MONTROSE COUNTY
SHERIFF'S OFFICE

INTERNAL AFFAIRS
IA #26-0003

MONTROSE COUNTY SHERIFF'S OFFICE
A-C REPORT
MEMORANDUM

FINDING (AOM)	FINDING (ARC)	ACTION:
A. Actual	T/A Review	( ) None
A1. MNBOC	PV—Preventable	E. Commendation
B. No Misconduct	NP—Not Preventable	F. Verbal Counseling/ No Documentation
C. No Conclusion	USE of FORCE REVIEW BOARD	G. Counseling
D. Exonerated	JU—Justified	H. Written Reprimand
	NJ—Not Justified	I. Suspension, No. of hours
		J. Demotion
		K. Resignation
		L. Discharge
		M. Discharge/CriminalCharges

Additional Comments:

APPROVAL: DATE: ( ) DATES OF SUPSENSION W/O PAY

DATES:	HOURS:

ACTION VERIFICATION: DATE:

INTERNAL USE ONLY

REMARKS:

CASE CLOSED-FORWARD TO FILES DATE: _____

MONTROSE COUNTY SHERIFF'S OFFICE

STAFF ROUTE LOG
PERSONNEL INVESTIGATION: IA# 260003

DATE: 9/15/24	TO: SGT. Chuck Searcy	FROM: Sheriff Lillard
DATE: 9/22/24	TO: Commander McNulty	FROM: SGT. Searcy
DATE: 9/23/26	TO: UNDERSHERIFF COX	FROM: CDR McNULTY
DATE: 9/28/26	TO: Sgt. Searcy	FROM: undersheriff Cox
DATE: 9/28 b26	TO: CMDR McNULTY	FROM: SGT. SEARCY
DATE: 9/29/26	TO: UNDERSHERIFF COX	FROM: CDR. McNULTY
DATE: 10/1/24	TO: SGT. Searcy	FROM: Undersheriff Cox
DATE: 10/1/24	TO: CMDR. McNULTY	FROM: SGT. SEARCY
DATE: 10/1/26	TO: UNDERSHERIFF COX	FROM: CDR. McNULTY
DATE: 10/5/26	TO: Sheriff Lillard	FROM: undersheriff Cox
DATE: 10-5-2026	TO: undersheriff COX	FROM: Sheriff Lillard
DATE:	TO:	FROM:
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MONTROSE COUNTY SHERIFF'S OFFICE
DISPOSITION/RECOMMENDATIONS

P.I. Number

ALLEGATION CODES

1. Use of Force	5. Viol. Policy/Procedure	9. Neglect of Duty	A. Actual Misconduct
2. Discrimination	6. Conduct Unbecoming	10. Traffic	A1. MNBOC
3. False Arrest-Imprisonment	7. Dishonest	11. Slow-No Response	B. No Misconduct
4. Unlawful Search-Seizure	8. Discourtesy	12. Harassment	C. No Conclusion
		13. Civil Right Violation	D. Exonerated

#1 Staff Comment:

Employee	Code	Finding
SEE ATTACHED	COMMANDER D. McNULTY	1,5,12,13	A

Signature/Date

Date Received _____ Date Reviewed _____ Time Reviewed _____

#2 Staff Comment:

Employee	Code	Finding

Signature/Date

Date Received _____ Date Reviewed _____ Time Reviewed _____

#3 Staff Comment:

Employee	Code	Finding

Signature/Date

Date Received _____ Date Reviewed _____ Time Reviewed _____

A. Actual Misconduct
A1. MNBOC
B. No Misconduct
C. No Conclusion
D. Exonerated

MONTROSE COUNTY
SHERIFF'S OFFICE

GENE R. LILLARD, SHERIFF
George Jackson, Undersheriff
Ty Cox, Commander
Ted Valerio, Commander
Cam Boldan, Commander
Bruce Schmalz, Commander
Dean McNulty, Jail Commander

★★★ HONESTY ★★★ INTEGRITY ★★★ SERVICE ★★★

Date: 9/23/26

From: Commander D. McNulty

Recommendation: See Below Narrative

After reviewing the Internal Affairs investigation completed on Deputy Rigdon a preponderance of the evidence confirms that Deputy Rigdon did not act in accordance with MCSO policies. Deputy Rigdon failed to serve the noon meal to [redacted] within the guidelines set forth by my operational protocols email sent to Jail Staff on 6/11/26 which resulted in the physical exchange with [redacted] Furthermore, Deputy Rigdon made the wrong decision to enter Holding cell 5 and confront [redacted] when the video clearly shows [redacted] backing away from the door to the back of the cell posing no threat to Deputy Rigdon or herself. Deputy Rigdon's statements to [redacted] are retaliatory in nature and not consistent with an officer giving proper verbal commands to a person in custody to cease an uncooperative behavior. Deputy Rigdon can clearly be seen striking [redacted] in her facial area with the handset of his radio which is not only a violation of MCSO policy but constitutes use of unreasonable force as documented by the Use of Force Review Board. Deputy Rigdon's actions demonstrate his ability to operate outside acceptable limits of officer conduct and poses an extreme liability to the Montrose County Sheriff's Office. Therefore, Deputy Rigdon's employment with this agency should be terminated.

On 10/1/26 I was given file IA26-0003 to review an amendment entered by Sergeant Searcy. The amendment has two additional MCSO policy violations including 321.5.1 Law, Rules and Orders and 321.5.9 Conduct.. After reviewing these policy violations a preponderance of the evidence confirms these violations and reinforces the recommendation listed above.

Commander D. McNulty

GENE R. LILLARD, SHERIFF
George Jackson, Undersheriff
Ty Cox, Commander
Ted Valerio, Commander
Cam Boldan, Commander
Bruce Schmalz, Commander
Dean McNulty, Jail Commander

MONTROSE COUNTY SHERIFF'S OFFICE

★★★ HONESTY ★★★ INTEGRITY ★★★ SERVICE ★★★

Date: 9/23/26

From: Commander D. McNulty

Recommendation: See Below Narrative

After reviewing the Internal Affairs investigation completed on Deputy Rigdon a preponderance of the evidence confirms that Deputy Rigdon did not act in accordance with MCSO policies. Deputy Rigdon failed to serve the noon meal to [redacted] within the guidelines set forth by my operational protocols email sent to Jail Staff on 6/11/26 which resulted in the physical exchange with [redacted] Furthermore, Deputy Rigdon made the wrong decision to enter Holding cell 5 and confront [redacted] when the video clearly shows [redacted] backing away from the door to the back of the cell posing no threat to Deputy Rigdon or herself. Deputy Rigdon's statements to [redacted] are retaliatory in nature and not consistent with an officer giving proper verbal commands to a person in custody to cease an uncooperative behavior. Deputy Rigdon can clearly be seen striking [redacted] in her facial area with the handset of his radio which is not only a violation of MCSO policy but constitutes use of unreasonable force as documented by the Use of Force Review Board. Deputy Rigdon's actions demonstrate his ability to operate outside acceptable limits of officer conduct and poses an extreme liability to the Montrose County Sheriff's Office. Therefore, Deputy Rigdon's employment with this agency should be terminated.

D. McNulty

Commander D. McNulty

Montrose County Sheriff's Office
1200 N. Grand Avenue
Montrose, CO 81401
970-252-4023
970-249-9110 Non Emergency Dispatch

★★★

West End Substation
PO Box 128, 141 W. Main Street
Naturita, CO 81422
970-864-2281
Non Emergency Dispatch 970-864-7333

Montrose County Sheriff's Offic

INTERNAL AFFAIRS
PERSONNEL INVESTIGATION FORM

Date Initiated: 9/15/26

Employee: JAY RIGDON

FINDINGS:

☐ Not Sustained: There is insufficient evidence to sustain the complaint.

☐ Exonerated: The incident occurred but employee actions were justified, lawful and proper.

☐ Unfounded: The complainant admits to false allegations, the charges were false or not factual or the employee was not involved in the incident.

☒ Sustained: The allegation is supported by sufficient evidence to indicate that the employee did commit one or more of the alleged acts.

Action Recommended:

CASE TO BE SENT TO COMMANDER MCNULTY FOR RECOMMENED DICIPLINE.

Employee Signature — Date

Internal Affairs Investigator — 9/22/26 Date

Approved By — 10/6/26 Date

MONTROSE COUNTY
SHERIFF'S OFFICE

GENE R. LILLARD, SHERIFF
Ty Cox, Undersheriff
Ted Valerio, Commander
Cam Boldan, Commander
Dean McNulty, Commander
Bruce Schmalz, Commander

★ ★ ★ HONESTY ★ ★ ★ INTEGRITY ★ ★ ★ SERVICE ★ ★ ★

Internal Affairs #26-0003 **FINDINGS**

Date: October 05, 2026

Undersheriff Ty Cox

On July 2, 2026, at approximately 1530 hours, Commander McNulty received a phone call from Sergeant Cody Gustin, who asked whether he had seen the video of Deputy Jay Rigdon and [redacted] DOB: [redacted], in Holding Cell 5 earlier that day. Commander McNulty stated he had seen the video and that the incident would be investigated. Sergeant Gustin advised Commander McNulty that Deputy Kissner had also watched the video and they both felt Deputy Rigdon's actions were pretty bad and uncalled for regarding his altercation with [redacted]

On July 16, 2026, at approximately 1015 hours, Commander McNulty met with Deputy Jay Rigdon in the presence of Lieutenant James Evans. Commander McNulty advised Deputy Rigdon that he had a complaint regarding alleged excessive use of force and that he would conduct the investigation at the divisional level. Commander McNulty advised Deputy Rigdon that Corporal Hoopii-Miller would complete a Response to Resistance form, which a committee would then review.

Commander McNulty stated that he reviewed video of the incident that took place on July 02, 2026. Commander McNulty said Deputy Rigdon began serving noon meals to the Holding population at 1146 hours. Commander McNulty stated that at 1148 hours, Deputy Rigdon opened the door of Holding cell 5 and offered a meal to [redacted] who was assigned to that cell. [redacted] asked Deputy Rigdon what the meal was, and Deputy Rigdon told her it was peanut butter. Commander McNulty stated that [redacted] said she didn't want it, then changed her mind and accepted the meal. Commander McNulty stated that Deputy Rigdon then handed the meal to [redacted] who then threw the meal in the facial and upper torso area of Deputy Rigdon and told him to keep his ass fucking out of there.

Commander McNulty stated that Deputy Rigdon then entered Holding Cell 5 as [redacted] started walking to the back of the cell. Commander McNulty stated that [redacted] twice stated, "Don't touch me" as Deputy Rigdon approached her. Commander McNulty then stated that Deputy Rigdon escorted [redacted] to the bench area in the back of the cell and stated something to the effect of, " You fucking throw food at me bitch, and you're gonna be throttled." Commander McNulty stated that Deputy Rigdon then engaged in a series of control holds with [redacted] and verbally called for officer assistance. Commander McNulty stated that after several seconds, Deputy Rigdon called for Jodi Stewart, a Custody Support Assistant who was on duty, and then tossed a set of keys out of the Holding cell. Commander McNulty stated that during the physical

exchange, [redacted] grabbed Deputy Rigdon's radio cord and handset for several seconds, and Deputy Rigdon told [redacted] to let go of his radio. Commander McNulty stated that Deputy Rigdon regained control of his radio cord and handset and then said something to the effect of, "If you fucking do this again, man, you'll have a problem you've never seen." Commander McNulty stated that at 1149.43 seconds of the video, Deputy Rigdon can be seen striking [redacted] in her facial area with his radio handset.

Commander McNulty stated that Corporal Hoopii-Miller, who entered the cell a few seconds prior, took control of the situation and gave verbal commands for [redacted] to let go and for Deputy Rigdon to step out of the cell. Commander McNulty stated that Deputy Rigdon then disengaged with [redacted] and exited the cell. Commander McNulty stated that Corporal Hoopii-Miller remained in the cell and placed both of his hands on top of [redacted] torso while giving her verbal commands to stay lying down and wait to get up until he stepped out of the cell. Commander McNulty stated that [redacted] complied with Corporal Hoopii-Miller's commands, and he exited the cell at 1150 hours.

On July 27, 2026, Commander Boldan assembled a Use of Force Review Board consisting of himself, Commander McNulty, Lieutenant Evans, and Sergeant Chandler. The board reviewed the use of force involving Deputy Rigdon and inmate [redacted] [redacted] Commander Boldan summarized the Use of Force Review Board's findings and stated that the board concluded the incident was preventable. Commander Boldan documented that Deputy Rigdon admitted during the interview that he was angry. Commander Boldan also documented that the video shows [redacted] standing still for a moment, then stepping backward after she threw the food at Deputy Rigdon, which conflicts with Deputy Rigdon's report. Commander Boldan noted that during their interview, Deputy Rigdon was asked whether he struck [redacted] he stated he did not remember doing so, but the video shows that he did. Commander Boldan stated that the entire Use of Force Review Board agreed that Deputy Rigdon striking [redacted] meets the elements of a criminal act. Commander Boldan also indicated that [redacted] was not interviewed because of mental health issues and her violent tendencies. Finally, Commander Boldan stated that all board members reviewed and approved his Use of Force Review Board report.

On August 13, 2016, Sergeant Gehm with the Montrose Police Department (MPD) conducted a criminal investigation (MPD Incident Report #26-020848) and ultimately found probable cause to charge Deputy Jay Rigdon with Harassment (C.R.S. 18-9-111 (1)(a). Sergeant Gehm requested this case be sent to the 7th Judicial District Attorney's Office for the prosecution of the above-listed charge.

On September 15, 2016, Sheriff Lillard directed Sergeant Searcy to conduct an Internal Investigation (IA#26-0003) into the incident involving Deputy Rigdon and [redacted] Sergeant Searcy completed his internal investigation on October 1, 2026, and determined that Deputy Rigdon violated the following Montrose County Sheriff's Office Policies:

<u>321 Standards of Conduct</u>

321.5.1 Law, Rules and Orders

(b) Disobedience of any legal directive or order issued by any office member of a higher rank.

(c) Violation of federal, state, local, or administrative laws, rules, or regulations.

321.5.9 Conduct

(b) Unreasonable and unwarranted force to a person encountered or a person under arrest.

(m) Any other on-or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this office, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this office or its members.

Sergeant Searcy forwarded the completed Internal Investigations file to Corrections Division Commander McNulty for review and recommendations.

On October 1, 2026, Commander McNulty returned the Internal Investigation to me with his final findings and recommendation. Commander McNulty stated that, after reviewing the Internal Investigation file, a preponderance of the evidence confirms that Deputy Rigdon did not act in accordance with MCSO policies. Commander McNulty stated that Deputy Rigdon failed to serve the noon meals to [redacted] within the guidelines set forth by his operational protocols email sent out to Jail Staff on July 11, 2026, which resulted in a physical exchange with [redacted] Commander McNulty stated that Deputy Rigdon made the wrong decision to enter Holding Cell 5 and confront [redacted] when the video clearly shows [redacted] backing away from the door to the back of the cell, posing no threat to Deputy Rigdon or herself. Commander McNulty stated Deputy Rigdon's statements were retaliatory and not consistent with an officer giving proper commands to stop uncooperative behavior from a person in custody. Commander McNulty stated that Deputy Rigdon was clearly seen striking [redacted] in her facial area with the handset of his radio, which is not only a violation of MCSO policy, but constitutes use of unreasonable force as documented by the Use of Force Review Board. Commander McNulty stated that Deputy Rigdon's actions demonstrated his ability to operate outside acceptable limits of officer conduct and pose an extreme liability to the Montrose County Sheriff's Office. Commander McNulty recommended terminating Deputy Rigdon's employment with the Montrose County Sheriff's Office.

Findings:

Upon reviewing the completed Internal Investigation conducted by Sergeant Searcy, I concur with his findings and the following sustained policy violations:

321.5.1 Law, Rules and Orders

(b) Disobedience of any legal directive or order issued by any office member of a higher rank.

Sustained: The allegation is supported by sufficient evidence to indicate that the employee did commit one or more of the alleged acts.

Deputy Rigdon disobeyed a directive from Commander McNulty, sent to jail personnel on July 11, 2026. The directive stated that [redacted] food was to be placed on a paper towel and then placed on the sink area only after [redacted] was given verbal commands to sit herself on the back bench of the cell. Deputy Rigdon disobeyed this directive by entering the cell and handing the food directly to [redacted] Deputy Rigdon admitted he was aware of the directive when asked during his interview with the Use of Force Review Board and again in his interview with Sergeant Searcy.

321.5.1 Law, Rules and Orders

(c) Violation of federal, state, local or administrative laws, rules or regulations.

Sustained: The allegation is supported by sufficient evidence to indicate that the employee did commit one or more of the alleged acts.

Deputy Rigdon was seen pushing [redacted] onto the bench in her cell and striking her in the facial area with his left arm/hand or with the radio mic within his left hand when he was involved in a physical altercation with her. The Montrose Police Department investigated this incident and ultimately found probable cause that Deputy Rigdon had committed a crime and sent the case to the 7th Judicial District Attorney's Office for prosecution of C.R.S. 18-9-111(1)(a)- Harassment.

321.5.9 Conduct

(b) Unreasonable and unwarranted force to a person encountered or a person under arrest.

Sustained: The allegation is supported by sufficient evidence to indicate that the employee did commit one or more of the alleged acts.

Due to the incident involving Deputy Rigdon and [redacted] a Use of Force Review Board was assembled. The board ultimately found that the incident was avoidable and that Deputy Rigdon striking [redacted] met the elements of a criminal act. After [redacted] threw her food at Deputy Rigdon, he could have closed the cell door, as [redacted] began retreating to the back of her cell. Deputy Rigdon chose to confront [redacted] by entering her cell aggressively and pushing her onto the back bench. Deputy Rigdon then struck [redacted] in the facial area with his left hand/fist or his radio mic within his left hand. During Sergeant Searcy's interview with Deputy Rigdon, he asked him why he didn't just step out of the cell and shut the door. Deputy Rigdon stated he didn't do that because he was angry at her. During the Use of Force Review Board interview, they asked Deputy Rigdon what threat [redacted] posed. Deputy Rigdon responded, "None." A Montrose County Sheriff's Office Response to Resistance form was completed, and Sheriff Lillard determined on September 30, 2026, that Deputy Rigdon's use of force in this incident was "Not Justified."

321.5.9 Conduct

(m) Any other on-or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this office, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this office or its members.

Sustained: The allegation is supported by sufficient evidence to indicate that the employee did commit one or more of the alleged acts.

Deputy Rigdon's actions on July 02, 2026, reflected unfavorably on the Montrose County Sheriff's Office and our members. Deputy Rigdon disobeyed a directive from Commander McNulty, which led to his involvement in an avoidable use-of-force incident with [redacted] that was ultimately deemed unjustified. Deputy Rigdon admitted he didn't handle the situation appropriately and acted out of anger.

Final Findings:

Montrose County Sheriff's Office Corrections deputies are entrusted with significant authority, including the authority to detain individuals and use force when legally and reasonably necessary. That authority comes with an obligation to exercise sound judgment, follow lawful directives, comply with agency policy, and use force only when justified by the circumstances.

Deputy Rigdon's conduct raises serious concerns in each of these areas. Deputy Rigdon's failure to follow a directive contributed to actions that were entirely preventable and instead led to unjustified use of force and probable cause to charge Deputy Rigdon with a criminal act. While the criminal process must proceed independently, the Montrose County Sheriff's Office is not required to disregard conduct established through its own administrative process merely because a related criminal case remains pending.

Deputies must make sound decisions in rapidly evolving situations while remaining within the law, agency policy, and lawful supervisory direction. Supervisors must also be able to rely on deputies to follow directives, particularly when those directives concern officer safety and/or public safety.

Deputy Rigdon's actions demonstrated a misalignment in these essential expectations. The resulting unjustified use of force exposes the Sheriff's Office to significant legal consequences and, more importantly, undermines the public's expectation that deputies will exercise their authority lawfully, professionally, and with appropriate restraint.

After thoroughly reviewing this Internal Affairs Investigation and considering the totality of the circumstances, I concur with Commander McNulty's recommendation of Termination. This action will take place immediately.

An appeal of this decision must be requested within (5) days, in writing, to Sheriff Gene Lillard.

I have received a copy of this document (Internal Affairs Findings IA#26-0003) on October 6, 2026.

Printed Name: Jay Rigdon

Signature: _____ *Date:* 10/06/26

MONTROSE COUNTY SHERIFF'S OFFICE
A-C REPORT

USE THIS FORM FOR COMMENDATIONS OR TO REPORT MISCONDUCT

☐ COMMENDATION	CAPTION / DESCRIPTION	■ ALLEGATION OF MISCONDUCT
LOCATION OF OCCURRENCE MCSO Jail - Holding/Safety Cell #5	Written Reprimand	I.A. NUMBER
DATE/TIME OCCURRED 07/02/2026 @ 1148 hours		C.R. NUMBER
DATE/TIME REPORTED 07/02/2026 @ 1530 hours		

EMPLOYEE	I.D. No.
Deputy Jay Rigdon	MC315

INVOLVED PARTIES	RP (REPORTING PARTY)	PA (PERSON AFFECTED)	W (WITNESS)

NAME / DOB ☐ RP ■ PA ☐ W SEX: ☐ M ■ F	NAME / DOB ☐ RP ☐ PA ☐ W SEX: ☐ M ☐ F
[redacted] Diana [redacted] [redacted]	
ADDRESS Transient	ADDRESS
HOME PHONE / WORK PHONE / CELL PHONE N/A	HOME PHONE / WORK PHONE / CELL PHONE
NAME / DOB ☐ RP ☐ PA ☐ W SEX: ☐ M ☐ F	NAME / DOB ☐ RP ☐ PA ☐ W SEX: ☐ M ☐ F
ADDRESS	ADDRESS
HOME PHONE / WORK PHONE / CELL PHONE	HOME PHONE / WORK PHONE / CELL PHONE

NARRATIVE:

On 07/02/2026 at approximately 1530 hours, I was notified by Commander McNulty that there was a possible violation of special Operational Protocols by Deputy Rigdon during lunch service in booking involving a specific inmate in the holding cells.

On 07/02/2026 at approximately 1148 hours, Deputy Rigdon was serving lunch to the inmates housed in the holding cells in booking. [redacted] (DOB: 08/04/1981) was housed in holding/safety cell #5. Deputy Rigdon opened the door and proceeded to hand [redacted] her lunch. Once she took the lunch she then threw the lunch at Deputy Rigdon.

On 06/11/2026 at 0929 hours Commander McNulty sent an email with specific Operational Protocols for serving [redacted] her meals (see attached). Deputy Rigdon did not follow this protocol violating the following Montrose County Sheriff's Office Policies:

Montrose County SO Policy
321.3: Members shall comply with lawful directives and orders from any office supervisor or person in a position of authority, absent a reasonable and bona fide justification.
321.5.1(b): Disobedience of any legal directive or order issued by any office member of a higher rank.

Montrose County SO Custody Manual
108.3: Members shall comply with lawful directives and orders from any office supervisor or person in a position of authority, absent a reasonable and bona fide justification.
108.5.1(b): Disobedience of any legal directive or order issued by any office member of a higher rank.

After reviewing the video of the incident, this matter has been referred to Commander McNulty for further review.

SIGNATURE OF EMPLOYEE ☐ CONCUR ☐ DISAGREE	SIGNATURE OF REPORTING PARTY	
REVIEWED BY	ASSIGNED INVESTIGATOR	Page 1 of 1

Investigative Report

MONTROSE COUNTY SHERIFF'S OFFICE

GENE R. LILLARD, SHERIFF
Ty Cox, Undersheriff
Ted Valerio, Commander
Cam Boldan, Commander
Dean McNulty, Commander
Bruce Schmalz, Commander

★ ★ ★ HONESTY ★ ★ ★ INTEGRITY ★ ★ ★ SERVICE ★ ★ ★

To: Undersheriff Ty Cox
Commander Dean McNulty

From: Sgt. Chuck Searcy

Re: Deputy Jay Rigdon

On 10/01/2026, I was advised by Undersheriff Ty Cox, to look at possible more policy violations that occurred in the Internal Affairs Investigation of Deputy Jay Rigdon.

After further review, I have determined that there were two additional policy violations that are sustained in this incident. The two additional violations are :

MCSO Policy #321 Standards of Conduct
321.5.1 – Law, Rules and Orders
c. Violation of federal, state, local or administrative laws, rules or regulations
MCSO Policy #321 Standards of Conduct
321.5.9 – Conduct
m. Any other on or off duty conduct which any member knows or reasonably should know is unbecoming a member of this office, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this office or its members.

This does NOT change the sustained findings on the previous two violations of:

MCSO Policy #321 Standards of Conduct
321.5.1 – Law, Rules and Orders
b. Disobiedence of any legal directive or order issued by any office member of a higher rank.
MCSO Policy #321 Standards of Conduct
321.5.9 – Conduct
b. Unreasonable and unwarranted force to a person encountered or a person under arrest.

To reiterate, the first two policy violations are still sustained, and the additional policy violations are also sustained.

Commander McNulty, please review the additional sustained policy violations. After review, please indicate to Undersheriff Cox, if the additional findings either change or do not change your recommendations for discipline.

/s/ Sgt. Chuck Searcy

MONTROSE COUNTY
SHERIFF'S OFFICE

GENE R. LILLARD, SHERIFF
Ty Cox, Undersheriff
Ted Valerio, Commander
Cam Boldan, Commander
Dean McNulty, Commander
Bruce Schmalz, Commander

★ ★ ★ HONESTY ★ ★ ★ INTEGRITY ★ ★ ★ SERVICE ★ ★ ★

To: Undersheriff Ty Cox
Commander Dean McNulty

From: Sgt. Chuck Searcy

Re: Deputy Jay Rigdon

On 09/28/2026, I was advised by Undersheriff Ty Cox, that I had failed to include the body camera footage from my interview with Deputy Jay Rigdon. I was instructed by Undersheriff Cox to include that and also go over all of the material again prior to returning it to Commander McNulty.

After watching the video in another way (stop, and going frame to frame), it appears that Deputy Rigdon strikes inmate [redacted] with his left hand immediately prior to him calling for assistance. This can be seen in the video at approximately the 11:49:22 mark.

This does not change my finding of sustained from my previous report. In fact, this intensifies the use of force policy violation.

Commander McNulty, please review my findings and then finalize your recommendations and forward to Undersheriff Cox.

/s/ Sgt. Chuck Searcy

MONTROSE COUNTY
SHERIFF'S OFFICE

GENE R. LILLARD, SHERIFF
George Jackson, Undersheriff
Ty Cox, Commander
Ted Valerio, Commander
Cam Boldan, Commander
Dean McNulty, Commander
Bruce Schmalz, Commander

★ ★ ★ HONESTY ★ ★ ★ INTEGRITY ★ ★ ★ SERVICE ★ ★ ★

To: Undersheriff Ty Cox
Commander Dean McNulty

From: Sgt. Chuck Searcy

Re: Deputy Jay Rigdon

On 08/11/2026, I was given a request from Undersheriff George Jackson to conduct an investigation into a Use of Force allegation against MCSO Detentions Deputy Jay Rigdon. Undersheriff Jackson informed me that the scope of the investigation would be criminal in nature and an internal investigation would follow.

The information I was given was that on July 2nd at approximately 1148 hrs., there was an altercation between Deputy Rigdon and a female inmate named [redacted] in holding #5.

On 08/12/2026, at approximately 0950 hrs., I informed Commander Dean McNulty that I was investigating the case and would be calling him back for an official interview at a later date. My main question of this talk was to find out how the allegations came to light. According to Commander McNulty, on July 2nd he was told by Deputy Rigdon that there was an "issue" that occurred during feeding of the inmates. Commander McNulty stated that he instructed Deputy Rigdon to complete a log of the event and that he would look into it. Commander McNulty explained he later watched the video, but initially did not see anything other than he didn't know why Deputy Rigdon had gone into the cell with the inmate. Commander McNulty said he then left that day at approximately 1500 hrs, to start his holiday weekend. He stated that later (did not clarify date of time), he received a call from Sergeant Cody Gustin and Deputy Kacy Childs. According to Commander McNulty, they advised him they had watched the video and it was "Pretty bad".

Commander McNulty stated that when he returned from vacation on the 13th of July, he again watched the video with full audio. At that point he contacted Undersheriff Jackson and advised him of the situation, as he believed there may be some excessive force.

On 08/12/2026, at approximately 0937 hrs., I contacted Deputy Rigdon via telephone. I advised him I was looking into this issue and asked if he would be willing to come down and speak with me this afternoon. Deputy Rigdon advised that he had retained an attorney and would have to see when she is available, as he would like to have her present during the interview. I advised him to let me know when works for them and we would set something up. I told him I was free this afternoon as well as all day tomorrow (08/13).

In the afternoon of 08/12/2026, I received a voicemail on my office telephone from Mallory Revel, an attorney with Foster Graham Milstein and Calisher. I returned a call back to Mallory and we briefly talked about setting up a zoom call that she could attend while I interviewed Deputy Rigdon who she is representing. I explained to her I would be setting up my body worn camera as well to document the interview and then explained to her that I would be going over Miranda and not Garrity, as this may be criminal in nature. It appeared Mallory was unaware of this information. She later emailed me and stated that after speaking with Deputy Jay Rigdon, he has declined to come speak to me in reference to a "Mirandized" interview, however was open for a Garrity interview.

On 08/13/2026 at approximately 1630 hrs., Sheriff Gene Lillard advised me that he thinks it would be best if another agency was to investigate this incident criminally.

At that time, the case was referred to Montrose Police Department to investigate the case legally.

On 09/15/26, Sheriff Lillard asked if I would continue the internal investigation, as Commander Boldan was ill. At that time, I began the internal investigation.

On 09/15/2026, at approximately 0830 hrs, I attempted to call Deputy Rigdon. There was no answer and I left a voicemail for him to return my call. Again on 9/15 I called Deputy Rigdon back at approximately 1108 hrs, as I had not heard back from him. Deputy Rigdon answered. I explained to him that I was conducting the Internal part of this investigation and wanted him to come down this afternoon. Deputy Rigdon stated he would like his attorney present during the meeting. I told him I would be okay with 1600 hrs on today's date or tomorrow, whenever his attorney was available.

On 9/15, Deputy Rigdon arrived in my office at approximately 1545 hrs. I started my body camera that was sitting on the bookshelf in my office and explained to Deputy Rigdon his attorney was not yet on the video call. Deputy Rigdon and I just talked about life and nothing of relevance until approximately 1600 hrs. when his attorney joined the video call.

Once the video call started, I introduced myself and the attorney introduced himself, and explained he was filling in for Mallory. I asked him not to interrupt or interfere with the interview and he stated he understood.

At that time, I explained to Deputy Rigdon what Garrity was and how its used. I then went over the Garrity Advisement with him. Deputy Rigdon stated he understood and then signed the advisement.

I started the interview by asking Deputy Rigdon what happened on July 2nd. He explained that he was feeding a meal, he couldn't remember if it was lunch or dinner to inmates. He explained one inmate ([redacted] had to have a sacked lunch and the contents were to be taken out of any bag or plastic. He stated the protocol was for her to be seated in the back of the cell, they would then set the food down. Deputy Rigdon told me that this time she stood up and walked toward him in a normal way. He asked her if she wanted food and there was some discussion about it. He said as

he was exiting the cell after she said she didn't want it, she changed her mind. Deputy Rigdon explained he handed her the food and she them threw it at him. He stated a chip hit near his eye but did not injure him. Deputy Rigdon then stated he pushed her to the back of the cell. According to Deputy Rigdon, she grabbed his radio mic cord and broke the ear piece he had in. He said that he verbally called for help as he was unable to call on the radio. A short time later Cpl Hoopi-Miller arrived in the cell. Deputy Rigdon stated [redacted] then would not let go of the mic, so he reached down and pulled it away from her.

Deputy Rigdon stated that his watch pinched his arm but he was not injured. He stated that he did not believe she was injured either.

Deputy Ridgon stated that he had received the information and directive that they were not suppose to go into the cell of [redacted] When asked why he didn't simply step out and shut the door to the cell, he replied it was because he was angry at her.

At this time, I concluded my interview with Deputy Rigdon.

After watching the video, it shows that [redacted] does throw the food toward Deputy Rigdon, who is standing by the cell door. Instead of simply stepping back and closing the cell door, Deputy Rigdon advances toward [redacted] who no longer looks like a threat and she is retreating toward the back of the cell. Deputy Rigdon then engages with [redacted] grabbing her wrist. Due to the camera angle and quality, I cannot say with certainty that Deputy Rigdon struck [redacted] at any time. It is evident that Deputy Rigdon engaged in a physical altercation with her, without valid reason or cause.

I then reviewed the MPD's case that they investigated criminally. Sgt. Gehm with the MPD will be or has sent criminal charges to the District Attorney's Office for prosecution.

After my investigation, I find the allegations of Montrose County Policy 321.5.9(b) – Conduct "Use of Force", and MCSO Policy 321.5.1(b) Laws, Rules and Orders "Insubordination", both Sustained.

/s/ Sgt. Chuck Searcy

GENE R. LILLARD, SHERIFF
George Jackson, Undersheriff
Ty Cox, Commander
Ted Valerio, Commander
Cam Boldan, Commander
Bruce Schmalz, Commander
Dean McNulty, Jail Commander

MONTROSE COUNTY SHERIFF'S OFFICE

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Date: 7/13/26

To: Undersheriff G. Jackson

From: Jail Commander D. McNulty

Re: Divisional Investigation

On 7/2/26 at approximately 1530 hours I received a phone call from Sergeant C. Gustin, who asked me if I had seen the video of Deputy Jay Rigdon and [redacted] [redacted] (DOB [redacted]) in Holding cell 5 from earlier today? I stated to Sergeant Gustin that I had seen the video and the incident was going to be investigated in the upcoming future due to the holiday weekend and me being on family medical leave next week. Sergeant Gustin also stated that Deputy Kissner had watched the video and both felt that Rigdon's actions were pretty bad and uncalled for regarding his altercation with [redacted] I stated to Sergeant Gustin that his notification would be documented accordingly and ended the phone call.

On 7/16/26 at 1015 hours I met with Deputy Rigdon in my office with Lieutenant Evans present as a witness. I explained to Deputy Rigdon that this was a notification of a complaint that was filed on him by Jail personnel. I further stated to Deputy Rigdon that the complaint was an allegation of excessive use of force and that I would be conducting the investigation at the divisional level. I then explained the process for the investigation which included a Response to Resistance form that would be completed by the acting supervisor Corporal Hoopii-Miller which would in turn be reviewed by a committee. The findings of the committee would be relayed to me and I would review these findings accordingly. My recommendations would in turn be sent to MCSO Administration for further review. Deputy Rigdon stated he understood this process and it didn't matter anyway because he was leaving in July. I asked Deputy Rigdon if he meant July of next year and Deputy Rigdon stated, yes. I then instructed Deputy Rigdon to continue with his assigned duties and ended the conversation at this time.

A review of the jail video and audio recording system shows at 1146 hours on 7/2/26 Deputy Rigdon begins serving noon meals to the Holding population. At 1148 hours Deputy Rigdon opens the door of Holding cell 5 and offers a meal to [redacted] currently assigned to Holding cell 5. [redacted] asks what is it and Deputy Rigdon states that it is peanut butter. [redacted] then states that she doesn't want it and then changes her mind, asks let me see it and accepts the meal. At this time Deputy Rigdon hands the meal to [redacted] who then throws the meal in Deputy Rigdon's facial and upper torso area and states to Deputy Rigdon to keep your ass fucking out of here. Deputy Rigdon then enters Holding cell 5 as [redacted] is walking to the back of the cell. [redacted] states don't touch me twice as Deputy Rigdon approaches. Deputy Rigdon then escorts [redacted] to the bench area in the back of the cell and states something to the effect, you fucking throw food at me bitch and you're gonna be throttled. Deputy Rigdon then engages in a series of control holds with [redacted] and verbally calls for officer assistance. After several seconds Deputy Rigdon calls for Jodi (Stewart), a Custody Support Assistant currently on duty and then tosses a set of keys out of Holding cell 5. During this physical exchange [redacted] is able to grab ahold of

Deputy Rigdon's radio cord and hand set for several seconds and Deputy Rigdon states to [redacted] to let loose of my fucking radio. Deputy Rigdon is able to regain control of his radio cord and handset and then states to [redacted] something to effect of, if you fucking do this again man you'll have a problem like you've never seen. At 1149.43 seconds Deputy Rigdon can be seen striking [redacted] in her facial area with his radio handset. Corporal Miller, who entered the cell a few seconds previously, takes control of the scenario and gives verbal commands for [redacted] to let go and Deputy Rigdon to step out. Deputy Rigdon then disengages with [redacted] and exits Holding cell 5. Corporal Miller remains in Holding cell 5 and places both of his hands on top of [redacted] torso while giving verbal commands to [redacted] to stay laying down and wait until he steps out before [redacted] steps up. [redacted] complies with Corporal Miller's verbal commands and at 1150 hours Corporal Miller exits Holding cell 5. Deputy Rigdon then closes the door to Holding cell 5 after Corporal Miller's exit. The video and audio of the incident was saved to the MCSO Jail COPD Evidence and Photos file.

On 8/4/26 at 1605 hours the Use of Force Review Board convened in the Executive Conference Room. The board consisted of myself, Commander Boldan, Lieutenant Evans and Sergeant Chandler. I escorted Deputy Rigdon into the conference room and Deputy Rigdon was given verbal instructions by Commander Boldan pertaining to the format of the session and his requirement to answer questions. The board members then asked Deputy Rigdon questions regarding the incident on 7/2/26. The written transcript of the Use of Force Review Board session with Deputy Rigdon was completed by Commander Boldan.

On 8/10/26 at approximately 1700 hours I received a phone call from Undersheriff Jackson who requested that I be in his office at 0800 hours on 8/11/26 for a scheduled meeting with Deputy Rigdon. I arrived in Undersheriff Jackson's office at 0758 hours on 8/11/26 to attend the meeting. Deputy Rigdon was a no call no show and at 0815 hours Undersheriff Jackson postponed the meeting for a later time. At 0844 hours on 8/11/26 Undersheriff Jackson called me on my cell phone and stated that Deputy Rigdon had contacted him and stated that he overslept and that he would be in later today. At 0941 hours on 8/11/26 I received another phone call from Undersheriff Jackson who stated that Deputy Rigdon had arrived in his office and that he had subsequently placed Deputy Rigdon on Administrative Leave.

On 8/17/26 at 1617 hours I met with Montrose Police Department Sergeant Gehm in my office. Sergeant Gehm stated that he was assigned the case for investigation regarding possible criminal charges pertaining to a Jail incident involving use of force. I reviewed the video with Sergeant Gehm and gave him copies of my in progress investigatory report and Deputy Rigdon's Jail log report. I loaded a copy of the video onto a flash drive that Sergeant Gehm delivered and subsequently retrieved on 8/19/26.

On 9/22/26 I was given the Internal Affairs file regarding this incident by Sergeant Chuck Searcy for review. I spent approximately three hours reviewing the file and gave my recommendation accordingly. On 9/23/26 I transferred custody of the file to Undersheriff Ty Cox.

MONTROSE COUNTY
SHERIFF'S OFFICE

GENE R. LILLARD, SHERIFF
George Jackson, Undersheriff
Ty Cox, Commander
Ted Valerio, Commander
Cam Boldan, Commander
Bruce Schmalz, Commander
Dean McNulty, Jail Commander

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On 9/28/26 at 1105 hours Sergeant Searcy returned the Internal Affairs file regarding this incident for further review. Sergeant Searcy included the audio and video recording between him and Deputy Rigdon along with the audio recording of the Use of Force Review Board which wasn't included in the file for the first review. I reviewed the audio and video recordings in their entirety and returned the file to Undersheriff Cox on 9/29/26.

Conclusion:

After viewing the video recording, listening to the audio and reviewing the findings of the Use of Force Review Board, a preponderance of the evidence confirms that Deputy Rigdon did not act in accordance with MCSO policies. Deputy Rigdon failed to serve the noon meal to [redacted] within the guidelines set forth by my operational protocols email sent to Jail Staff on 6/11/26 which resulted in the physical exchange with [redacted] Furthermore, Deputy Rigdon made the wrong decision to enter Holding cell 5 and confront [redacted] when the video clearly shows [redacted] backing away from the door to the back of the cell posing no threat to Deputy Rigdon or herself. Deputy Rigdon's statements to [redacted] are retaliatory in nature and not consistent with an officer giving proper verbal commands to a person in custody to cease an uncooperative behavior. Deputy Rigdon can clearly be seen striking [redacted] in her facial area with the handset of his radio which is not only a violation of MCSO policy but constitutes use of unreasonable force as documented by the Use of Force Review Board.

Also, Deputy Rigdon's report is inconsistent with actual events on the video recording system. Deputy Rigdon states in his report that he went into the cell making sure she ([redacted] wasn't going to get out of the cell and she ([redacted] sat down in the corner on the bench not complying and I was forced to push her ([redacted] to the bench on her side. The video recording shows [redacted] backing away from the door after she threw the food on Deputy Rigdon and was clearly not attempting to exit the cell. Furthermore, Deputy Rigdon forcibly escorted [redacted] to the bench of the cell. [redacted] did not take a seat on her own.

Although [redacted] did throw food at Deputy Rigdon, [redacted] did not actively approach Deputy Rigdon after this act which would be consistent with an assault or attempt at escape. [redacted] then preceded to move backwards attempting to avoid a physical confrontation with Deputy Rigdon. Deputy Rigdon's actions against [redacted] served no legitimate purpose and do not meet the criteria for authorized use of force. Furthermore, Deputy Rigdon's actions against [redacted] are consistent with assaultive behavior

Jail Commander D. McNulty

MONTROSE COUNTY
SHERIFF'S OFFICE

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Date: 7/13/26

To: Undersheriff G. Jackson

From: Commander D. McNulty

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loose of my fucking radio. Deputy Rigdon is able to regain control of his radio cord and handset and then states to [redacted] something to effect of, if you fucking do this again man you'll have a problem like you've never seen. At 1149.43 seconds Deputy Rigdon can be seen striking [redacted] in her facial area with his radio handset. Corporal Miller, who entered the cell a few seconds previously, takes control of the scenario and gives verbal commands for [redacted] to let go and Deputy Rigdon to step out. Deputy Rigdon then disengages with [redacted] and exits Holding cell 5. Corporal Miller remains in Holding cell 5 and places both of his hands on top of [redacted] torso while giving verbal commands to [redacted] to stay laying down and wait until he steps out before [redacted] steps up. [redacted] complies with Corporal Miller's verbal commands and at 1150 hours Corporal Miller exits Holding cell 5. Deputy Rigdon then closes the door to Holding cell 5 after Corporal Miller's exit. The video and audio of the incident was saved to the MCSO Jail COPD Evidence and Photos file.

On 8/4/26 at 1605 hours the Use of Force Review Board convened in the Executive Conference Room. The board consisted of myself, Commander Boldan, Lieutenant Evans and Sergeant Chandler. I escorted Deputy Rigdon into the conference room and Deputy Rigdon was given verbal instructions by Commander Boldan pertaining to the format of the session and his requirement to answer questions. The board members then asked Deputy Rigdon questions regarding the incident on 7/2/26. The written transcript of the Use of Force Review Board session with Deputy Rigdon was completed by Commander Boldan.

CONTINUED

MONTROSE COUNTY
SHERIFF'S OFFICE

GENE R. LILLARD, SHERIFF
George Jackson, Undersheriff
Ty Cox, Commander
Ted Valerio, Commander
Cam Boldan, Commander
Bruce Schmalz, Commander
Dean McNulty, Jail Commander

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USE OF FORCE REVIEW BOARD

Date: 8/4/26

Board Members: Commander McNulty, Commander Boldan, Lieutenant Evans Sergeant Chandler

Re: Use of Force Review for 7/2/26 Incident

Questions:

Commander McNulty

1. Establishment of 7/2/26 incident in Booking involving Deputy Rigdon and [redacted]

Sergeant Chandler

1. What threat did [redacted] pose to you?
2. Did you have a plan upon entering the cell and what was your reasoning for entering the cell?
3. Do you remember what you said to [redacted] and did you give her any verbal commands?

Commander McNulty

1. Were you aware of the operational protocols email that I sent to Jail Staff on 6/11/26?
2. Do you remember what [redacted] said to you?
3. Do you remember striking [redacted] in any way?
4. [redacted] unquestionably threw her food at you. What do you consider that act?
5. What was the extent of your injuries regarding this incident on 7/2/26?

Lieutenant Evans

1. What made you think [redacted] was trying to exit the cell?
2. Why didn't you just shut the cell door?

MONTROSE COUNTY
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MONTROSE COUNTY SHERIFF'S OFFICE

August 5, 2026

To: Undersheriff G. Jackson

From: Commander C. Boldan

Subj: Use of Force Review Board; Case of Deputy J. Rigdon

Undersheriff Jackson,

On July 27, 2026, I assembled a Use of Force review board consisting of myself, Commander McNulty, Lieutenant Evans and Sgt. Chandler. This board was to review a use of force involving Deputy Rigdon and inmate [redacted] I asked all board members to study the video of this incident and to have prepared questions for Deputy Rigdon for an eventual interview. The questions are included in this case file. This report is a synopsis. The video and recording of the interview are included also.

To summarize the video, it shows Deputy Rigdon enter the cell with [redacted] seated on the bench and [redacted] was offered a sandwich which she initially refused. [redacted] then changed her mind and stood to accept it, after she took the sandwich from Deputy Rigdon, she then threw it in his direction. At that time, [redacted] immediately stepped backward saying "Don't touch me". Deputy Rigdon moved towards [redacted] and forced her to the bench. Deputy Rigdon was heard saying, "Don't you throw food at me you fucking bitch or there will be problems". Deputy Rigdon and [redacted] struggled with each other on the bench and Deputy Rigdon then called for assistance and throws the keys out of the cell. The video also shows during the struggle, Deputy Rigdon pull what appears to be his radio microphone away from [redacted] while saying "let go of my fucking radio". Deputy Rigdon then leans down to [redacted] and strikes her in the head and said, "you do this again and there will be problems like you've never seen". Cpl. Miller enters the cell and has Deputy Rigdon leave.

On August 4, 2026, the board met with Deputy Rigdon. The interview was recorded and also included in this case file. I started the interview by telling Deputy Rigdon that he is compelled to answer all of the questions. I asked Deputy Rigdon to tell the board his account of the incident including his perceptions. Deputy Rigdon said, "first of all, I did it and shouldn't have responded the way I did". Deputy Rigdon went on to say he went to feed [redacted] and she initially refused and then changed her mind. Deputy Rigdon said he started to back out and then [redacted] started to walk towards him once she decided she wanted the peanut butter sandwich. Deputy Rigdon said when [redacted] got the sandwich, she threw it at him. Deputy Rigdon added it didn't injure him in any way. Deputy Rigdon told the board that there were other things that happened in his life and he was "angry". Deputy Rigdon said in that situation, he said he was mistreated. Deputy Rigdon said he entered the room and he put [redacted] on the bench and

she grabbed for his radio. Deputy Rigdon said he threw the keys out of the cell and called for assistance, and Cpl. Miller came and told him to back out of the cell. The board then started the questions. Sgt. Chandler asked Deputy Rigdon what threat did [redacted] pose and he said, "none". Sgt. Chandler asked Deputy Rigdon if he had a plan upon entering the cell and if so, what was the plan. Deputy Rigdon said it was just to hand her the food. Sgt. Chandler then asked if he gave any verbal commands to [redacted] and Deputy Rigdon said he did not remember. Commander McNulty asked his questions next. Commander McNulty asked Deputy Rigdon if he was aware of the operational protocols email that he issued on June 11, 2026. (This was a directive that stated [redacted] food would be left on the sink as she sat on the bench). Deputy Rigdon said he was aware. Commander McNulty then asked if he remembered anything [redacted] said to him during this exchange, and Deputy Rigdon said he remembered [redacted] accepting the sandwich. Commander McNulty asked Deputy Rigdon if he remembered striking [redacted] and he said he did not.

Deputy Rigdon said he reached in and grabbed his radio cord and that's all. Commander McNulty asked Deputy Rigdon if he had watched the video and he said he did and that he was not trying to lie to get out of it. Commander McNulty went on to ask what Deputy Rigdon considered the sandwich being thrown at him was and Deputy Rigdon said he considered it a disciplinary offense. Commander McNulty asked Deputy Rigdon if he sustained any injuries and if it became infected. Deputy Rigdon responded he got a spot under his watch and it did not get infected. Lt. Evans then asked his questions. Lt. Evans asked Deputy Rigdon what made him think [redacted] was trying to exit the cell. Deputy Rigdon said he didn't. Lt. Evans told him it was in his report and Deputy Rigdon said, "I did?". Lt. Evans asked, why didn't you just shut the door? Deputy Rigdon replied, "because I was angry, but not at her necessarily". I told Deputy Rigdon that I appreciated his attitude and he said, "I screwed up, sir".

After the interview, the board had a meeting where everybody on the board said Deputy Rigdon hit [redacted] after he pulled his radio away, except for me. Myself and Commander McNulty agreed to meet in his office to look at a magnified, and slow-motion version the next morning. On August 5, 2026, Myself and Commander McNulty met in his office. The enhanced video showed Deputy Rigdon slap or punch [redacted] after he pulled his radio away from her.

Summary

This incident was avoidable. Deputy Rigdon admitted during the interview that he was angry. Furthermore, the video shows that [redacted] stood still for a moment then began to step backwards after she threw the food at Deputy Rigdon which conflicts with the report of Deputy Rigdon. Deputy Rigdon was asked during his interview if he struck [redacted] in any way and he said he did not, while the video shows that he did.

The Use of Force Review Board has all agreed that Deputy Rigdon striking [redacted] meets the elements of a criminal act. Due to [redacted] mental issues and violent tendencies, she was not interviewed. This report was reviewed and approved by all of the members of the review board. This concludes my report.

Respectfully,

Commander Cam Boldan

Statements

jllog.agency = MONS jllog.num = 262872

Jail Incident Number:
Location: *Holding 5*
Event Type: *Information*
Responsible Officer: *Jay Rigdon*
Start Date: *07/02/2026 12:23:06*
End Date:
Quantity: *0*

Additional Info

On July 02, 2026 at approximately 1148 hours, I was feeding the inmates in holding. I took holding 5 Lorrey Diana Rhoades, DOB: [redacted]food on a paper towel as required and opened the door to hand it to her she stood up and asked what it was. I explained that it was peanut butter sandwichs. [redacted] asked me to take it back because it hurts her stomach. She then hesitated and stated something to the effect that she would take it. She then threw it at me hitting me in the face and down the front of my person. I went into the cell making sure she wasn't going to get out of the cell and she grabbed the cord to my radio and would not release it. She sat down in the corner on the bench not complying and I was forced to push her to the bench on her side. She still did not release the cord until I put pressure on her wrist and shoulder. I had to verbally call for assistance because my microphone was not where I could use it.

Corporal Miller quickly responed and helped me get part of my cord, which is now broken, out of her hand. We had control by 1149 and walked out of the cell at1150.

July 12, 2026

Video: Start 1148:47

under control 1149:47

Walked out of Cell 1150:13

Inmates Involved

Name Number	Type	Booking Number	Assigned Housing Bed ID	Last First Middle
296525	220040	Holding 5	B01[redacted]	DIANA

Officers Involved

Officer
Jay Rigdon

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Case Reports

RESPONSE TO RESISTANCE REPORTING

Montrose County Sheriff's Office

This document is for statistical data gathering and internal uses only. It is not for addition to case files or intended for public release. Complete one form for each suspect and each deputy directly involved in the response to resistance.

INCIDENT INFORMATION

Case Number(s)	Date/Time of Incident	Deputy(s) Involved:	On-Duty Supervisor
J26-0012	07/02/2026 / 1148	J. Rigdon	T. Hoopiimiller

Witnessing Deputy(s) Other than Deputy Involved:

Incident Type *check all that apply*

☐ Barricaded Subject ☐ Fight / Assault ☐ Obstructing ☒ Prisoner Transport/Custody/Handling
☐ Civil Disturbance ☐ Foot Pursuit ☐ Resisting Arrest ☒ Emotionally Disturbed Person
☐ Civil Process ☐ In-Progress Call ☐ Traffic ☐ Suspicious Person / Incident
☐ Domestic Violence ☐ Suicidal Subject ☐ Vehicle Pursuit ☐ Vicious Animal
☐ Other (describe): _____

Location Type ☒ Indoor ☐ Outdoor ☒ Jail ☐ Courthouse

Source of Incident ☐ Dispatched ☒ Deputy Initiated ☐ Citizen Reported ☐ Other (describe): _____

RESISTANCE ENCOUNTERED

Involved Subject:	Sex	DOB	Height	Weight	Race
[redacted]	F	[redacted]	5"4	140	WHT

Drug / Alcohol Use ☐ Admitted by Suspect ☐ Detected by Toxicology ☐ Unknown ☐ Physical Evidence of Use

Drugs Used ☐ Depressants ☐ Stimulants ☐ Hallucinogens ☐ Dissociative Anesthetics ☐ Narcotic Analgesics ☐ Inhalants
☐ Cannabis ☐ Prescription ☐ Other / Specify: _____

Resistance / Threat Type *check all that apply*

☐ Fleeing Suspect ☐ Passive Resistance ☐ Threat of Resistance ☐ Verbal Noncompliance
☐ Unarmed Assault: ☐ Fist ☐ Feet ☐ Teeth ☐ Other: _____
☐ Armed Assault: ☐ Handgun ☐ Shotgun ☐ Rifle ☐ Blunt Object ☐ Edged Weapon ☐ Vehicle ☐ Other
Specify Weapon: _____
☒ Other (describe): Inmate Disciplinary Problem
Number of suspects using or threatening resistance: 1

Injury to Deputy

☐ No Injury ☐ Pain ☒ Minor Injury ☐ Serious Bodily Injury ☐ Death
☐ Exposure to Body Fluids: _____
Describe Injury(s): Small Scratch On Wrist

Treatment

☒ None ☐ Treated / Released by: ☐ First Aid ☐ EMS ☐ ER ☒ Jail Medical
☐ Admitted to Hospital: ☐ Montrose Memorial ☐ Delta County ☐ Other: _____
Attending Physician(s): _____

RESPONSE EMPLOYED

U E Mark "U" if the type of response was used, "E" if it was effective in stopping the resistance by the suspect:

☒ ☐ Physical Control Holds

☐ ☐ Push / Shove / Kick / Punch Targeted Point(s): _____

☐ ☐ K-9 Bite Targeted Point(s): _____

☐ ☐ Pressure Points Targeted Point(s): _____

☐ ☐ Baton Strike Targeted Area(s): _____

☐ ☐ Chemical Spray / Agent: ☐ OC ☐ CS ☐ CN ☐ Other: _____ Date of Mfgr: _____ Lot Number: _____

☐ ☐ Conducted Electrical Weapon: Device(s): _____

☐ ☐ TASER: ☐ Probe Deployment ☐ Drive Stun # Cycles Applied: _____

Serial Number: _____ Cartridge / AFID Number(s): _____

Approximate Distance to Target at Probe Launch: _____ Approximate Distance Between Probes: _____

Suspect Wearing Heavy Clothing? ☐ No ☐ Yes Skin Penetration by Probes? ☐ No ☐ Yes: ☐ One Probe ☐ Both Probes

Probes Removed on Scene? ☐ No ☐ Yes TASER was ☐ Satisfactory ☐ Unsatisfactory ☐ Success ☐ Failure

☐ ☐ Specialty Impact Munitions ☐ 37mm ☐ 40mm ☐ 12ga ☐ Other: _____ Serial Number: _____

List type and number of each round used (e.g. *40mm Xact Impact marking round x1, 12ga fin-stabilized bean bag x2,* etc.)

_____

☐ ☐ Firearm: ☐ Handgun ☐ Shotgun ☐ Long Rifle Caliber: ☐ .40SW ☐ 12ga ☐ .223/5.56 ☐ .308WIN ☐ Other: _____

Number of Rounds Fired: _____ according to ☐ Deputy Recollection ☐ Physical Evidence

☐ ☐ Other Type(s) of Force: _____

Injury to Suspect ☒ No Injury ☐ Pain ☐ Minor Injury ☐ Serious Bodily Injury ☐ Death

☐ Exposure to Body Fluids: _____

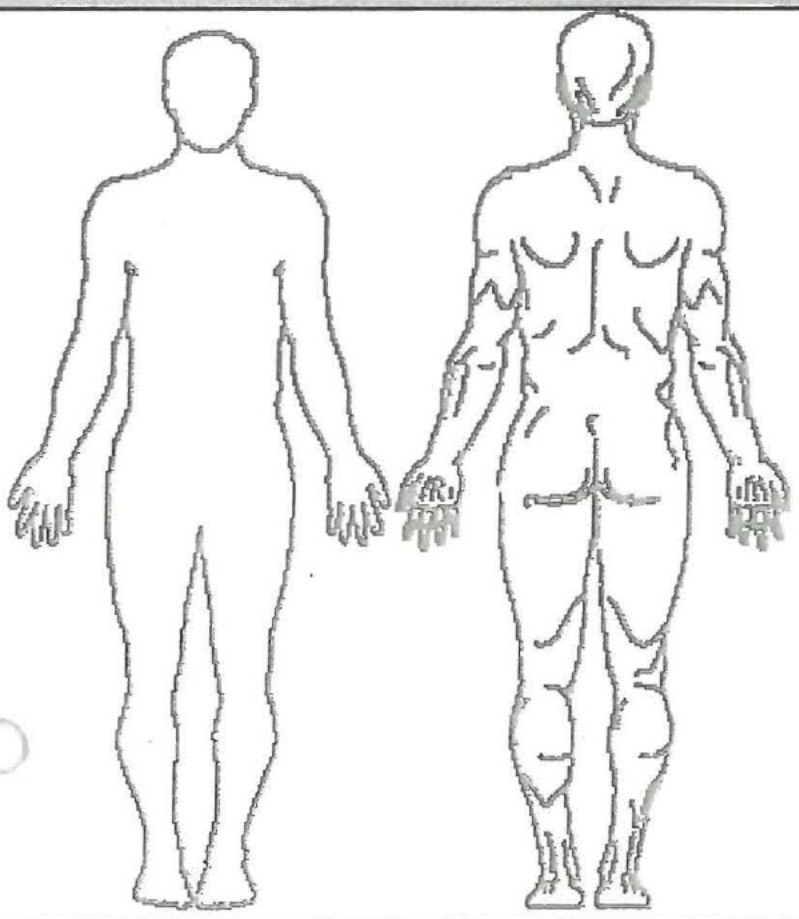
Describe Injury(s): _____

Treatment ☒ None ☐ Treated / Released by: ☐ First Aid ☐ EMS ☐ ER ☐ Jail Medical

☐ Admitted to Hospital: ☐ Montrose Memorial ☐ Delta County ☐ Other: _____

Attending Physician(s): _____

DIAGRAM



Indicate affected areas to suspect by marking on the diagram on the left. Either make lines from each type of response to the place applied, or use the letter codes written on the place applied.

TASER Drive Stun	D
TASER Probe Impacts	X
Baton Strike	B
Specialty Impact Munitions	S
Lethal Weapons Fire	L
Personal Weapon: Punch	F
Personal Weapon: Kick	K
Chemical Spray	C
Pressure Points	P
K-9 Bite	CB

PHOTOGRAPHY

	Photos Taken	Photo Type	Photographer	In Evidence?	Attached to This Report?
Scene / Evidence	☐ Yes ☒ No	☐ Digital ☐ Film	_____	☐ Yes ☐ No	☐ Yes ☐ No ☐ Print ☐ CD
Deputy Injuries	☐ Yes ☒ No	☐ Digital ☐ Film	_____	☐ Yes ☐ No	☐ Yes ☐ No ☐ Print ☐ CD
Suspect Injuries	☐ Yes ☒ No	☐ Digital ☐ Film	_____	☐ Yes ☐ No	☐ Yes ☐ No ☐ Print ☐ CD

NARRATIVE

Briefly summarize the incident, including the suspect's conduct before and after the response to resistance, the deputy's response, and any other pertinent information for the response to resistance review and statistical gathering:

On 07-02-2026 at approximately 1148 hours I was in the Sergeants Office while Deputy Rigdon started serving lunch for the holding cells. I then heard a commotion and at the same time CSA Jodi Stewart stated, Miller, Jay needs help. I ran into the Holding area where I noticed Deputy Rigdon in Holding cell 5 trying to restrain [redacted] I entered Holding cell 5 to assist Deputy Rigdon and gave verbal commands to [redacted] to let Deputy Rigdon go, at which point [redacted] complied. I then instructed Deputy Rigdon to back out of the cell and told inmate [redacted] not to move until the cell door was closed. [redacted] was compliant with my verbal commands and I exited Holding cell 5 without incident. I had Jail Medical personnel evaluate Deputy Rigdon for any injuries he may have sustained.

Corporal T. Hoopiimiller MC 312

Submitting Supervisor :	Date		
[signature]	07-16-26		

Response to ResistanceReview

By Division Commander
☒ Recommended
☐ Not Recommended

Response to Resistance Review Team

Div. Commander: [signature] 301 Date: 7/16/26

Prof. Standards: [signature] Date: 7/22/2026

Determination:
☐ Justified
☒ Not Justified

Gene R. Lillard Date: 9/30/26

Gene R. Lillard, Montrose County Sheriff

OPERATIONAL PROTOCOLS [redacted]

From : Dean McNulty <dmcnulty@montrosecounty.net> Thu, Jun 11, 2026 09:29 AM
Subject : OPERATIONAL PROTOCOLS [redacted]
To : SO Jail <sojail@montrosecounty.net>

Jail Staff: Due to an officer assault occurring on 6/10/26 during the serving of morning meal, [redacted] (DOB [redacted]) has been relocated to Safety Cell 5 and given a safety smock, one safety blanket and a cup. To alleviate the opportunity for potential assaults [redacted] will be given a sack lunch three times daily with no tray. The food will be placed on a paper towel and then placed on the sink area only after [redacted] has been given verbal commands to seat herself on the back bench. Failure to comply on behalf of [redacted] will be considered a refusal and a log will be completed in her Spilman jail record.
These restrictions will be in place until further notice. Thank you for your cooperation in this matter.

Commander McNulty

From : Dean McNulty <dmcnulty@montrosecounty.net> Thu, Jun 11, 2026 09:29 AM
Subject : OPERATIONAL PROTOCOLS [redacted]
To : SO Jail <sojail@montrosecounty.net>

Jail Staff: Due to an officer assault occurring on 6/10/26 during the serving of morning meal, [redacted] (DOB [redacted]) has been relocated to Safety Cell 5 and given a safety smock, one safety blanket and a cup. To alleviate the opportunity for potential assaults [redacted] will be given a sack lunch three times daily with no tray. The food will be placed on a paper towel and then placed on the sink area only after [redacted] has been given verbal commands to seat herself on the back bench. Failure to comply on behalf of [redacted] will be considered a refusal and a log will be completed in her Spilman jail record.
These restrictions will be in place until further notice. Thank you for your cooperation in this matter.

Commander McNulty

Copy

MONTROSE POLICE

Incident Report for 26-020848

Nature: Assault

Address: 1200 N Grand Ave; MONTROSE COUNTY SHERIFF OFFICE; Montrose C Montrose CO 81401

Location: MPB01

Offense Codes: ASIM, MISA
Statute Codes: ,
Received By: B Winkelmann
How Received: O
Agency: MPD
Responding Officers:
Responsible Officer: Nicholas Gehm
Disposition: CAA 08/13/26
When Reported: 16:08:03 08/13/26
Occurred Between: 16:07:59 08/13/26 and 16:07:59 08/13/26

Assigned To:
Detail:
Date Assigned: **/**/**
Status: CAA
Status Date: 08/13/26
Due Date: **/**/**

Complainant:

Last: **First:** **Mid:**
DOB: **/**/** **Dr Lic:** **Address:**
Race: **Sex:** **Phone:** **City:** ,

Offense Codes

Reported: ASST Agency Assist
Observed: ASIM Assault, Simple
Additional Offense: ASIM Assault, Simple
Additional Offense: MISA Misdemeanor Adult Charged

Statute Codes

Additional Statute:
Additional Statute:

Circumstances

LT11 Government/Public Bldg
TRANS Transient

Responding Officers:
Unit :
822

Responsible Officer: Nicholas Gehm
Agency: MPD
Received By: B Winkelmann
Last Radio Log: **:**:** **/**/**
How Received: O Officer Report
Clearance: DAP DA Prosecution

Copy

When Reported: 16:08:03 08/13/26
Judicial Status:
Misc Entry: DA Request

Disposition: CAA **Date:** 08/13/26
Occurred between: 16:07:59 08/13/26
and: 16:07:59 08/13/26

Modus Operandi: **Description :** **Method :**

Copy

Involvements

Date	Type	Description	Relationship
08/20/26	Name	GEHM, NICHOLAS	Arresting Officer
08/18/26	Name	RIGDON, JAY EUGENE	Offender
08/18/26	Name	[redacted] [redacted] DIANA	Victim
08/20/26	Citation	Adult Misdemeanor Charges	Citation
08/13/26	Offense	Offense#: 252621 - M1 - 1 count	Charged With
08/13/26	Cad Call	16:08:03 08/13/26 Agency Assist	Initiating Call

Copy

Narrative

MONTROSE POLICE DEPARTMENT CASE REPORT

DA Submission? Y
Victim Rights Pamphlet? N
Victim Notification Form? N
EVIDENCE.COM VIDEO: Y

CASE NUMBER----------26-020848

NATURE OF INCIDENT/OFFENSE-------Harassment

----------CHARGES----------

COUNT 1: Harassment -Strike, Shove Kick
CRS 18-9-111 (1)(a)

INCIDENT/OFFENSE LOCATION---------1200 North Grand Avenue, Montrose, CO, 81401

DATES AND TIMES OCCURRED BETWEEN- 7/2/2026 at approximately 1149 hours

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NARRATIVE:
On 8/13/2026, I was asked to contact Commander Dean McNulty with the Montrose County Sheriff's Office (MCSO) regarding an incident that took place in Montrose County Jail, located at 1200 North Grand Avenue in the City and County of Montrose, State of Colorado. I was told by Deputy Chief Larry Witte that the Sheriff's Office requested that the Montrose Police Department initiate a criminal investigation into the incident, and I was assigned as the lead investigator.

I responded to Montrose County Jail where I met in person with Commander McNulty. Commander McNulty told me that on July 2nd at approximately 1146 hours, Deputy Jay Rigdon was serving meals to the holding population at the jail. This included holding cell #5, which housed [redacted] [redacted] (DOB: 8/4/81). While attempting to provide [redacted] with her meal, Deputy Rigdon engaged in a physical altercation with [redacted] inside the cell, leading to an administrative review of the incident. While reviewing video footage of the incident, Commander McNulty observed what he believed to be policy violations on the part of Deputy Rigdon, including possible violation of the jail's use of force policy.

Commander McNulty advised me that, preceding this incident with Deputy Rigdon, [redacted] had assaulted a jail deputy in the recent past (See MCSO case #S26-10348). That incident took place on 6/10/26, and during the incident [redacted] bit down on the wrist of a jail deputy (not Deputy Rigdon) who was attempting to serve her a meal. [redacted]s bite broke the deputy's skin and drew blood. Commander McNulty told me that, as a result of that incident, he issued an "Operational Protocol" regarding [redacted] to all jail staff. Commander McNulty provided me with a copy of the protocol, which was emailed to all jail staff on 6/11/26 at approximately 0929 hours. The protocol stated as follows:

"Jail Staff: Due to an officer assault occurring on 6/10/26 during the serving of morning meal, [redacted] [redacted] (DOB [redacted]) has been relocated to Safety Cell 5 and given a safety smock, one safety blanket and a cup. To alleviate the opportunity for potential assailt [redacted]s will be given a sack lunch three times daily with no tray. The food will be placed on a paper towel and then placed on the sink area only after [redacted] has been given

Copy

verbal commands to seat herself on the back bench. Failure to comply on behalf of [redacted] will be considered a refusal and a log will be completed in her Spilman jail record. These restrictions will be in place until further notice. Thank you for your cooperation in this matter."

Commander McNulty confirmed that this directive was sent out to all jail staff and he believed Deputy Rigdon was aware of the protocol at the time of the incident involving [redacted] on 7/2/26. Commander McNulty allowed me to review video of the incident on his computer, and I observed Deputy Rigdon attempting to serve [redacted] with a paper towel, indicating he was aware of the policy as well. I asked Commander McNulty about Deputy Rigdon's training at the sheriff's office and his time with the agency. I learned that Deputy Rigdon has been a deputy with the Montrose County Sheriff's Office for about 19 years. Commander McNulty estimated that during that time, Deputy Rigdon has undergone yearly training regarding appropriate use of force. He described these training courses as being held in-person and taught by defensive tactics instructors with the MCSO. The training curriculum typically covers the agency's excessive use of force policy, what it means to use the "appropriate" amount of force, and the duty to intervene and report excessive uses of force. Commander McNulty was unable to confirm that Deputy Rigdon had attended these trainings for each of his 19 years of service; however, he was confident that he had received such annual training at least 10-12 times.

Commander McNulty provided me with digital copies of the security camera footage for my review, as well as a copy of a memo authored by him as part of his investigation into this incident. The memo was not completed, as Commander McNulty was still in the process of his review, however the copy he provided will be included in this case file. Commander McNulty also provided me with a jail log authored by Deputy Rigdon regarding this incident. The log was recorded on 7/2/26 at approximately 1223 hours, and stated the following:
"On July 02, 2026 at approximately 1148 hours, I was feeding the inmates in holding. I took holding 5 [redacted] Diana [redacted] DOB: August 04, 1981 food on a paper towel as required and opened the door to hand it to her she stood up and asked what it was. I explained that it was peanut butter sanwichs. [redacted] asked me to take it back because it hurts her stomach. She then hesitated and stated something to the effect that she would take it. She then threw it at me hitting me in the face and down the front of my person. I went into the cell making sure she wasn't going to get out of the cell and she grabbed the cord to my radio and would not release it. She sat down in the corner on the bench not complying and I was forced to push her to the bench on her side. She still did not release the cord until I put pressure on her wrist and shoulder. I had to verbally call for assistance because my microphone was not where I could use it.
Corporal Miller quickly responed and helped me get part of my cord, which is now broken, out of her hand. We had control by 1149 and walked our of the cell at1150."

I reviewed the video provided by Commander McNulty, which included three different camera views of holding cell 5. One camera showed the outside of the cell from directly across the hallway ("Camera 1"), one showed the outside of the cell from further down the hallway ("Camera 2"), and one showed video from inside the cell just above the doorway ("Camera 3"). All three videos appeared to be time-stamped appropriately based on the time of the incident recorded in Deputy Rigdon's log.

- At approximately 1146 hours, Deputy Rigdon appears in the frame of Camera 2, rolling a wheeled cart with orange trays toward the holding cells.
- At approximately 1148 hours, Deputy Rigdon opens the door to holding

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cell 5. The door opens outward and to the right when facing the room from the outside. [redacted] is seated in the corner of the cell and stands as Deputy Rigdon enters. He is holding a paper towel with what appears to be a sandwich in his right hand.
- Before standing, [redacted] asks, "What is it?", and states, "I don't want it" when Deputy Rigdon tells her its peanut butter. She approaches him as they discuss the sandwich.
- Deputy Rigdon steps fully outside of the cell and when [redacted] says, "I don't know let me see it", and he hands her the sandwich. At this time, [redacted] is standing just inside the door, Deputy Rigdon is standing outside the room and next to the open door.
- At approximately 1149 hours on Camera 1, Deputy Rigdon has already handed Lorry the sandwich, is standing outside the room, and is using his right arm to close the door when [redacted] throws the sandwich and paper towel in his direction and says, "Get your ass fucking out of here". Of note, much of the sandwich and paper towel all went past Deputy Rigdon's left shoulder. It appears that a part of the sandwich hit him on the left shoulder.
- Deputy Rigdon stops closing the door, walks partially around it and enters the cell. [redacted] begins backing away from Deputy Rigdon immediately after throwing the sandwich and speeds up her retreat as he enters the cell.
- At approximately 1149 hours on Camera 3, Lorry is backing into the corner of the cell and repeatedly shouting "Don't touch me!" as Deputy Rigdon approaches, grabs both of her wrists, and leans his body into her as she backs into a seated/curled up position on the built-in seat in the corner of the cell. Deputy Rigdon appears to be using his right knee and hands to pin [redacted] to the seat in the corner.
- As Deputy Rigdon takes control of [redacted] she appears to struggle and resist him, and Deputy Rigdon says, "You fucking throw food at me bitch and there will be problems".
- [redacted] appears to grab hold of Deputy Rigdon's corded microphone attached to his packset radio, and Deputy Rigdon shouts, "I need assistance!".
- [redacted] and Deputy Rigdon begin struggling with each other again and Deputy Rigdon appears to be attempting to maneuver her into a face-down position on the built-in seat/bench of the cell. Deputy Rigdon says, "turn the fuck....".
- Corporal Miller arrives as Deputy Rigdon says something like, "....*indistinguishable* my fucking radio" and appears to successfully pull the radio microphone cord free of [redacted] grasp. At this time, Deputy Rigdon is positioned above Lorry holding the microphone by its cord near the mic itself in his left hand, while he uses his right hand, arm, and right side of his body to hold [redacted] down.
- At approximately 1149 hours and 43 seconds, as Corporal Miller is placing gloves on his hands before engaging, Deputy Rigdon says something like, "You fucking do this again you'll have a problem like you've never seen". Just before the word "problem", Deputy Rigdon strikes at [redacted] head with his left hand which holds the radio mic. A loud slapping sound is heard.
- [redacted] says, "you hit me", and Corporal Miller says, "Alright, ok let go". Deputy Rigdon then steps away from [redacted] and outside the cell.

Of note, I observed [redacted] movements carefully at the time she threw the sandwich at Deputy Rigdon and immediately after. At no time did she appear to make an effort to leave the cell or make any statement indicating she was going to try. Based on those observations, and the fact that Deputy Rigdon was in a position to close the cell door (and was already closing it), I am not aware of a reasonable explanation for why he entered the cell and engaged in physical restraint holds with Lorry. Additionally, just prior to [redacted] throwing the sandwich at Deputy Rigdon, it sounds as though he asks her a question. I was

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unable to determine what was said because of the audio quality, and it is unclear if the question had any role in triggering [redacted] to throw the sandwich or not.

On 8/17/2026, I interviewed Corporal Miller in his office at the Montrose County Sheriff's Office. He relayed that he was in his office at the time of this incident and did not hear Deputy Rigdon calling for help. Corporal Miller was informed by Jodi, a Custody Support Assistant (CSA) that Deputy Rigdon was calling for help, so he responded as quickly as he could. Corporal Miller told me he did not observe Deputy Rigdon striking [redacted] and that he was not aware of any complaints of injury by [redacted] or any observations of injury to her after this incident. Corporal Miller told me that he believed everyone was aware of the protocol that Commander McNulty sent out regarding [redacted] including Deputy Rigdon. Corporal Miller stated that he has good rapport with [redacted] and she typically does not cause him any problems, which may be why she was more cooperative with him than with Deputy Rigdon. He was not aware of any specific problems or issues that [redacted] had with Deputy Rigdon in particular, nor of any that Deputy Rigdon might have had toward [redacted]

Commander McNulty advised me that [redacted] was deemed "Incompetent to proceed judicially" by a judge shortly before I began my investigation. As a result, she was transported to the Colorado Mental Health Institute of Pueblo (CMHIP) in Pueblo, Colorado for competency restoration on 8/12/26. Because of her mental state, [redacted] has not yet been interviewed about this incident, however Commander McNulty stated she had not made any complaint or referenced the incident after it happened and prior to her departure to Pueblo, Colorado. I asked dispatch to send a teletype to CMHIP with a request that I be allowed to interview [redacted] by phone about this incident. As of 8/20/2026, I have not received a response and have been unable to speak with [redacted] about the incident.

I was advised that Deputy Rigdon had retained legal counsel and was represented by Mallory Revel. I sent Mallory an email on 8/18/26 advising her of my involvement in investigating this case and requesting an interview with Deputy Rigdon about the incident. On 8/19/2026, Mallory emailed me back and said that Deputy Rigdon did not wish to make a statement regarding this incident.

Based on the above facts and circumstances, I believe there is probable cause to charge Jay Rigdon with Harassment (C.R.S. 18-9-111(1)(a)) because on or about the hours of 1149 on 7/2/2026 he, with intent to harass, annoy, or alarm [redacted] pinned her to the corner using his body, and struck her with his hand while holding a radio. I respectfully request this case and all supplemental material and evidence be forwarded to the 7th Judicial District Attorney's Office for the prosecution of this charge.
/s/N Gehm - 7373-1446

CASE STATUS: Cleared by Arrest

Responsible LEO:

Copy

Approved by:

_____

Date

Copy

Sentryx Booking Information:

Sentryx Booking Number: 221211 **Name Number:** 101199

Name: RIGDON, JAY EUGENE **Address:** 1200 N GRAND AVE
Phone: [redacted] Montrose, CO 81401
DOB: [redacted] **Dr Lic:** [redacted]
Assigned Bed: " **Current Location:** "
Booking Date: 08/20/26

Alert Codes:

CW CONCEALED WEAPONS PERMIT

Sentryx Arrest # 171241

Time/Date: 16:07:00 08/13/26 **Agency:** MPD
Age at Arrest: 66 **Location:** 1200 N Grand Ave **Officer:** Nicholas Gehm
Arrest Type: CHRE **Area:** **Reference:** 26-020848
Disposition:

Sentryx Offense # 252621

Statute: 18-9-111(1)(a) **NCIC:** 1313
Offense: ASIM Assault, Simple **Crime Class:** M1
Offense Reference: DA Request **Offense Type:** S **Offense Area:**
Related Incident: 26-020848 **Law Jurisdiction:** CSS
Entry Code: CRIM **Offense Location:**
Court Code: COMB **Offense Time/Date:** 16:07:00 08/13/26
Offense Disposition: **Disposition Date:** **/**/**

Copy

Name Involvements:

Offender : 101199
Last: RIGDON **First:** JAY **Mid:** EUGENE
Height: 6'02" **Weight:** 240 **Eyes:** GRN **Hair:** GRY
DOB: [redacted] **Dr Lic:** [redacted] **Address:** 1200 N GRAND AVE
Race: W **Sex:** M **Phone:** [redacted] **City:** Montrose, CO 81401
Work Phone: ( ) - **Other Phone(s):** CELL - [redacted]
CELL -

Victim : 296525
Last: [redacted] **First:** [redacted] **Mid:** DIANA
Height: 5'04" **Weight:** 140 **Eyes:** GRN **Hair:** BLN
DOB: [redacted] **Dr Lic:** [redacted] **Address:** TRANSIENT
Race: W **Sex:** F **Phone:** [redacted] **City:** Montrose, CO 80401
Work Phone: ( ) - **Other Phone(s):**

Arresting Officer : 248177
Last: GEHM **First:** NICHOLAS **Mid:**
Height: ' " **Weight:** 0 **Eyes:** **Hair:**
DOB: **/**/** **Dr Lic:** **Address:** [redacted]
Race: U **Sex:** M **Phone:** [redacted] **City:**
Work Phone: [redacted] **Other Phone(s):**

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ng082626 MONTROSE POLICE DEPARTMENT EVIDENCE & PROPERTY FORM

CASE NUMBER: 26-020848

NATURE: Harassment

SUBMITTING OFFICER: /s/ N. Gehm

DATE EVIDENCE SUBMITTED: 08/26/26
TIME EVIDENCE SUBMITTED: 1430

LOCKER#: 34

==========

STATUS: EV=Evidence/Hold PR=Property/Release PD=Property/Destroy
FPR=Found Property/Release FPD=Found Property/Destroy

==========

STATUS CODE: EV
ITEM#: 101
OWNER # or MPD or UNK: MPD
QUANTITY: 1
DESCRIPTION: Grey and black 128 gb USB flash drive containing video footage from jail.

Video has been uploaded to evidence.com

cc: DA jb091726

Correspondence

MONTROSE COUNTY
SHERIFF'S OFFICE

GENE R. LILLARD, SHERIFF
Ty Cox, Undersheriff
Ted Valerio, Commander
Cam Boldan, Commander
Dean McNulty, Commander
Bruce Schmalz, Commander

★ ★ ★ HONESTY ★ ★ ★ INTEGRITY ★ ★ ★ SERVICE ★ ★ ★

To: Sergeant Chuck Searcy

From: Undersheriff Ty Cox

Date: October 01, 2026

RE: IA#26-0003

After receiving IA#26-0003 on September 29, 2026, I request that you investigate additional policy violations because, according to the IA file, the Montrose Police Department charged Deputy Rigdon with harassment. I would also like you to see if we have a sustained policy violation of conduct unbecoming.

Please send this IA back to Commander McNulty for final recommendations on discipline, if any, after your investigation is complete.

/s/ Undersheriff Ty Cox

Montrose County Sheriff's Office
1200 N. Grand Avenue
Montrose, CO 81401
970-252-4023
970-249-9110 Non-Emergency Dispatch

West End Substation
PO Box 128
141 West Main Street
Naturita, CO 81422
970-864-7334

★ ★ ★

MONTROSE COUNTY
SHERIFF'S OFFICE

GENE R. LILLARD, SHERIFF
Ty Cox, Undersheriff
Ted Valerio, Commander
Cam Boldan, Commander
Dean McNulty, Commander
Bruce Schmalz, Commander

★ ★ ★ HONESTY ★ ★ ★ INTEGRITY ★ ★ ★ SERVICE ★ ★ ★

To: Sergeant Chuck Searcy

From: Undersheriff Ty Cox

Date: September 28, 2026

RE: IA#26-0003

After receiving IA#26-0003 from Commander McNulty, I immediately noticed that the video of the alleged incident and your interview with Deputy Rigdon were not attached to this IA via a USB flash drive. I understand both videos can be accessed, but I would like them together on a USB flash drive and attached to this IA, so everyone is reviewing the exact same material. Once the incident video and the interview with Deputy Rigdon are attached to a USB flash drive, please review both in their entirety again, then forward the IA back to Commander McNulty, who will also be able to view all attached material before finalizing his recommendation.

/s/ Undersheriff Ty Cox

Montrose County Sheriff's Office
1200 N. Grand Avenue
Montrose, CO 81401
970-252-4023
970-249-9110 Non-Emergency Dispatch

★ ★ ★

West End Substation
PO Box 128
141 West Main Street
Naturita, CO 81422
970-864-7334

MONTROSE COUNTY
SHERIFF'S OFFICE

GENE R. LILLARD, SHERIFF
George Jackson, Undersheriff
Ty Cox, Commander
Ted Valerio, Commander
Cam Boldan, Commander
Bruce Schmalz, Commander
Dean McNulty, Jail Commander

★★★ HONESTY ★★★ INTEGRITY ★★★ SERVICE ★★★

Request for Internal Investigation

To: Sergeant chuck Searcy

From: Undersheriff George Jackson

Date: August 11, 2026

Due to allegations of misconduct, I am asking you to conduct an internal investigation into the actions of Deputy Jay Rigdon on July 02, 2026 at approximately 1148 hours. Deputy Rigdon was in the process of feeding inmates. When he attempted to feed Inmate [redacted] in Booking #5, an altercation took place.

A Use of Force Review was ordered and the conclusion was that this incident warranted an Internal Investigation.

A video (from several angles) exists and is available for your investigation.

Deputy Jay Rigdon was placed on administrative leave (August 11, 2026 at 09:30 a.m.) and was ordered to make himself available to you during normal business hours. His telephone number is [redacted].

MONTROSE COUNTY
SHERIFF'S OFFICE

GENE R. LILLARD, SHERIFF
George Jackson, Undersheriff
Ty Cox, Commander
Ted Valerio, Commander
Cam Boldan, Commander
Bruce Schmalz, Commander
Dean McNulty, Jail Commander

★★★ HONESTY ★★★ INTEGRITY ★★★ SERVICE ★★★

To: Deputy J. Rigdon

From: Undersheriff George Jackson

Re: Administrative Leave

Deputy Rigdon,

On August 5, 2026 I was officially made aware of a possible incident that may have occurred on July 2, 2026. As such, a Use of Force Review Board was assembled and suggested the need for further investigation.

You must be available by telephone, to myself, Monday through Friday 8:00 a.m. to 5:00 p.m. If you have a cellular phone number available, please advise me of this number for contact purposes. You will be placed on administrative leave, with pay. You are ordered to only discuss this matter with myself. If you have specific questions, please utilize me as your contact person so I may direct you accordingly pending the outcome of the investigation.

Undersheriff George Jackson

Date/Time issued: Aug 11 2026 by 9:30 AM

Received by: _____ Cell#: [redacted]

Montrose County Sheriff's Office
1200 N. Grand Avenue
Montrose, CO 81401
970-252-4023
970-249-9110 Non Emergency Dispatch

★★★

West End Substation
PO Box 128, 141 W. Main Street
Naturita, CO 81422
970-864-2281
Non Emergency Dispatch 970-864-7333

Garrity Advisements

GARRITY ADVISEMENT

1. I am conducting an inquiry or investigation into conduct concerning the following incident(s): USE OF FORCE on 07/02, 2026. Your conduct may be in violation of the following MCSO Policy and Procedures:

   321.5.9(B) CONDUCT - USE OF FORCE

   321.5.1(b) LAWS, RULES AND ORDERS - INSUBORDINATION

2. This inquiry is internal and does not effect or involve any criminal investigation. Therefore you do not have the right to remain silent when asked questions concerning this incident or incidents.

3. You are being given a direct order from me that you are to respond to my questions concerning this incident or incidents and that those responses must be of a truthful nature only.

4. Should it be determined later that your answers to my questions were false, misleading, or non-truthful, or that you refuse to answer my questions concerning this incident or incidents, you will be subject to disciplinary action up to and including termination.

5. Do you understand the direct order I have just given to you?

I, JAY Bigdon, hereby acknowledge being given the above direct order and hereby state that I understand it and will comply with it.

WITNESS:

(SCARCY) 9/15/26

Name: Date:

EMPLOYEE:

09/15/26

Name: Date: