversation with Deputy [REDACTED]. The conversation between Sergeant Voss and Deputy Groene covered several aspects of her involvement in the case. While in conversation, Sergeant Voss highlighted to Deputy Groene the value of evidence preservation and documentation and the value that may be contained in and on physical items of evidence collected from a scene. With the information provided by Corporal Todaro from a pass-down briefing on the incident and what had been shared by Deputy [REDACTED], Sergeant Voss asked Deputy Groene about the \$40 that was found in the recovered vehicle. Deputy Groene responded that the victim had kept the money in its entirety. Sergeant Voss then repeated to Deputy Groene what she took from her statement, "She kept the money?" and Deputy Groene said: "Yes, Master's kept the money." Sergeant Voss then informed Deputy Groene, that through a conversation with Deputy [REDACTED], he was aware that Masters had given \$20 cash to Deputy Groene for the ride she had given Masters to Glenwood Springs to retrieve the recovered vehicle. Deputy Groene responded to Sergeant Voss by saying, " Yes, she (Masters) gave me \$20.00". Deputy Groene said she (Masters) "threw it in my car," and Deputy Groene did not know how to return it. Deputy Groene went on to say Masters did not want to keep the money that was found in her vehicle, as she believed it to belong to the suspect and that Masters wanted the money out of her car.

Confronted with the fact that she indeed had \$20 cash from Masters, Deputy Groene asked Sergeant Voss what she should do with it. Sergeant Voss replied that Deputy Groene should enter the \$20 cash as evidence and complete a supplemental report detailing where it was found and how she had come to possess the money. Sergeant Voss also addressed the mishandling of evidence by allowing Masters to keep the remaining \$20 that was also found in the recovered vehicle. No more relevant details to this investigation were mentioned in their conversation.

Sergeant Voss reached out to Deputy Groene via text on Wednesday, September 7th, since she had not yet submitted the requested supplemental narrative or entered the \$20 into evidence. Later that day, Deputy Groene entered a supplemental narrative describing how she came into possession of the \$20 from Masters and also stated that she had entered the \$20 bill into evidence that same day.

On Thursday, September 8th, Sergeant Voss and I met with Deputy Groene at the Mountain Rescue Aspen facility to conduct a formal interview about the incident. I informed Deputy Groene that PCSO was investigating her involvement in the incident and that it would be recorded as part of a formal interview process. Much of the interview recounted Deputy Groene's interactions with Masters and the purposes behind agency policy. The discussion surrounding the \$20 bill was focused on its being omitted from her original supplemental narrative, her conversation with Sergeant Voss when she was confronted about having possession of the \$20 bill, and the inconsistencies in the documentation of it being placed into evidence. Deputy Groene stated Masters handed her the \$20 when she handed her the notes that the suspect had left in the recovered vehicle. Upon receiving the \$20 cash, Deputy Groene questioned Masters, "what's this?" Masters replied, "it's for you. You deserve it. You helped me out. And I (Deputy Groene) said I can't accept this. And she said, no, take it, like, it's yours." Deputy Groene stated that she did indeed keep the \$20 bill but that she did not know what to do with it until she spoke with Sergeant Voss "later" and he directed her to submit it to evidence. When Sergeant Voss asked Deputy Groene why in their conversation from September 3rd Deputy Groene had stated Masters had kept the \$40 cash and it that is was not until he stated that he knew from another deputy that she had received \$20 that Deputy Groene that she finally stated that she indeed had received it from Masters. Deputy Groene explained the reason the \$20 cash was never mentioned was "Probably just because I forgot that she had given it to me 'cause it doesn't happen all that often." When Sergeant Voss asked Deputy Groene about the inconsistency in her supplemental narrative about stating that she had submitted the \$20 cash into evidence on September 7th, when she had actually done so on September 8th, she stated that it was "probably just a typo." The remainder of the interview revisits these points on several occasions but much of the discussion was the purpose of why we, law enforcement, do what we do and what we should have done the day that the stolen vehicle was recovered.

Pitkin County Undersheriff Burchetta made a request to the Glenwood Springs Police Department for body camera footage from the Glenwood Springs Officer who was on scene with Deputy Groene at the time the vehicle was recovered and returned to Masters. The requested body camera footage was delivered to the PCSO on Monday, September 12th. Upon reviewing the body camera footage from the Glenwood Springs Police Department, an unknown sum of

money can be seen on the driver's seat of Master's vehicle at 0:37 in the video. The money appears to stay on the seat of the vehicle while Deputy Groene and Masters review and photograph the notes also found in the recovered vehicle. The Glenwood Springs officer then walks back to his vehicle to get his phone, and when he returns a \$20 bill can be seen in Deputy Groene's hand along with the two notes, this can be seen clearly at 1:34. The \$20 bill can be seen in Deputy Groene hand at various moments throughout the video until she mentions needing to put something away and then walks to the front passenger area of her patrol vehicle at approximately 7:53. When she returns to talk with the Glenwood Springs Officer the \$20 bill is not seen in the video again. The money can be seen at various points throughout the body camera footage but is never mentioned or discussed in the body camera footage received from the Glenwood Springs Police.

Findings:

After reviewing the related incident report narratives, conversation notes, formal interview recordings, and body camera footage, my investigation into Deputy Groene's involvement in incident 22P009801 focuses on acts of untruthfulness by omission of a material act on an official criminal justice record and untruthfulness during an administrative investigation. Both instances are in violation of the Colorado POST Finding of Untruthfulness as described in the Untruthfulness Law, SB 19-166 and recorded as Colorado Revised Statute 24-31-305(2.5). It is the opinion of this report that Deputy Groene:

Knowingly omitted a material fact on an official criminal justice record:

Deputy Groene omitted from her initial narrative that she had received \$20 cash from the victim of a felony vehicle theft from money that was found in the recovered vehicle and considered evidence in the case. Mention of the \$20 cash was included in a later supplemental narrative by Deputy Groene, but only after she was confronted by a supervisor about having received it.

Knowingly made an untruthful statement concerning a material fact during an administrative investigation:

When questioned by a supervisor as to what happened to the money found in the recovered vehicle from a felony vehicle theft, Deputy Groene stated that the owner of the vehicle had kept all \$40 cash. In an effort to be clear as to what Deputy Groene had previously said, the supervisor asked Deputy Groene if she was certain the owner had kept all \$40 cash from the recovered vehicle, to which Deputy Groene replied "yes, Masters (vehicle owner) kept the money". It was only after the Supervisor told Deputy Groene that he was aware that she did in fact receive \$20 cash from the vehicle owner that Deputy Groene replied she had received the \$20 cash.

Recommendations:

Given that Deputy Groene violated the Untruthfulness Law, SB 19-166, (Colorado Revised Statute 24-31-305(2.5)) for both the above instances, I feel that the Pitkin County Sheriff's Office is left with no other option other than to terminate her employment and complete the required reporting to the Colorado POST Compliance Manager.

Exhibits:

[Incident Report Narratives and Supplemental Narratives 22P009801](#)

[Conversation notes between Sergeant Voss and Deputy Groene](#)

[Conversation transcript between Sergeant Robles and Eryl Masters](#)

[Recorded Formal Interview with Chief Deputy Lathrop, Sergeant Voss and Deputy Groene](#)

[Written transcript of the formal interview](#)

Body Camera Footage from Glenwood Springs Police Department

[20220901_1709_BWC2-047801_e211fbf.mp4](#)

[20220901_1609_BWC2-058760_3e4c75f.mp4](#)

The following statements in this report are paraphrased from numerous conversations between myself, Pitkin County Sergeant Ryan Voss, and deputies involved with incident number 22p009801. Incident 22p009801 was an auto theft incident that occurred at 487 Shield O Road, Pitkin County, at 00:04 hours, on 09/01/22. The vehicle was recovered in Glenwood Springs late afternoon on 09/01/22. Deputies involved in the investigation were [REDACTED] (lead); Josh Bennett (supportive); Sergeant Dustin Gray (supervisor); Aerial Groene; Anthony Todaro (supervisor); [REDACTED] and myself as a supervisor. I also consulted Pitkin County Lead Investigator Brad Gibson. Deputies take the lead on most of their investigations, with the guidance of Investigator Gibson, until the case is forwarded to investigations or completed.

Friday 09/02/22: On Friday, 09/02/22, I, Pitkin County Sergeant Ryan Voss was involved in a face-to-face conversation with Deputy [REDACTED] about passdown from the day and expectations about the night. I was the mid-shift supervisor and Deputy [REDACTED] was on the night shift. After a brief shift conversation, Deputy [REDACTED] informed me of a weird conversation he had with Deputy [REDACTED]

Deputy [REDACTED] stated he and Deputy [REDACTED] had spoken about incident 22p009801, on 09/02/22, because the incident was weird and the victim Eryl Evans Masters was so bothered emotionally about the violation of privacy. I knew from previous reports and conversations with deputies Masters was upset and felt very unsafe about the incident at 487 Shield O Road. Deputy [REDACTED] stated Deputy [REDACTED] shared with him Masters had mentioned 'paying Deputy Aerial Groene \$20.00 for a ride to Glenwood Springs to pick up her car. Deputy [REDACTED] stated Deputy [REDACTED] asked for advice on what to do with this information and Deputy [REDACTED] advised Deputy [REDACTED] to notify me.

Deputy [REDACTED] and I spoke about evidence, evidence collection, and citizen attempts to give deputy gifts. I explained the seriousness of this information and asked for confidentiality so I could speak to Deputy [REDACTED] Deputy Groene, my supervisors Pitkin County Undersheriff and Chief Director of Operations Parker Lathrop, and the sergeant group. This incident was a violation of policy and procedure, practiced evidence collection, and conduct.

Later in the evening, Deputy [REDACTED] shared the same information about Masters, the \$40.00 left in the car, and evidence collection. Deputy [REDACTED] asked about documentation, and I told Deputy [REDACTED] to put all the information from the incident in her reports.

On Saturday, 09/03/22, at Mountain Rescue Aspen (MRA), in the conference room, I spoke with Deputy Groene about incident # 22p009801. I asked how everything had been going with the incident. Deputy Groene and I initially spoke about the frustration with Deputy [REDACTED] not taking the lead. The incident was Deputy [REDACTED], and Deputy Groene got held over to assist even after Deputy [REDACTED] overlapped on the shift. In the late afternoon hours of 09/01/22, when the stolen vehicle had been found in Glenwood Springs, Deputy Groene was scheduled to be off work at 2:30pm. Due to call volume and staffing, Deputy Groene had stayed on and been involved in investigating 22p009801. Deputy Groene then volunteered to drive Masters to Glenwood Springs where the vehicle had been located.

I knew from report reviews and conversations with Deputy Todaro, who was the acting supervisor when the vehicle had been located, that there were several miscellaneous items, a couple of apologetic letters, and cash left in the car. I assumed from Pitkin County Sheriff's Office Policy and

Procedure, and common practice, that anything left in the car which did not belong to the registered owner would be documented and entered into evidence. This is common practice. I also knew from report reviews, that the letters had been entered as attachments. From a supervisor's perspective, I would have entered as evidence carefully to preserve any possible evidential value. I had already spoken to Investigator Gibson about this discrepancy and planned to speak with Deputy Groene about this issue.

After Deputy Groene and I spoke about the initial frustrations with Deputy Groene getting stuck for an extended shift and Deputy [REDACTED] not taking the lead. I asked Deputy Groene about the items left in the car, documentation, and pictures. Deputy Groene mentioned the letters, and I voiced my opinion about the proper handling of evidence like that. I explained why we try and preserve evidence and the common practices. Deputy Groene understood. Deputy Groene said she entered all photographs taken into the digital FileOnQ evidence system. Deputy Groene mentioned \$40.00 left in the vehicle, and stated "She (Masters) kept the money". I reiterated what Deputy Groene stated to me back to her: "She kept the money," and Deputy Groene said: "Yes, Master's kept the money." This was contradictory to what Deputy Garcia shared. Deputy [REDACTED], Deputy [REDACTED] and Masters (victim) all stated Deputy Groene had been given \$20.00.

At this point, I informed Deputy Groene another deputy had brought to my attention Masters had told them that she (Masters) gave Deputy Groene \$20.00 for a ride to Glenwood Springs to retrieve the stolen vehicle; this was different than what she stated about the \$40.00. At this time, Deputy Groene said: "Yes, she gave me \$20.00". Deputy Groene said she threw it in my car, and Deputy Groene did not know how to return it. Deputy Groene went on to say Masters did not want to keep the money from the suspect and Masters wanted the money out of her car.

Once again, I reiterated the importance of evidence and explained how everything left in that vehicle was material evidence in a felony auto theft case. Everything should have, and always should be, entered into evidence. I also explained how Masters should not of kept anything not belonging to her. Any monetary exchange could be viewed as a civil agreement and could affect the nature of the charges in the case. Deputy Groene asked me what she should do. I explained she should enter the \$20.00 as evidence with a supplemental report.

Deputy Groene and I also spoke about citizen gift attempts. It is not uncommon for citizens to try and give deputies gifts for good service and appreciation. We spoke about not accepting, returning, or re-gifting to charities any gifts received.

On Wednesday, 09/07/22, at an in-service meeting at MRA, I spoke with Undersheriff Alex Burchetta about this incident. This matter involved policy and procedure, and deputy conduct. Several supervisors: Sergeant Levi Borst, Sergeant Dustin Gray, Sergeant Parichat Robles, and Corporal Anthony Todaro, were also at this meeting and joined in the discussion. This was five days after I spoke with Deputy Aerial Groene about entering the \$20.00 with a supplemental report. As of 17:00 hours, on 09/07/22, there had not been a submission of any supplemental report or evidence for the. \$20.00. Ion 09/07/22, I had the following text message thread with Deputy Groene :

Start of thread

"Sergeant Voss, 16:55 hours: What's the status on the supplemental report about the \$40.00 left in the Ford Bronco, Incident # 22p009801? I am finishing up reports and haven't seen any entries.

Deputy Groene, 17:02 hours: I haven't been in the office to turn the money in. I can add the sup when I get home if need be. I was just waiting to do it all at the same time.

Sergeant Voss, 17:05 hours: We are moving through these reports, and a possible felony warrant. Write the sup and get that evidence as soon as you can. If you have an evidence bag, have one of the other attendees (CASCI Conference) drop.

Deputy Groene, 17:07 hours: I'll write the report tonight and come early tomorrow before training (CASCI) and drop off the evidence.

Sergeant Voss, 17:07 hours: Perfect "

End of text thread

On Thursday, 09/08/22, at about 07:16 hours, I was reviewing reports in the office and Deputy Groene stopped at the office and stated she had entered the \$20.00 from this incident into evidence.

At 13:00 hours, Pitkin County Director of Operations Parker Lathrop and I met with Deputy Groene at Mountain Rescue Aspen to discuss Incident 22p009801. This was a formal interview and it was recorded. Deputy Lathrop added the recording of this meeting. Deputy Groene was put on paid-administrative leave until the conclusion of this investigation. I assisted with taking Deputy Groene's patrol rifle and personal shotgun to the Pitkin County Sheriff's Office gun locker for storage.

Arel: Hello, this is Arel.

Parichat: Hi Arel, my name's Parichat, I'm with Picken County Sheriff's Office.

Arel: Hi.

Parichat: Hi. So I was just calling to follow up, um, on your case and I had a couple of questions. Do you have time right now?

Arel: Yeah.

Parichat: Okay.

Arel: Yeah.

Parichat: Perfect. Um, okay. So, kind of, um, the bigger thing is there was, um, some stuff left in your car, uh, when it was found in, in Glenwood.

Arel: Yeah.

Parichat: Maybe, um, I don't know, what, what were the items, I'm sorry.

Arel: It was a table saw and, uh, a charging cord for a phone. Uh, those are the only items that I did see besides the two letters that he wrote and the cash.

Parichat: Uh, there was two letters?

Arel: Uh, yeah, two letters and, um, \$45.00 in cash.

Parichat: \$45.00 in cash. Okay. And where are those letters and cash? I'm sorry.

Arel: Uh, the police, uh, Ariel, Ariel, I forget her last name. She took, um, both the letters and the, everything that was in my car. I gave her 20 bucks and she let me keep the 25.

Parichat: You gave her 20 bucks, like as evidence or?

Arel: Yeah, she, no. I mean there wasn't really any ev, this whole entire case, no evidence was really like taken or anything was taken seriously at all. Like it's been super frustrating. It's been kinda like whatever, um, so yeah, um, I get, I gave her the, I was like this isn't mine. I had the cash and I gave her the two letters. She took the letters, um, and then since she drove me in my car, um, in Glenwood, um, I obviously didn't want all the monies. I was like, you can have the \$20.00 for driving me and she let me take the 25.

Parichat: She let you take the 25. Okay. Um, and, I'm sorry. Just, did you give her, uh, the \$20.00 like you handed them to her or they were in the letters or how did that?

Arel: No, they were just on top of the letters in my seat, and I handed her \$20.00.

Parichat: Okay. So it was like a hand-to-hand kinda thing?

Arel: Yeah.

Parichat: Okay. Um, okay. And then, so did the, the table saw we have, the cord we have, the two letters –

Arel: Yes.

Parichat: – and then you kept 25?

Arel: Yeah. And she, uh, the table saw that was in my backseat had, um, I believe it's like dry, my roommate said it's like drywall splatter type stuff, like white debris on it, um, and it matched the headlamp and the, um, construction razor blade that was found in my driveway which, um, uh, [REDACTED], I believe, uh, [REDACTED] –

Parichat: Yeah, [REDACTED] is her last name.

Arel: – yeah, yeah. Yes. She, she took those into evidence the night of the incident.

Parichat: Okay. All right. So that was taken to it. Okay. So, uh, you said that Ariel let you keep the \$25.00. What was that conversation like, because, um, if it was left in your car and it wasn't yours, it was left by the guy, right? Or whoever took your vehicle.

Arel: Yeah. Yes.

Parichat: Okay. So she just said here, you can have these or how did that work out?

Arel: I mean I did, I got there and then the police handed me my keys and I opened the car and then I picked up the letters and, um, I read them, I took pictures of them and then she said she would take the letters and then I had the money in my hands still and I was like, well here, you can have the, you can have 20 because you drove me here. Um, and then that, that was really it. I looked in the back seat. She was like okay. This stuff isn't yours? I'm like no, you guys can take these things and then that was it. They let me go.

Parichat: Okay. Um, all right. I think those were kind of my questions. I did see [REDACTED] um, kind of put in quite a few supps for this. I'm just coming back. I'm sorry. I'm a supervisor, um, and I was reading through a couple of the reports. There's quite a few supplements on there, um, so I think she's still working on it.

Arel: Okay.

Parichat: Um, so don't, I, I don't want you to get frustrated 'cause you think, you know, nothing's happening with it. Uh, she's still working –

Arel: Yes.

Parichat: – through the case, um, and I'll have her update you. She's not here this week, um, but if I can catch her, um, tomorrow midday I might have her give you a call just to update you with what she's gotten done so far.

Arel: Okay. And I did hear, I mean, the girlfriend was telling his coworkers that, um, some, I mean I heard that he was found in Glenwood at a hotel and tried to commit suicide and now he's in a mental hospital in Denver, like that's all that I've heard just through, coming from the, his girlfriend.

Parichat: Okay.

Arel: Saying to coworkers and this and that so, I do know that. I haven't heard from police –

Parichat: Okay.

Arel: – that story.

Other Speaker: ****.

Arel: Um, but yeah, that's just kind of what –

Parichat: You've heard.

Arel: – yeah.

Parichat: Okay. Yeah. So I'll, again, I'll try and get [REDACTED], to give you a call and update you with what she has and that way you don't feel –

Arel: Okay.

Parichat: – like you're so out of, you know, the loop of your case.

Arel: Okay. And then, um –

Parichat: ****.

Arel: – I, I had another question, 'cause I, I called her on, uh, Satur, last Saturday before I went to Marble and was out of service for the weekend.

Parichat: Mm hmm.

Arel: Um, I came back Monday evening. I haven't really done anything to my car. I haven't washed my car. I haven't done, and I just wanted to make sure like, there's a handprint on the

back of my car that's not mine. I don't know whose it is. It coulda been his, like, is there anything you guys want to, out of my car or to get off of my car before I go in to get it detailed and cleaned and everything?

Parichat: Um, let me ask them, 'cause their, it's their case and I don't know, uh, how much – I do know that they have, you know, they know that it's him because he left a note and he was with the vehicle in Glenwood. Um, let me –

Arel: Yeah.

Parichat: – let me just confirm that before you do that and I'll give you a call, I mean within the next 20 minutes.

Arel: Okay.

Parichat: Does that sound good?

Arel: Okay. Yeah. That sounds good. Thank you.

Parichat: Okay. All right. Bye.

Arel: Uh, bye.

SpeakWrite
www.speakwrite.com
Job Number: 20220908_030236_sck
Custom Filename: New Recording 16m4s
Date: 09/08/2022
Billed Words: 1182

Parker: Okay. **** here. So we are looking into this stolen car incident.

Aerial: Okay.

Parker: And your interactions with the, uh, I can't think of her name off hand.

Ryan: Her name is – what's? Masters?

Aerial: Earl –

Ryan: Earl Masters.

Aerial: Or Errol –

Ryan: **** all the reports and the ****.

Aerial: Okay.

Ryan: Just for everyone to have, so.

Parker: **** working. Um, so, yeah. So, there's a few things that we have to look at in this. Um, obviously, we have to do an interview. So we have to record it. That's, that's our policy. Um, so, here we are, just trying to, to figure out a few things. Um, I guess, the first place to start is, kind of, your, your interactions with Masters. What happened? What'd you guys do, from the time you drove, I know you drove her down to drop her off at the car?

Aerial: Yup.

Parker: So, kind of, those conversations and your interaction with her once you were down at the car, so.

Aerial: So start from where we ****?

Ryan: When you first met her.

Parker: Yeah, when you first met her.

Aerial: Okay. So, yeah, um, it was the 1st, I believe it was the date. Um, it wasn't her that called, but it was, uh, what is his name? Hopkins, I think.

Parker: Okay.

Aerial: Brian, maybe? Uh, he called because there was a Bronco that matched, matched this, the description of Masters' cars. And the garage at 218, he's the property manager there.

Parker: Okay.

Aerial: So I went up there. Um, Masters had sent me some paperwork that she was, wanted to file with Ford, um, to get the GPS location of her vehicle. So I had the VIN number for her car, and, so, I went up there, checked out the Bronco that was in the garage. It was a different VIN number, different plates, different stuff like that. So it wasn't Masters' car. But when I got to 218, Hopkins had already called Masters, so she was there when I got there. So, Hopkins, Masters, and then some other guy, I don't remember his name. I think it's in my report. Um, Luke. Luke was there. I believe Luke and Hopkins work together with Hop, or with Masters at Eagle Rise Ranch.

Parker: Okay.

Aerial: So, I think, they all work together. Um, and then, right after I got there, Luke was like, well, do you need me? Blah, blah, blah, I was here with Hopkins when he got here and found the car. And I told him that he could go because he had something else to do. I'd get his contact information from Hopkins and follow up with him later. So I did the, the checking of the numbers and everything like that; wasn't the same. And then there was the stuff that was in the garage, that he was saying was, that Hopkins said wasn't there, um, on the day before, so on the 31st, when he checked the property. Uh, when he believed that it was Bobby's stuff, or, I guess, Erickson. Um, and, so I took pictures of all that stuff; took pictures of the car. Masters said that some of her personal items were in Bobby's Bronco, or Erickson's Bronco.

Parker: The other Bronco that was in the garage?

Aerial: The Bronco that was in the garage, yeah.

Parker: Okay.

Aerial: So took pictures of that. Uh, let her take her stuff out of the Bronco. And then we walked through the house, just to make sure no one was in the house. No one was there. Um, –

Ryan: What kind of stuff was there that was Masters? ****.

Aerial: In, in the Bronco?

Ryan: Yeah.

Aerial: It was, like, a leash, a bag of, like, horse stuff, some shoes. Um, so it was just like random items.

Ryan: Okay.

Aerial: And then, um, what did we do after that? Walked through the house. I talked to Hopkins. Hopkins said he didn't know Bobby very well. He said that Luke had met Bobby at the Glenwood Hot Springs, and then introduced Bobby to Hopkins, and said, hey, this guy says

he does contractor work; think he can be an asset, blah, blah, blah. So he had him do some work for 218, but he didn't know him very well. He said he'd only worked for them about 10 months.

Parker: Okay.

Aerial: And then, so, after I took pictures and everything like that, uh, actually, Hopkins took Masters back to her house, while I was still taking pictures of the garage and everything. So they left me there by myself.

Parker: So Masters what at the house with you for a while?

Aerial: Yeah. I don't, I don't know the timeframe, but yeah a –

Parker: Okay.

Aerial: – little while, and then she, basically, was like, okay, well, this isn't my Bronco. I got my stuff, I'm gonna go.

Parker: Okay.

Aerial: So Hopkins took her home. And then that was right before I got the information that her Bronco had been found. So he, Hopkins got back to the house, and I told him, hey, they located her Bronco, and he called her and said, hey, come back down to the house, they found your car. So then, after that, finished up taking pictures and they were trying to him and haw about what they were gonna do about 218 because it was unsecured because Bobby still had the key to it, and so they wanted to change the locks. At that point, Masters' roommate – I'm not sure of his name. Um, Michael Rufe, he had come down and they were trying to figure out who was gonna take Masters to Glenwood, or who was gonna stay at the house 'cause they didn't want Bobby to come back to the house. Um, so I told them I was going that way anyway, I would take her down to Glenwood, and Rufe could stay at 218, and then Hopkins could do whatever he needed to do to resecure the house. So, then I talked to Anthony; just told him what was going on. He was like, all right, cool, take her to Glenwood. Great. So we got in the car, uh, started on our way. ██████ met us, probably, uh, right as we got out of **** of the subdivision. She met us on Snowmass Creek. And so I told her what was going on, and she was like, cool. She talked to Anthony. Anthony's like, well, there's no reason you need to go up to the house. Just come back down and we'll figure out what's go, where to go from there. So we drove to Glenwood and she was asking me, kinda, like, what the process was to investigate things. And so I told her that we would need to talk to Erickson and get, kinda, his side of the story; see what's going on there; do those interviews, and, most likely, talk to his girlfriend, as well, since her name is also on the Bronco. Um, and then, if he admitted to what happened, then we could arrest him, and, if not, then we'd have to write an arrest warrant. And we could write an arrest warrant, even without actually talking to him, as well, if we find the, the probable cause for that.

Parker: And I know there was some, some con, there was, he mentioned some confusion about a car mix up. At this point, you guys had, had known the car was stolen intentionally?

Aerial: At this point, we weren't sure. I had not seen the notes yet.

Parker: Okay.

Aerial: I, Glenwood gave us, kind of, like a paraphrasing of what the notes said, but I hadn't, hadn't read the notes yet.

Parker: Okay.

Aerial: So, at this point, I was still thinking that it was intentional; that he took the car.

Parker: Okay.

Aerial: Or, that someone took the car.

Ryan: Do you know if Anthony contacted Brad? You know, like, just for the course of action with that car in Glenwood, like?

Aerial: I do not know.

Ryan: Hmm. And you didn't consult with Brad, right?

Aerial: No. No.

Ryan: No? That was later, by that time?

Aerial: Yeah. Uh, I think we got to Glenwood at, like, almost – I, I cleared from the call right after 6:00.

Parker: Okay.

Aerial: So. Um, so we go down to Glenwood and we talk about, kinda, how the case will proceed. Um, then we get there and we met with the Glenwood officer. He gave me the keys. We looked inside the car. I took pictures. Told her to check for any damage or anything like that. Uh, we got the notes and we got the \$40.00 that was in the car. Um, she read the note and, basically, said yeah, this is bullshit. I don't believe anything that's on this note. And then she kept \$40.00 and then gave me 40 dol, or, sorry, 20. She kept 20 and she gave me 20. I told her I couldn't accept it. She was like, no, this, take it, basically. Um, and so I took the notes, the \$20.00 and there was also a saw that was in the backseat.

Parker: Okay.

Aerial: A blue, like, table –

Ryan: Yeah. Circular saw?

Aerial: Yeah, circular saw. And then a phone charger. So we took that stuff out 'cause it wasn't hers. She was like, I don't want it in my car. So I took that, put it all in my patrol car and then I cleared and went home.

Parker: Okay. Uh, the notes, did Glenwood already have the notes there? They **** were they still in the car?

Aerial: I believe they left them on the dash of the car, yeah. 'Cause, from my understanding, they got the video footage from the, I think, the manager or somebody like that; somebody that worked at the shop because the, whoever took the car had left the keys in the drop box. Like, the overnight box. And, so, they found the keys and they were, like, well, I don't know what these go to. So they went out to the car, saw the notes and the money, and they were like, this is weird, we're gonna call Glenwood PD, and that's how Glenwood PD discovered that the, the car was there and that we were looking for it.

Parker: Okay. And what did you do with the notes? And you said she kept 20 and you, and she gave you 20?

Aerial: Yeah.

Parker: Okay. What did you do with the 20 you got and the notes?

Aerial: So the notes were submitted as attachments to my initial case report, or, I guess, the supplement for –

Parker: Okay.

Aerial: – my initial investigation, and then I kept the 20. I didn't know what to do with it. And then I had a conversation with Ryan, later on, and we decided that it should go into evidence.

Parker: Okay. Um, –

Ryan: I have a weird question. But, was the \$20.00 submitted in your supplement report, the same \$20.00 that she handed you day of? Or –

Aerial: No.

Ryan: No?

Aerial: I don't think I mentioned any money in the supplemental report.

Ryan: No, was, like, –

Parker: A physical –

Ryan: – a physical bill that you handed in today, was it the same bill that she handed you on that day?

Aerial: Yes.

Ryan: So it stayed in your car and –

Aerial: Yup.

Ryan: All right.

Parker: Um, –

Ryan: And then was there a list of items from the car? Like, um, I would just say like did you get to the car and inventory everything that was in the car and ask her which was hers and which was not? Or did she go through the car and hand you –

Aerial: I just had her look in it, and she said that saw and that charger aren't mine. And I grabbed that stuff out.

Ryan: Saw, charger and money. Right?

Aerial: Yeah, correct.

Ryan: 'Cause it's, for us, we don't, we don't necessarily see the list of items anymore, on digital file on queue.

Aerial: Yeah.

Ryan: You know, Brad sees all that. So it's different, like, whenever these enter file on queue, we don't necessarily know everything that was in that car that didn't belong to her. So saw, charger, money, and –

Aerial: And the notes.

Ryan: And it was definitely \$40.00? Two \$20.00 bills?

Aerial: Two \$20.00 bills, yeah.

Ryan: Okay. All right.

Parker: Did she say that \$40.00 was hers or was that just in the car?

Aerial: It was in the car with the notes. Um, and I don't know that she ever said this is mine or anything like that. She just, because it was there, was like, okay, well, I'll keep this, you take this.

Ryan: I believe the notes, like, paraphrased, said here's some money for an oil change. Like, the car said it needs an oil change. Like, maybe, the oil change light went on. I don't know.

Aerial: Yeah.

Ryan: But the reason why he dropped it off at an oil change place was, one, he took the wrong car, and he left money for, um, I don't know anybody that can get an oil change for \$40.00, but, yeah. Um, I think that was the –

Aerial: I think that was the entire –

Ryan: – paraphrased version of the, –

Parker: Yeah.

Ryan: – the letters.

Parker: Okay.

Ryan: Any photographs of all this stuff? Like the cars in Glenwood. Is that on digital file on queue?

Aerial: Yeah. So I took a picture of the outside and the inside and then I took a picture of his Bronco inside the garage as well.

Ryan: Um, are you certain that it was just \$40.00?

Aerial: I don't think I ever actually handled the money. I think she grabbed it, handed me 20, and then that was it. So I'm not 100 percent positive it was only 40.

Ryan: Okay. Can you explain the exchange of money between you and Masters? Like, how did she give you the money? Like, like, how did she hand you the money? I guess. That's a weird question, but –

Aerial: Um, I had given her the notes to read, and then she said like, this is bull crap or whatever. And then she handed me the notes back with the \$20.00. And I said what is this? And she said it's for you. You deserve it. You helped me out. And I said I can't accept this. And she said, no, take it, like, it's yours.

Ryan: Okay. In order to be transparent, I did talk to Parker about the conversation we had in here on Saturday, just because –

Aerial: Yeah.

Ryan: – that's what I have to do. Um, in the initial conversation we had on Saturday, you described all these chain of events, but you mentioned that Masters kept the money, and then I, I'd mentioned that another deputy had come to me and men, mentioned that Masters stated she gave you \$20.00 for a ride. Like, does any of that sound familiar?

Aerial: Yes. She just, basically, said like, you deserve it. You're, you helped me. I don't think there was, at any point, where she said this is because you gave me a ride, or this is because of anything like that.

Ryan: Okay.

Aerial: Not like a taxi exchange, if you will.

Ryan: And I feel like you mentioned she threw the money at you. Was there any kind of tossing of the letters and money or?

Aerial: No. It was, it was more like a take this, I'm not taking it back kinda thing.

Ryan: Did she say anything about the money? Did it feel dirty or something? Like, 'cause that guy stole her car or?

Aerial: Uh, not that I recall. No.

Ryan: Any reason why – I initially asked you, like, um, about the chain of events on Saturday, that you told me Masters took the money and then I had to address the fact that a deputy told me that Masters mentioned you paying 20, you getting paid \$20.00 for a ride? Any reason there's discrepancies in that story and another deputy?

Aerial: Uh, well, she did take the, like, part of it. And, so, like, I don't know. I guess that's a valid question. Probably just because I forgot that she had given it to me 'cause it doesn't happen all that often. Um, but, yeah, definitely should've thought about that question before answering.

Ryan: And if we, if we thought about this, like, with cooler heads on scene and now, would we consider that money in the car as evidence. Right?

Aerial: Yeah.

Ryan: Like, –

Aerial: Yeah. And I think we talked about that on Saturday.

Ryan: Yeah, we did.

Aerial: I should've just keep, kept all of it, along with the notes and just submitted it all to evidence.

Ryan: Yeah. 'Cause, like, now, we have \$20.00 of his money in evidence.

Aerial: Right.

Ryan: We have \$20.00 that's in, of his money, that's with the victim.

Aerial: Right.

Ryan: So, in essence, we owe him \$20.00 because 20, 20 of the 40 is missing of evidence that, at the conclusion of this case, would go back to him.

Aerial: Right.

Ryan: Um, and this is a felony auto theft case, and every piece of evidence and transparency and, I guess, integrity of the case, everything has to be included. Right?

Aerial: Yeah.

Ryan: Like, once it gets passed the sergeant level, it goes to Brad and Brad reads the stuff, and he's the people, -

Aerial: Yeah.

Ryan: - he's the person that everyone reaches out to for information on this, including yourself,
-

Aerial: Yeah.

Ryan: - and they, um, -

Aerial: I guess, in all honesty, like, at that point, I was kinda just trying to be done with it for the day.

Ryan: Yeah.

Aerial: Um, so I wasn't fully thinking about, like, well, I need to keep this and I need to keep that, I need to keep this. So.

Ryan: And then, one of the other things, I'm, I'm just noticing, and I know we, we spoke via text yesterday, and, and I can read the text, but the text was about the sup not being done, and you said you hadn't been in the office, and then you were gonna do the sup last night and enter the evidence this morning, which you did. I saw ya, I don't know, it was before 7:00 or 7:15. Um, you enter the \$20.00 bill. Any reason why that, that date that you made last night, you didn't just say on 9/8? Like, I just feel like there's a, a wrong date here. Like, when I returned on work on 9/7/22, I submitted the \$20.00 bill. Like, I feel like that should've been today's date.

Aerial: Yeah. Probably just a typo.

Parker: Okay.

Aerial: I can do another sup to fix that.

Ryan: You know, I don't know. I'll ask Brad. You know? It's based on the evidence submission 'cause those lockers are time-stamped as well. Um, –

Aerial: Yeah. That's what was filed on queue.

Ryan: Yeah. So, like, that's the thing, is if there's a difference between that and file on queue, that's an issue in report writing and –

Aerial: Yup.

Ryan: – um, and I just have, I just noticed it, and, and, yeah. And the only other thing I said, like, I, I know what it is, I'm only pointing this out because you wrote it, unsure of what to do with the \$20.00 bill. I talked to my sergeant, but, in, in all reality, can we agree that I, I brought it up about the \$20.00 bill?

Aerial: Yeah.

Ryan: Yeah. And it wasn't a conversation that you brought up. It was a conversation that I – we came to having it when we discussed the matter here on Saturday. Um, and then we discussed the best course of action, which was evidence, obviously. And did anyone ever ask Ms. Masters if she had the other \$20.00 bill? So that we could get that with your \$20.00 bill.

Aerial: Not that I'm aware of.

Ryan: Okay. Sorry, that was a lot of questions at once? 'Cause Ms. Masters has expressed some, some discontent with this, and, um, in the investigation and, and, I guess, evidence collection. Um, at any time, did she tell you hey, you should have this as evidence? Like, the –

Aerial: The, the money?

Ryan: The stuff, all the stuff. Like, from Glenwood. Like, did she ever inquire about you taking everything from the car or fingerprinting on scene in Glenwood? Like, was the fingerprinting conversation ever had?

Aerial: Not that I recall. No.

Ryan: Okay.

Aerial: I think, at that point, she was just happy to have her car back and get it back home.

Ryan: And we have a, a consent to search form. Was that ever, like, addressed or anything? Like, you know, we have that, that quick one. Like, if someone says hey, you can search my car. Like, you know, we keep it in our billfold.

Aerial: Uh, no.

Ryan: Okay.

Parker: So, you mentioned in your original narrative re, yeah, um, the two notes. You didn't mention the money in the first one. I think you said that's 'cause it was just you overlooked it.

Aerial: Yeah.

Parker: When you got the money and the notes, where did you store them? Separate? Together?

Aerial: Um, yeah, they were both in the front seat of my patrol car.

Parker: Okay. Both notes and the money?

Aerial: Yeah.

Parker: Okay. That wasn't, and that was all there until this morning. Is that what you're --

Aerial: No. The notes were submitted with the, my first report, --

Ryan: It was submitted on Saturday.

Aerial: -- and then the money was submitted this morning.

Ryan: Okay. Friday or Saturday, and then the \$20.00 bill came in this morning.

Parker: So, I guess, my question is why if it was all together, why were the notes submitted one day and then, and the \$20.00 on a different day?

Aerial: Yeah, I just didn't, I really just didn't know what to do with it. Um, I guess, like, in retrospect, kinda, like, me and the boss talked about it. It all should've been submitted to evidence, and, like, we even talked about the fact that the notes were submitted as attachments, instead of evidence, and it should have been evidence. Um, I knew the notes were crucial, or, I guess, I don't wanna say crucial, but, like, an important part of the case. Right? 'Cause they were left, uh, I guess, in my mind, I just didn't think that the money was that important to the case.

Parker: Okay. Well, to be honest, we're kind of, there's two different parts that we, we have to look at here. There is the procedural part, and that's kinda what we're going through, like, why was, why was this handled the way it was handled. Um, obviously, a, a felony vehicle theft, we

try and – until we can rule out all the different pieces, we try and hold onto as much as we can. And it seems like we're a long –

Ryan: And the chain of custody is huge.

Parker: Yeah, the chain of custody and –

Ryan: Um, evidence, like –

Parker: And our, and now our process is, is in question with the victim, um, so we have to look at that. And the second piece is, as you know, um, money is a bit sticky when it comes to, to law enforcement and, so if there's any, any part where money is not ending up where it should, which is evidence, um, we have to look at that because that, that's, that lends itself to a larger concern, um, in, in what we do. So, we are trying to put it all together and, and look at the whole situation and, and how it unfold and the different perspectives between your and obviously Masters and, and the others involved, so. Um, so, we just need to make sure we, we do that detailed look.

Ryan: Yeah.

Aerial: Okay.

Ryan: Like, right now, honestly, we just have to look at it all. Brad has to look at it all. Um, this is, has been **** on all accounts, professionally and personally, and, and we just have to cross our Ts and dot our Is and do a full investigation, you know, with the victim and with all deputies involved and, and find out, one, how we can get better as an agency, and, and how we can make sure this never happens again. Um, so, so that's where we're at. Honestly, we're collecting all the information and, like I told you, I shared my conversation that we had on Saturday with them, and, um, and we gotta take all these reports and the information we have and come to a conclusion. Like, um, but how, uh, can, can I just ask, like, how would we normally, like, how would we normally handle something like this as far as collection? Like, would you agree that there is the possible impounding of the car, bringing it up to the, the garage and letting Brad do all the nonsense that this Masters actually did, and, and, um, –

Aerial: And **** –

Ryan: – **** this right? Like –

Aerial: Her car specifically or both cars?

Parker: Uh, her car is –

Ryan: ****.

Parker: – **** property, so.

Aerial: Right.

Ryan: His was abandoned on, mm, that person's prop – that's a private property **** tow. It wasn't involved in a crime 'cause he was the property manager at the second address, right?

Aerial: At the 218? Yeah.

Ryan: Yeah. I think primarily it's, it's the stolen vehicle.

Aerial: Right.

Ryan: Uh, 100 percent consulting Brad, um, and I don't think we need to supervisors, but if you ever bump a supervisor or if you ever bumped Brad, he's super helpful and, and that's what Brad and Bruce are there for. Um, and, you know, supervisors on, on, on duty can take car claim for that, but, um, I think a lot of the things that came from that, right, like, the exchange of money and it could've been alleviated –

Parker: Right.

Ryan: – if they never got in that car.

Aerial: Right.

Ryan: Right? Um, and, and we wouldn't be having the conversations about this miscellaneous \$20.00 bill if the policy and procedure was done correctly, and you never had to be put in that situation.

Aerial: Right.

Ryan: Um, and that's why we're here now, like, that's why we have to do this. We have to talk to you. We have to talk to other people because we created a bad situation with bad decision making.

Aerial: Right.

Ryan: Um, so, it's unfortunate, um, and, you know, I'm sorry we had to call you out **** for this, but this is just part of that, you know, obviously, my level and then it goes above me. It goes to Parker and Alex and –

Aerial: Right.

Ryan: – and we gotta do that. So, um, do you have any questions for us?

Aerial: No. I, I think you're right though. I mean, like, I was consulting with the supervisor on duty, right, and, so all of the decisions that were being made weren't necessarily only mine. Right?

Parker: Mm hmm.

Aerial: They were, kind of, it was, kind of, a group effort. And the supervisor on duty was the one that talked to the Glenwood Springs Police Department as well, like, saying, hey, we found this, you know –

Parker: And that's when you asked me the –

Aerial: Right.

Parker: – **** right?

Aerial: Yeah. So –

Parker: Yeah.

Aerial: – he's, they're, like, hey, we found the vehicle. Anthony calls them to get all the details, and he's, like, yeah, take her to get it. It's fine.

Parker: Okay. So, need to figure out why we deviated from what we would normally do.

Aerial: Yeah.

Parker: That's a, that's a big, big questions, um, 'cause once you deviate from your common practice, it opens up more questions down the road. And, and let's say we do charge, this guy is charged with a crime and ****.

Ryan: You might have to explain that.

Parker: Guar, guaranteed question on the defense is –

Aerial: Yeah.

Parker: – you deviated, why? Um, obviously, if they'll say you guys probably didn't it as, like, you guys didn't treat it as a crime, how is it a crime?

Aerial: Right.

Parker: So, we have to make sure that we, we circle back around and answer all those questions and why we deviated and we have to justify those deviations, um, which gets, gets hard.

Ryan: And, personally, the same thing, like, um, can we agree that our conversation on Saturday if, when you initially told me Masters took the money, if you would've been forthright at that moment and said there was a \$20.00 bill exchanged, that the personal side of this wouldn't have been taken out?

Aerial: Right.

Ryan: Would've been avoided as well?

Aerial: Yeah.

Ryan: Like, um, I had to mention that another deputy told me about that \$20.00 bill before it came to fruition, and it, it would've come to fruition in court. Um, then we're looking even dumber 'cause –

Aerial: Right.

Ryan: – we never looked into that, and someone's up there for possible jail time on felony auto theft. Like, \$20.00 would get that case dismissed.

Aerial: Right.

Ryan: We agree on that?

Aerial: Yeah, absolutely.

Parker: Did you ever talk to Anthony about the \$20.00 at all?

Aerial: No.

Parker: Okay.

Ryan: Does he know there was money in the car, as, like –

Aerial: I believe he did, um, 'cause I think that was something that Glenwood Springs PD mentioned, um, in their initial call to us.

Parker: And did Glenwood Springs PD stay, um, on scene while this, while, while this, when – they were there when you got there.

Aerial: Yeah. They were there until after she left, and then we said our goodbyes, and I left.

Parker: So, they were there during the notes when she read –

Aerial: Right.

Parker: – them, and, and money and all that, so they were – were they right there during the money side and during notes, or were they, kind of, removed?

Aerial: Uh, he, kinda, was just letting take it. I'm not sure exactly where he was standing in relation to where we were at, no.

Parker: Okay. Okay.

Ryan: I don't have any more questions for her.

Parker: I don't have any right now. Just gotta put it all together. I'm, obviously, gonna talk to a few others. So, where this leave us, this is, we do have to investigate this further. Um, while we investigate it, we have to place you on administrative leave. It's a paid leave, um, but we have to have your car, your radio, anything, um, badge, stuff like that, left at the county shop until the, that investigation's complete. Um, pending the outcome of the investigation, obviously, there's, that's, that's not, not here right now.

Ryan: But if you have any questions during that time –

Parker: Yeah.

Ryan: – obviously, we'll try to keep you informed throughout that process as we talk to people, and, obviously, you know how busy we are sometimes, but if you have any questions during that time, call us. Like, we don't want you sitting at home. I want –

Aerial: Yeah. I mean it's pretty, pretty cut and dry. Like, I don't think I really have any questions, so.

Ryan: Yeah. Just if you do, just know that you can call us and, and, um, and, obviously Parker and Alex will try to keep you super informed through the process.

Parker: Yeah.

Ryan: Um, uh, what about you commuted with [REDACTED] today?

Aerial: No.

Ryan: Oh, I thought you did. I thought you –

Aerial: No.

Ryan: – mentioned the [REDACTED] or something **** –

Aerial: I mean we're all there, but –

Parker: Okay.

Ryan: I'm just wondering how –

Aerial: – we all brought our own cars.

Ryan: – if you have your car here, how we get this car –

Parker: We'll give you a ride back up to Caskey, leave the car at the county shop right now, and then if [REDACTED] can drop you off on her way home, end of the day, 'cause she's, she's not Caskey.

Aerial: She is.

Ryan: Oh, [REDACTED] and [REDACTED].

Aerial: Yeah.

Parker: Oh. I thought it was ****, never mind.

Ryan: Do you know if any of them have plans after Caskey?

Aerial: I don't.

Parker: So, we can reach out and call them and see if they can give you a ride back down, um, and that way, like, your car is, everything's secured as, as required, um, and then you have a ride home.

Aerial: Okay. Do we want me to bring my other radio back tomorrow at some point?

Ryan: What's another radio?

Aerial: My pack set.

Ryan: Oh.

Parker: That's at home?

Aerial: Mm hmm.

Parker: Do you live near [REDACTED] or [REDACTED]?

Aerial: Yeah.

Parker: You could have [REDACTED] bring it up, and I'll pick it up at Caskey.

Aerial: Okay.

Ryan: Um, that would work. And then computer right? I don't know.

Parker: Computer, yeah, the computer's one of the piece too.

Ryan: Mm.

Parker: So.

Aerial: So, do I attend Caskey tomorrow or?

Parker: So, you're on administrative leave, so, unfortunately, we can't have you act in an official capacity including going to a train, um, so, right now, you're, you're off.

Aerial: Okay.

Parker: Um, so.

Ryan: And there's a drop-down in the, in the pay thing for admin leave, right?

Parker: And we'll handle that 'cause we'll have the computer, so we have to –

Ryan: Oh, yeah.

Parker: – we have to ****.

Ryan: All right. So, we'll do your timesheet, so.

Aerial: I can access it from my phone though.

Parker: Okay.

Ryan: All right.

Aerial: Okay.

Parker: Um, well, thank you for your time. We'll, we'll work our way through this and –

Ryan: Do you wanna, I, we can text [REDACTED] or [REDACTED].

Parker: [REDACTED] ****.

Ryan: What's that?

Parker: Yeah, if you want to 'cause my phone's out.

Ryan: Yeah. Parker, is there any way you can drive her up to –

Parker: Sure.

Ryan: – 'cause I got some stuff going on at 2:30.



Parker: Yes, no problem. **** out there.

Ryan: **** give it the early ****.

Parker: No.



MEMO

TO: Aerial Groene

FROM: Alex Burchetta, Undersheriff

DATE: September 8, 2022

SUBJECT: Internal investigation reference activities and conduct during CR# 22P009801

Aerial,

This letter officially informs you of an open investigation into your conduct and activities during your investigation of case number 22P009801. This investigation is administrative in nature and, at this time, is not a criminal investigation. The item(s) for which you are being investigated are:

- Untruthfulness in your statements to Sergeant Voss regarding your receipt of money from a citizen while on duty.
- Untruthfulness in your written statement in supplement # 5 for the associated case number.

Effective September 8, 2022, at 1500, you are being placed on leave with pay. During leave with pay, you may be required to relinquish any office badge, identification, assigned weapons, and any other office equipment. You will be required to continue to comply with all policies and lawful orders of a supervisor. During the investigation, you may be temporarily reassigned to a different shift, generally a normal business-hours shift, and you may be required to remain available for contact at all times during such shift, and will report as ordered.

You are allowed to record any interview that you are part of, and you may request copies of any recordings, transcriptions, and reports made of an interview session that are made. Those requests should be made directly to me.

The potential outcomes of this investigation are:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve office members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

I will keep you informed of the status of the investigation as it progresses.

If you have any questions, please don't hesitate to contact me.

Alex Burchetta
Undersheriff



Date: September 13, 2022
To: Aerial Groene, Deputy Sheriff
From: Alex Burchetta, Undersheriff
Subject: Notice of Discipline

Dear Aerial Groene,

On September 7, 2022, I directed Chief Deputy Parker Lathrop to conduct an internal affairs investigation into your conduct and activities during the investigation, and thereafter, of Pitkin County Sheriff's Office case report number 22P009801. The reason for the internal affairs investigation was to determine the validity of claims that we had received about you and your conduct, specifically:

1. You had received money from a citizen while involved in the above case report number
2. During an administrative interview with your Sergeant on Saturday 9/3/2022 you were untruthful in your recounting of the events.

Chief Deputy Lathrop provided a detailed report of his findings. It is my finding, after a thorough review of all pertinent materials related to the original case investigations that the investigation into your conduct was thorough. It is my finding that the investigation into your activities demonstrated acts of untruthfulness by omission of a material act on an official criminal justice record and untruthfulness during an administrative investigation. Both instances are in violation of the Colorado POST Finding of Untruthfulness as described in the Untruthfulness Law, SB 19-166 and recorded as Colorado Revised Statute 24-31-305(2.5).

I support and uphold Chief Deputy Lathrop's determination made in his report that you:

Knowingly omitted a material fact on an official criminal justice record:

Deputy Groene omitted from her initial narrative that she had received \$20 cash from the victim of a felony vehicle theft from money that was found in the recovered vehicle and considered evidence in the case. Mention of the \$20 cash was included in a later supplemental narrative by Deputy Groene, but only after she was confronted by a supervisor about having received it.

Knowingly made an untruthful statement concerning a material fact during an administrative investigation:

When questioned by a Sergeant as to what happened to the money found in the recovered vehicle from a felony vehicle theft, Deputy Groene stated that the owner of the vehicle had kept all \$40 cash. In an effort to be clear as to what Deputy Groene had previously said, the Sergeant asked Deputy Groene if she was certain the owner had kept all \$40 cash from the recovered vehicle, to which Deputy Groene replied "yes, Masters (vehicle owner) kept the money". It was only after the Sergeant told Deputy Groene that he was aware that she did in fact receive \$20 cash from the vehicle owner that Deputy Groene replied she had received the \$20 cash.

Disciplinary Action:

In conclusion, given that Deputy Groene violated the Untruthfulness Law, SB 19-166, (Colorado Revised Statute 24-31-305(2.5)) in both of the above instances I am left with no choice but to terminate her employment and complete the required reporting to the Colorado POST Compliance Manager, effective immediately.

According to Pitkin County's Policies and Procedures Manual governing Discipline and Appeal (5.10 VII), within five (5) working days of my issuing this Notice of Discipline, you may request an appeal hearing with Joe DiSalvo, Pitkin County Sheriff. The purpose of this meeting will be to give you an opportunity to offer any facts, circumstances, arguments or evidence as to what has occurred. It is not intended that this meeting constitute a formal hearing where Rules of Evidence used in court proceedings would apply, but to give you an opportunity to meet and exchange information. The policy allows for you to bring one representative to the meeting. The representative may not make arguments on your behalf or behave in any way that is disruptive to the meeting; otherwise the representative will be asked to leave. The disciplinary/corrective action review meeting may be tape-recorded.

Please note that you have the right to request copies of, or the opportunity to review, documentation supporting the proposed disciplinary action.

The Notice of Discipline will serve as the decision on the disciplinary matter and the discipline will be imposed.

Sincerely,

Alex Burchetta
Undersheriff
Pitkin County Sheriff's Office

Cc: Pitkin County Human Resource

PITKIN★COUNTY
SHERIFF'S OFFICE

SHERIFF JOE DISALVO

Joe DiSalvo, Pitkin County Sheriff
530 East Main Street
Suite 103
Aspen, CO 81611

September 29, 2022

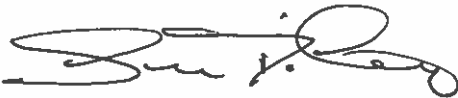
Jefferson J. Cheney, District Attorney
9th Judicial District
109 8th St, #102
Glenwood Springs, CO 81601

District Attorney Cheney,

Aerial Groene resigned as a deputy sheriff with the Pitkin County Sheriff's Office, Pitkin County, Colorado, on September 13, 2022. She was the subject of an internal investigation that resulted in sustained administrative charges of untruthfulness while acting in an official capacity as a peace officer.

This investigation found that Ms. Groene provided a false statement and an omission of material information in an official law enforcement record. A Notice of Untruthfulness is being prepared for submission to the Colorado Attorney General's Office, Criminal Justice Division, Peace Officer Standards and Training (POST.)

I provide you with this information without opinion as to your legal obligations with respect to it.



Joe DiSalvo
Pitkin County Sheriff



Notification of Finding of Untruthfulness

FORM

13

Colorado Department of Law - POST
1300 Broadway 9th Floor
Denver, CO 80203
post@coag.gov 720-508-6721 FAX 866-858-7486

October 2019

SB19-166
24-31-305 (2.5)

Pitkin County Sheriff's Office		Joe DiSalvo	
Agency Name	Name of Agency Executive Submitting Form 13		
970-920-5300	joe.disalvo@pitkinsheriff.com		
Agency Executive Phone Number	Agency Executive Email Address		
GROENE	AERIAL		
Peace Officer - Last Name	Peace Officer - First Name	Middle Name	
295 Lupine Drive	New Castle	CO 81647	
Peace Officer Last Known Personal Address	City	State	Zip
aerial.groene@gmail.com	316-304-8527		
Peace Officer Personal Email Address (if known)	Peace Officer Personal Cell Phone (if known)		
Date(s) of Employment: 12/16/2019	Date(s) of Incident: 09/01/2022		
Peace Officer Date of Birth: 05/06/1995	Colorado PID#	B2304-0335 (000000 or 0000-0000)	

Please check the applicable boxes below.

- The certificate holder knowingly made an untruthful statement concerning a material fact **OR** knowingly omitted a material fact:
(At least ONE of the following MUST apply; please check ALL that apply)
 - On an official criminal justice record.
 - While testifying under oath.
 - During an internal affairs investigation.
 - During an administrative investigation and/or disciplinary process¹.
- The law enforcement entity that employs or employed the certificate holder has done **each** of the following:
(ALL of the following MUST apply; please check)
 - Completed an administrative process, as defined by a published policy in effect at the time of the untruthful statement concerning a material fact **OR** omission of a material fact.
 - Determined by a **clear and convincing standard of the evidence**² through an administrative investigation and/or disciplinary process the certificate holder knowingly made an untruthful statement concerning a material fact **OR** knowingly omitted a material fact on an official criminal justice record, **OR** while testifying in court, **OR** during an internal affairs investigation **OR** comparable administrative investigation.
 - Certifies that the certificate holder has elected not to exercise **OR** has exhausted the internal disciplinary appeal rights provided by their employer.

Please retain documentation of investigative details for possible future review. Do not need to include with form.

PURSUANT TO 24-31-305(2.5), C.R.S., UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE EXAMINED THIS AFFIDAVIT AND ACCOMPANYING DOCUMENTS AND, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THEY ARE TRUE, CORRECT AND COMPLETE. I FURTHER ACKNOWLEDGE THAT ANY FALSE STATEMENT, MISSTATEMENT, OR INACCURACY **MAY RESULT IN REVOCATION OF MY CERTIFICATION, AS WELL AS CRIMINAL PROSECUTION.**

Agency Executive's Signature

State of Colorado
County of Pitkin

Signed before me this 30th day of September, 2022

My Commission Expires: 06-24-2026

Sarah Elisabeth Bushman
NOTARY PUBLIC

¹ Administrative Investigation and Disciplinary Process means an employer's formal process of internal control that assures that an allegation of violation of employer rules, policy, procedure, or other misconduct or improper actions by an employee are subject to a complete and objective investigation resulting in findings of fact and disciplinary action for any substantiated violation.

² Clear and convincing standard of evidence means proof that persuades the decision-maker to find that the truth of the contention is highly probable.

SARAH ELISABETH BUSHMAN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20224024831
MY COMMISSION EXPIRES 06/24/2026

Aerial Groene Untruthfulness Documentation

Prepared and submitted on: September 30, 2022

On Wednesday, September 7th, 2022, Chief Deputy Lathrop was made aware that Deputy Aerial Groene had possibly received unreported monies from the victim in a felony vehicle theft case currently under investigation by the Pitkin County Sheriff's Office. Due to the severity of the allegation, an administrative internal investigation was officially opened regarding the alleged incident. The alleged incident occurred on Thursday, September 1st, 2022, and the PCSO became aware of it the following day.

It was reported that on Thursday, September 1st, Deputy Groene was assisting in transporting the victim of a felony car theft to the vehicle which was located in Glenwood Springs, Colorado and that in doing so, the victim gave Deputy Groene \$20 from the recovered vehicle for providing her a ride.

Deputy Groene did not initially record that there were any monies located in the recovered vehicle, that monies from the recovered vehicle were released, or that she received any monies from the victim. The PCSO was first made aware of the exchange of monies the following day, Friday, September 2nd, when the victim discussed giving \$20 cash to Deputy Groene with Deputy [REDACTED] while [REDACTED] was on follow-up for the vehicle theft. Not seeing any mention of the monies in Deputy Groene's report, Deputy [REDACTED] reported what she had been told in her conversation with the victim to Sergeant Ryan Voss.

Sergeant Voss met with Deputy Groene in person at the Mountain Rescue Aspen facility on Saturday, September 3rd, 2022, to discuss what Voss had learned from his previous conversation with Deputy [REDACTED]. The conversation between Sergeant Voss and Deputy Groene covered several aspects of her involvement in the case. While in conversation, Sergeant Voss highlighted to Deputy Groene the value of evidence preservation and documentation and the value that may be contained in and on physical items of evidence collected from a scene.

With the information provided by Corporal Anthony Todaro from a pass-down briefing on the incident and what had been shared by Deputy [REDACTED], Sergeant Voss asked Deputy Groene about the \$40 that was found in the recovered vehicle. Deputy Groene responded that the victim had kept the money in its entirety. Sergeant Voss then repeated to Deputy Groene what she took from her statement. "She kept the money?" Voss said, and Deputy Groene said: "Yes, [the victim] kept the money." Sergeant Voss then informed Deputy Groene that through a conversation with Deputy [REDACTED], he knew that the victim had given \$20 cash to Deputy Groene for the ride she had given the victim to Glenwood Springs to retrieve the recovered vehicle. Deputy Groene responded to Sergeant Voss by saying, " Yes, she (the victim) gave me \$20.00". Deputy Groene said she (the victim) "threw it in my car," and Deputy Groene did not know how to return it. Deputy Groene said the victim did not want to keep the money that was found in her vehicle, as she believed it belonged to the suspect and that the victim wanted the money out of her car. Confronted with the fact that she indeed had \$20 cash from the victim, Deputy Groene

asked Sergeant Voss what she should do with it. Sergeant Voss replied that Deputy Groene should enter the \$20 cash as evidence and complete a supplemental report detailing where it was found and how she had come to possess the money.

Sergeant Voss reached out to Deputy Groene via text on Wednesday, September 7th, since she had not yet submitted the requested supplemental narrative or entered the \$20 into evidence. Later that day, Deputy Groene entered a supplemental narrative describing how she came into possession of the \$20 from the victim and also stated that she had entered the \$20 bill into evidence that same day.

On Thursday, September 8th, Sergeant Voss and I met with Deputy Groene at the Mountain Rescue Aspen facility to conduct a formal interview about the incident. I informed Deputy Groene that PCSO was investigating her involvement in the incident and that it would be recorded as part of a formal interview process. Much of the interview recounted Deputy Groene's interactions with the victim and the purposes behind agency policy. The discussion surrounding the \$20 bill was focused on its being omitted from her original supplemental narrative, her conversation with Sergeant Voss when she was confronted about having possession of the \$20 bill, and the inconsistencies in the documentation of it being placed into evidence.

Deputy Groene stated the victim handed her the \$20 when she handed her the notes that the suspect had left in the recovered vehicle. Upon receiving the \$20 cash, Deputy Groene questioned the victim, "what's this?" the victim replied, "it's for you. You deserve it. You helped me out. And I (Deputy Groene) said I can't accept this. And she said, no, take it, like, it's yours." Deputy Groene stated that she did indeed keep the \$20 bill but that she did not know what to do with it until she spoke with Sergeant Voss "later," and he directed her to submit it to evidence.

When Sergeant Voss asked Deputy Groene why, in their conversation from September 3rd, Deputy Groene had stated the victim had kept the \$40 cash and that it was not until he stated that he knew from another deputy that she had received \$20 that Deputy Groene that she finally stated that she indeed had received it from the victim. Deputy Groene explained the reason the \$20 cash was never mentioned was "Probably just because I forgot that she had given it to me 'cause it doesn't happen all that often."

When Sergeant Voss asked Deputy Groene about the inconsistency in her supplemental narrative about stating that she had submitted the \$20 cash into evidence on September 7th, when she had actually done so on September 8th, she stated that it was "probably just a typo." The remainder of the interview revisits these points on several occasions. Still, much of the discussion was the purpose of why we, law enforcement, do what we do and what we should have done the day that the stolen vehicle was recovered.

Pitkin County Undersheriff Burchetta made a request to the Glenwood Springs Police Department for body camera footage from the Glenwood Springs Officer who was on scene with Deputy Groene at the time the vehicle was recovered and returned to the victim. The requested

body camera footage was delivered to the PCSO on Monday, September 12th. Upon reviewing the body camera footage from the Glenwood Springs Police Department, an unknown sum of money can be seen on the driver's seat of the victim's vehicle at 0:37 in the video. The money appears to stay on the vehicle's seat while Deputy Groene and the victim review and photograph the notes also found in the recovered vehicle. The Glenwood Springs officer then walks to his vehicle to get his phone. When he returns, a \$20 bill can be seen in Deputy Groene's hand along with the two notes, this can be seen clearly at 1:34. The \$20 bill can be seen in Deputy Groene's hand at various moments throughout the video until she mentions needing to put something away and then walks to the front passenger area of her patrol vehicle at approximately 7:53. When she returns to talk with the Glenwood Springs Officer the \$20 bill is not seen in the video again. The money can be seen at various points throughout the body camera footage but is never mentioned or discussed in the body camera footage received from the Glenwood Springs Police.

Findings:

After reviewing the related incident report narratives, conversation notes, formal interview recordings, and body camera footage, the investigation into Deputy Groene's involvement in the incident focuses on acts of untruthfulness by omitting a material act on an official criminal justice record and untruthfulness during an administrative investigation. We feel that both instances violate the Colorado POST Finding of Untruthfulness as described in the Untruthfulness Law, SB 19-166, and recorded as Colorado Revised Statute 24-31-305(2.5). It is the opinion of this report that Deputy Groene:

Knowingly omitted a material fact on an official criminal justice record:

Deputy Groene omitted from her initial narrative that she had received \$20 cash from the victim of a felony vehicle theft from money that was found in the recovered vehicle and considered evidence in the case. Mention of the \$20 cash was included in a later supplemental narrative by Deputy Groene, but only after she was confronted by a supervisor about having received it.

Knowingly made an untruthful statement concerning a material fact during an administrative investigation:

When questioned by a supervisor as to what happened to the money found in the recovered vehicle from a felony vehicle theft, Deputy Groene stated that the owner of the vehicle had kept all \$40 cash. To clarify what Deputy Groene had previously said, the supervisor asked Deputy Groene if she was certain the owner had kept all \$40 cash from the recovered vehicle, to which Deputy Groene replied, "yes, the victim (vehicle owner) kept the money." It was only after the Supervisor told Deputy Groene that he was aware that she did, in fact, receive \$20 cash from the vehicle owner that Deputy Groene replied she had received the \$20 cash.

Additional notes, documentation, recordings, and video footage are available upon request from POST.