



POLICE DEPARTMENT
CITY OF STERLING

"As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property, to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder, and to respect the constitutional rights of all to liberty, equality and justice."

Law Enforcement Code of Ethics

Chief of Police
Tyson R. Kerr

Operations, Commander
Kimberly Ferber

Support Services, Commander
Richard D. Kelsch

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"Our mission is to support a high quality of life for those we serve in our community by preserving peace, protecting life and property and providing public safety leadership. We accomplish this mission by response with compassion, performance with integrity and law enforcement with vision."

SPD Mission Statement – 2012

STERLING

A Colorado Treasure

June 22, 2021

Mayor Robin Mastin
Log Lane Village
109 Maine St.
Log Lane Village CO, CO 80705

RE: Joshua Katz

Mayor Mastin:

Introduction:

In this investigation, the following members were involved.

- 1.) Commander Rich Kelsch
- 2.) Sergeant Michael Grant.
- 3.) Corporal Seth Lund
- 4.) Fort Morgan Police Department (members through digital recording)
- 5.) Joshua Katz
- 6.) [REDACTED]
- 7.) Kimberly Katz
- 8.) Mayor Robin Mastin

Synopsis:

On May 15, 2021, at approximately 1510 hours, Fort Morgan Police Department was dispatched to a cold disturbance that had occurred at 221 Crest Dr. in Log Lane Village. The incident had actually occurred around 1300 hours. The disturbance involved the Chief of Police, Joshua Katz, and his wife [REDACTED]

██████████ met with Fort Morgan Police and explained that there had been a physical disturbance between her husband, Mr. Katz and her earlier in the day. ██████████ explained that Mr. Katz had pulled out her hair, put his hands around her throat, slapped her and kept her from moving freely in their home. ██████████ had visible injuries that corroborated her story.

Investigation

On May 18, 2021, I, Sergeant Michael Grant was contacted by Commander Rich Kelsch, he stated, the Log Lane Village Marshalls Office was requesting our assistance on an internal investigation. I was given the contact information for Corporal Seth Lund who is employed by the Marshalls Office.

I contacted Corporal Lund and explained who I was and that I was asked to contact him to assist with an internal investigation. Corporal Lund explained that there had been an incident where the Chief of Police, Joshua Katz, had been arrested and he was told by a neighboring agency that it was best practice to conduct an internal investigation on the incident. Corporal Lund was also told it would be best to have an outside agency conduct the investigation because of the rank of the subject.

I asked who was technically in charge of the police department while Mr. Katz was not there, he state the Mayor, Robin Mastin.

I contacted Mayor Mastin and explained who I was and wanted to make sure that it was her wish to have me conduct an internal investigation for her. Mayor Mastin stated she did want the internal investigation done. I explained the process to Mayor Mastin and that I would be conducting interviews and that I would complete a report for her on the incident.

I contacted Mr. Katz over the phone and explained who I was and I was asked by Mayor Mastin to conduct an internal investigation in reference to his recent arrest. I explained I would like to meet with him for an interview in person, Mr. Katz was initially hesitant but decided to meet with me for the interview as long as he could have is attorney with him. I set the interview for Friday June 4th at the Log Lane Village town hall building.

I contacted Mayor Mastin and explained Mr. Katz would be meeting me at the town hall at 1 pm on Friday June 4th. Mayor Mastin stated she would be out of town but would forward the information to the people that would be around.

I contacted Fort Morgan Police department Commander Steve Brown. I explained that I was conducting the internal investigation for Mr. Katz at the request of Mayor Mastin

and would like to have access to all of their reports, photos and body camera footage for the case involving and arrest of Mr. Katz. I later received all of the above items.

I reviewed the reports from all of the Fort Morgan Police Officers. I reviewed all of the body camera footage that I was provided to me. I reviewed all of the photos of the house and of Mr. Katz and [REDACTED]

I reviewed the interview of [REDACTED] In the initial interview she stated the following (paraphrased):

- She lives at [REDACTED] in Log Lane Village
- She is married to the chief of police, Joshua Katz
- This morning they woke up and everything was fine
- They agreed to take a shower together
- Her mother stopped by and she ran out to collect the items from her mother
- When she returned, Mr. Katz was in the shower alone
- The bathroom door was locked
- She began banging on the door and accused Mr. Katz of talking to someone he shouldn't be
- Eventually Mr. Katz came out and told her to look at the phone because he had not been talking to anyone
- She left the bathroom to allow Mr. Katz to finish his shower
- She went into the bedroom to change clothes
- Mr. Katz exited the bathroom and grabbed onto her
- She began slamming her head against the wall because she wanted to kill herself due to the situation she was in
- She doesn't deal with confrontation situations very well and did not know what to do
- Mr. Katz grabbed her by the hair and took her to the ground
 - She lost a handful of hair when he did this
- She attempted to leave the home but was blocked from doing so by Mr. Katz
- She tried to go through the sliding glass door but Mr. Katz was standing in her way and would not allow her to leave
- She grabbed the door and accidentally slammed it closed
 - Mr. Katz slapped her across the left side of her face
 - The hit was so hard she "blacked out"
 - She was having a hard time hearing out of the ear that Mr. Katz hit
- She had a bite mark on her forearm, Mr. Katz had bit her during the incident
- She does not want to pursue charges against Mr. Katz because she does not want his children taken from him

- The children were not with him when the incident happened
- Mr. Katz has made comments about “suicide by cop” if he is arrested
- She has been married to Mr. Katz since August of 2020

I reviewed a second interview of [REDACTED]. The following are parts of the incident that she didn't not include in the first interview or altered her recollection, (paraphrased):

- She and Mr. Katz got intimate in the morning
 - They made plans to take a shower together
- They both went to the kitchen and ate food
- Mr. Katz mother was in the living room while they ate food
- They were watching television until she got a phone call from her mother who had brought her an ironing board
- She went outside to get the ironing board from her mother
- When she returned she heard the shower running and attempted to go into the bathroom
- The door was locked, which was unusual
- Mr. Katz was playing music so she knocked on the door and Mr. Katz unlocked the door for her
- When she entered the bathroom she asked why the door was locked, Mr. Katz told her the door was not locked
- She decided to eat instead of take a shower
- She was then in the bedroom getting ready for work when Mr. Katz got out of the shower
- Mr. Katz asked her why she was getting ready for work in the room instead of eating
- Mr. Katz told her he was tired of being accused of things
 - [REDACTED] has trust issues from her past relationships
- In the past, Mr. Katz would watch inappropriate videos in the bathroom and lock the door
- She use to think Mr. Katz was cheating on her but got over this when she determined he was watching videos

She drew the layout of the residence at the request of the investigators. [REDACTED] pointed to the mudroom area and stated “that’s where he hit me.”

- She was in the bedroom looking for a shirt for work, she found it and began to put it on but Mr. Katz took it from her
- Mr. Katz began taking off her underwear, preventing her from putting any clothes on
- She put her phone in her purse and got into the shower
- She locked the bathroom door but then heard Mr. Katz kicking the door

- She unlocked the door because she thought Mr. Katz was going to kick in the door
- Mr. Katz told her they needed to talk, she told him she did not want to
- Mr. Katz turned off the water to the shower
- She attempted to go to the bedroom and get clothes again
- Mr. Katz kept taking her clothes from her

██████████ showed the investigators where Mr. Katz had ripped her jeans.

- She told Mr. Katz that she wanted a divorce
- Mr. Katz was now holding onto her
- Mr. Katz kept holding onto her and touching her
- She began bashing her head in because she would rather not wake up than be in the situation she was in
- She would rather hurt herself then go through what she was going through
- Mr. Katz grabbed her by her hair and threw her to the ground to try and stop her from hitting her head
- Mr. Katz pulled her back up off the ground by her hair
- She saw a chunk of her hair in Mr. Katz hands
- Mr. Katz threw her onto the bed to keep her from leaving
- She had been hitting Mr. Katz chest throughout the incident to get him to stop
- Mr. Katz legs were wrapped around her legs and his arms were wrapped around her chest
- She could not move and she was stuck on the bed
- Mr. Katz told her that he had shut her phone off so that work could not call her
- Mr. Katz told her he was not going to let her leave the house
- Mr. Katz told her to stop hitting her head, she did
- She accidentally head butted Mr. Katz while trying to get him to let her go
- Mr. Katz hit her when she head butted him
- Mr. Katz was continually telling her to look at him
- She did not want to look at him
- At one point Mr. Katz was “prying her eyes open”
 - This hurt her when he was doing it
- Mr. Katz was upset about not speaking to his kids on his birthday
- She called the childrens mother to figure out why they had not called him
 - No details were given about the call
- Mr. Katz called her work and told them she was not going to be on time because she was having car troubles
- She realized that Mr. Katz had not turned her phone off
 - She explained that Mr. Katz regularly exaggerates

- She was finally able to get away from Mr. Katz and get dressed
- Mr. Katz confronted her about what she was wearing
- She pushed Mr. Katz to get him off of her
- Mr. Katz got mad at her because he has heart problems
- She was able to get away from Mr. Katz and again attempted to leave
- Mr. Katz was mad that she was going to go to work
- She told Mr. Katz she would call and quit her job and stay home but Mr. Katz told her she needed to go to work to make money for the family
- She collected her things to leave for work and told Mr. Katz that she may not return
- Mr. Katz got mad and she said "I knew I fucked up right then and there. I was like fuck."
- Mr. Katz told her if she did not return home she would not have a husband anymore
- Mr. Katz told her he would kill his mother (who is in the home) if she did not come home
- She left and told Mr. Katz that his mother could have her dogs
- Mr. Katz told her he was going to follow her to work and was going to stay there all night while she worked
- Mr. Katz will follow her to work when he is mad at her or upset
- She was getting into her vehicle to leave and Mr. Katz kicked the garage door open
- She tried to calm Mr. Katz down but he kept yelling and stated she was going to call the police anyway
- She told Mr. Katz that she would not call the police
- She wanted her dogs, when she tried to go inside Mr. Katz blocked her way
- She attempted to push past Mr. Katz
- She was able to get inside and shut the door behind her
- The door popped open and Mr. Katz came through
- Mr. Katz hit her in the face
- She had stinging and ringing in her ear
- She described it like she had been standing next to a gun that had gone off

Investigators observed a large red mark on the left side of her face.

- She could not hear out of her ear
- Mr. Katz mother had seen her get hit
- Mr. Katz mother sat down next to the refrigerator
- Mr. Katz walked away and his mother began to calm down
- This was the hardest hit that Mr. Katz has ever thrown at her
- She described past incidents where Mr. Katz has used a brachial stun or "cop move" in her terms to render her unconscious

- She was getting ready to leave and saw her neighbors, which included the mayor
- She decided to go back inside and get her dogs
- Mr. Katz was freaking out now because he thought she was going to call the police on him
- She got her dogs and began to leave
- She told Mr. Katz that she would not call the police
- She met with a friend at "Edwards" and they called the police against her wishes
- She was strangled during the incident on the 15th
- She was lying on the bed and Mr. Katz was trying to stop her and started choking her
- She stated Mr. Katz hit her in the jaw and it popped

Investigators observed a small red mark in the side of her neck near her jaw.

- She stated Mr. Katz had his hands around her throat
- She stated her throat hurt, she was dizzy and she had a headache from it

The interview that Mr. Katz did with the Fort Morgan Police Department the day of the incident and with me on the 4th were identical so I will only be typing up my review from my interview. The following is the interview with Mr. Katz on 6/4/21 at 1300 hours, (paraphrased):

- He woke up on the 15th
- He and [REDACTED] had sex
- He went to take a shower because her parents brought over an ironing board
- He locked the door and went to take a shower
- They both have not been on their mental health medication
- He finishes his shower and she is in the bedroom
- [REDACTED] accuses him of cheating on her and asks why the door is locked
- He tried to explain that he thought her parents were coming in so he locked the door
- They were both yelling at each other in the bedroom
- [REDACTED] states she just wanted to die and began hitting her head on the bedroom wall
- He grabbed onto [REDACTED] and put her on the bed
- He told [REDACTED] to fucking stop
- [REDACTED] stated she wanted to give herself a brain aneurysm
- He told [REDACTED] to stop and she stopped
- He told [REDACTED] to stop, people were going to hear them
 - [REDACTED] stated "I don't care" and began hitting him in the chest
- He continued to yell at [REDACTED] and told her to stop
- His mother was in the house and even told [REDACTED] to stop

- He walked up behind [REDACTED] and asked her what the fuck the issue was, she swung her head back and hit his nose with the back of her head
 - He was not bleeding from the hit
- He asked “what the fuck was that for”
- He yelled and his mother came down the hallway
- He told his mother to just stop and that he was going to just talk to [REDACTED]
- [REDACTED] walked out of the bedroom and stated she was going to work
- He gets dressed and goes looking for [REDACTED]
- He finds [REDACTED] having an argument in the living room with his mother
- He asks [REDACTED] what the fuck she is going to do for the day
- [REDACTED] responds that she is going to go to work
- [REDACTED] says she is going to go outside, he tells her to go then
- He thinks she had left and goes out to the garage and [REDACTED] was still in the garage just sitting there
- [REDACTED] states “I just wanted to know if you were going too follow me”
- [REDACTED] stated she just wanted to know if he was going to still love her
- He tells [REDACTED] that he is not doing anything wrong, he is not cheating on her
- [REDACTED] gets pissed off and goes back inside
- He follows [REDACTED] inside and she slams the door behind him
- He spins around and slaps her in response to the door being slammed
- [REDACTED] stated she was going to get her dogs and leave
- He could have left at any time but his anxiety and PTSD coupled with people leaving him in the past kept him at the house that day
- He wanted to stay because [REDACTED] had made comments about her killing herself and he wanted to make sure she did not
- He probably should have just left
- When he slapped [REDACTED] he said “oh shit” because he did not think he was going to slap her
- He freaked himself out by slapping [REDACTED]
- He started crying and said he was sorry
- He asked [REDACTED] if she was going to call the cops
- He may have gone into their bedroom
- [REDACTED] went into his mothers room
- [REDACTED] took her dogs and left
- He continued to cry and didn’t know what to do
- There is a restraining order in place
- [REDACTED] is no longer staying in the home with him

- He was freaking out because he knows better than to slap someone
- He did not call the police and was hoping [REDACTED] would just come back and talk to him about the incident

I attempted to meet with Kimberly Katz (mother of Joshua Katz) directly after the interview with Mr. Katz but she was not willing to speak with me.

Summary:

I investigated the following allegation against Chief Katz:

On 5/15/21 at approximately 1300 hours, Chief Katz was involved in a physical altercation while off duty and at his residence with his wife, [REDACTED]. Chief Katz slapped, choked, pulled the hair of and kept Ms. Villarreal from moving freely. Mr. Katz was arrested on the following charges by the Fort Morgan Police Department:

- 1.) 18-3-303 False Imprisonment
- 2.) 18-3-203(1)(i) Assault in 2nd Degree (Causes bodily injury)
- 3.) 18-6-801 Domestic Violence

FINDINGS:

Chief Katz did violate the following Log Lane Village Marshalls Office policies:

Policy 319.2 Standards of Conduct - Failure to meet the guidelines set forth in this policy, whether on-or off-duty, may be cause for disciplinary action.

- ❖ Sustained
 - Probable cause existed in Mr. Katz arrest

Policy 319.4 General Standards - Members shall conduct themselves, whether on-or off-duty, in accordance with the United States and Colorado constitutions and all applicable laws, ordinances, rules enacted or established pursuant to legal authority.

- ❖ Sustained
 - Probable cause existed in Mr. Katz arrest

Policy 319.5.1 (c) Cause of Discipline - Violation of federal, state, local or administrative laws, rules or regulations.

❖ Sustained

- Probable cause existed in Mr. Katz arrest

Evidence:

My interviews were recorded on a body worn camera. All digital evidence, photos, copies of FMPD reports, photos taken by FMPD were uploaded to External Hard Drive. They were not uploaded to the regular digital evidence drives as this was an IA investigation.

No physical evidence was gathered. My focus in this investigation was purposefully very specific and narrow. I investigated only Chief Katz and the crimes/policies and timeline outlined in this report. I did not inquire about any other persons, crimes or policy violations.

Sincerely,



Sergeant
Michael Grant