



DATE: January 18, 2019

CASE NO: 18-30231

OFFENSE(S):	UNLAWFUL POSSESSION OF CONTROLLED SUBSTANCE - SCHEDULE 2	18-18-403.5 (1)	F4
	INTRODUCING CONTRABAND IN THE FIRST DEGREE	18-8-203 (1)(a)	F4
	INTRODUCING CONTRABAND IN THE SECOND DEGREE - 2 COUNTS	18-8-204 (1)(a)	F6
	SEXUAL CONDUCT IN A CORRECTIONAL INSTITUTION	18-7-701 (1)	F6
	FIRST DEGREE OFFICIAL MISCONDUCT - 3 COUNTS	18-8-404 (1)(a/c)	M2
	POSSESSION OF DRUG PARAPHERNALIA - 2 COUNTS	18-18-428 (1)(a)	P2

DATE OF OFFENSE(S): October 1, 2018 – December 22, 2018

LOCATION OF OFFENSE(S): Jefferson County Detention Facility
200 Jefferson County Parkway
Golden, Colorado 80401

COMPLAINANT(S): **STATE OF COLORADO**
By: Jefferson County Sheriff's Office
Investigator Wes Beale #1693
200 Jefferson County Parkway
Golden, Co 80401

DEFENDANT(S): **MYRIAH LYNN LOVATO, DOB: 09/02/1989** (ADULT)



5'2", 120 pounds, Bro/Bro
[REDACTED] FBI:W18LT2CP8; COSID:1855165;

P-1122569

AKA: Gigi, Puddles

[REDACTED]
Cellular Phone: [REDACTED] (Last Known)

Former Employment: Jefferson County Sheriff's Office
200 Jefferson County Parkway
Golden, Colorado 80401

ISSUE ARREST WARRANT

Wes Beale #1693

Filing Investigator: Wes Beale #1693

Kevin Best #1676

Sergeant

ASAF3 11/98 JCSO/1675

SYNOPSIS:

Case filing on adult defendant, Myriah Lynn Lovato, [REDACTED], regarding Unlawful Possession of a Controlled Substance – Schedule 2, Introducing Contraband in the 1st Degree, 2 counts of Introducing Contraband in the Second Degree, Sexual Conduct in a Correctional Institution, three counts of 1st Degree Official Misconduct, and two counts of Possession of Drug Paraphernalia, which occurred between October 1, 2018 and December 22, 2018, at 200 Jefferson County Parkway, County of Jefferson, State of Colorado.

On December 21, 2018, Jefferson County Sheriff's Deputy Drew Oudeman and his trainee, Deputy Stewart Hartman, were working in the Jefferson County Detention Facility (Jail). A fight occurred between two inmates, the victim in which was [REDACTED]. Following the fight and during the subsequent investigation, [REDACTED] advised Deputy Oudeman of concerns he had regarding another deputy assigned to the jail.

[REDACTED] advised Deputies Oudeman and Hartman that Jefferson County Sheriff's Deputy Myriah Lovato, later formally identified as defendant Myriah Lynn Lovato, [REDACTED] was thought to be involved in an intimate relationship with a currently incarcerated inmate, Justice Andrew Espinoza, [REDACTED] and possibly bringing drugs into the jail to give Espinoza while acting in her official capacity as a sworn law enforcement officer.

[REDACTED] had direct knowledge of Espinoza using other inmate's personal identification numbers (PIN) to use the Securus phone system to communicate with the defendant while off duty. [REDACTED] said the defendant was using a second phone to communicate with Espinoza, which was described as a "burner" phone. One of the PIN's identified by [REDACTED] belonged to Espinoza's cellmate, James Ortega, [REDACTED]. [REDACTED] believed the other PIN's belonged to inmates housed in the same unit in 6A as Espinoza; Alberto Ohlmeier, [REDACTED] and Soren Garcia, [REDACTED]. Espinoza and Ortega were both housed in cell 6A29. Garcia was housed in cell 6A18. Ohlmeier was housed in cell 6A21.

Deputy Oudeman also learned from [REDACTED] that the defendant had been the recipient of a commissary item, "Shabang chips", which she obtained from Espinoza. [REDACTED] told Deputy Oudeman the defendant had frequent contact with Espinoza, stating, "Every week, Thursday through Saturday" they would meet in person in housing unit 6A while she was on-duty and working. [REDACTED] alluded to the fact the defendant and Espinoza may have engaged in sexual acts inside housing unit 6A during their visits. [REDACTED] told Deputy Oudeman that Espinoza solicited the defendant to bring Heroin, Methamphetamine, and Suboxone into the detention facility. Espinoza was apparently angry when the defendant refused to do it.

[REDACTED] explained that the defendant was on the "Gang Unit" and associating with Espinoza, a known Gallant Knights Insane (GKI) member. Espinoza was a "module worker," which allowed him to have additional freedoms not available to other inmates because the workers feed the other inmates during meals, clean the housing unit, and other duties as assigned by detention facility staff members. One of those freedoms was that he was allowed additional time outside his cell.

[REDACTED] was concerned the defendant's actions in engaging in a personal relationship with Espinoza on and off duty was potentially indicative of corruption and unfitting of her role and responsibilities as a police officer. [REDACTED] did not ask Deputy Oudeman for any concessions in exchange for the information.

After Deputy Oudeman learned the information from [REDACTED] he contacted Specialist Karissa Heberlein, who had access to the Securus Call Platform. The Securus platform is the phone service provided to inmates to allow them to call people outside the detention facility. The calls are recorded. Specialist Heberlein opened an audio file of a phone call from Ortega's PIN (unknown date and time) and Deputy Oudeman was able to discern that it was the defendant speaking with a male party. Deputy Oudeman and the defendant are friends outside of work and he has spoken with her numerous times by phone. With this history and personal relationship with the defendant, Deputy Oudeman was positive the defendant's voice was the female voice in the phone call.

Deputy Oudeman brought the information to Sergeant Justin Isom. Sergeant Isom coordinated with Sergeant Chase Walker, who was the defendant's immediate supervisor. Sergeant Isom relayed the information to Sergeant Michael Denuzzi the morning of December 22, 2018, because Sergeant Isom was ending his shift and Sergeant Denuzzi was taking over detention facility operations. After coordination with commanders of Detentions and Investigations, it was determined the Jefferson County Sheriff's Office – Special Investigations Unit be advised and investigate the incident.

At about 9:00 a.m., Special Investigations Unit Sergeant Chris Felton was advised of the information and notified Investigator Beale. Sergeant Felton and Investigator Beale met with Sergeant's Walker and Denuzzi at the detention facility where they were provided

with a briefing and recorded phone calls. Sergeant's Walker and Denuzzi had listened to some of the calls and positively identified the female's voice as the defendant. Investigator Beale and Sergeant Felton were advised the target number in the calls between the defendant and Espinoza was [REDACTED]

Sergeant Felton and Investigator Beale listened to a call made on 12/13/2018 from the detention center to phone number [REDACTED] which is an unregistered Verizon Wireless number. Unregistered phones are often referred to as "burner" phones due to their lack of modern features and the inability to trace their origin. While listening to the phone call, Sergeant Felton recognized the female voice as the defendant from working with her in his previous assignment as a sergeant in the Detention Center in 2017. Listening to additional phone conversations, the defendant and the male inmate, who was assumed to be Espinoza, would tell each other "I love you" along with other sexually explicit statements such as, "I want that dick home with me forever" and, "I wish you were here to finish me off right now."

A review of Securus call logs of [REDACTED] received from the Detention Center showed 513 calls attempted, with 188 completed, which totaled more than 2,000 minutes of conversation. The bulk of these calls were made using Ortega's PIN. Using other inmates PIN numbers is a tactic often employed by inmates who want to avoid detection, and who also want to avoid spending their own account money on phone time. Below is a breakdown of the PIN's used to call [REDACTED]

Ortega: 00192353/0884

Ohlmeier: 01097004/1684

Espinoza: 01010180/1585

Garcia: 1092403/0795 – No calls to [REDACTED]

The first attempted communication to [REDACTED] from the Detention Center was 11/11/2018 at 11:51 a.m. The first completed call to [REDACTED] from the Detention Center was 11/12/2018 at 8:13 p.m. The last call made was on 12/17/2018 at 8:28 p.m.

The defendant was hired by the Jefferson County Sheriff's Office to be a Peace Officer Standard and Training (POST). certified Deputy Sheriff on January 7, 2016. The defendant attended the Jefferson County Regional Law Enforcement Academy, was "certified," and started working as a Deputy Sheriff on 6/12/16. The defendant had worked in the Detention Facility only and worked Thursday - Saturday (Watch II), which is 6:15 p.m. - 6:45 a.m., during 2018. The defendant had become a member of the detention facility "Gang Intelligence Unit" on June 5, 2018.

The defendant arrived for her scheduled shift around 5:50 p.m. Sergeant Denuzzi met the defendant in the detention facility briefing area and saw that she was in possession of a two bags containing "Shabang Chips" and homemade tamales in addition to her backpack.

Sergeant Denuzzi escorted the defendant and her belongings to the Criminal Investigations Division where she was interviewed by Sergeant Felton and Investigator Beale at about 6:00 p.m. Under a waived Miranda advisement, the defendant confirmed she was in an intimate relationship with Espinoza.

The defendant met with Espinoza in housing unit 6A of the detention facility. Espinoza was a ranking GKI member and the defendant enlisted his advice about how to quell gang issues between female inmates in housing units 7C and 7D. Espinoza gave the defendant advice. Espinoza initiated a personal relationship with the defendant by sweet-talking her and sharing commissary items, to include "Shabang Chips" and on one occasion, the defendant shared part of her pizza with Espinoza, giving him three slices. The defendant planned to take the bags inside the detention facility and said she planned to share the tamales with Espinoza during her shift.

Over the course of several weeks, the defendant and Espinoza engaged in an intimate relationship. Initially, the defendant was resistive to Espinoza's advances, to include an incident where he grabbed her butt and tried to kiss her during a housing unit walkthrough they were performing together. The defendant pushed Espinoza away, citing they could not engage in that behavior. The defendant admitted to kissing Espinoza twice on the lips while on shift and working in her official capacity. The defendant described the "kiss" as a one second peck on the lips. Furthermore, the defendant admitted to intentionally "touching" Espinoza's butt in passing on one occasion while walking by him as she was descending the stairs at the deputy workstation. The defendant denied having oral sex, groping/ grabbing each other's genitals, or having intercourse with Espinoza.

The defendant said the relationship was awkward at first, but after two weeks, the relationship felt "normal" and the defendant actively participated in the relationship because she was not getting intimate attention or compliments at home. Espinoza had a nickname for the defendant and called her "Gigi."

The defendant began talking to Espinoza extensively by phone while off duty using [REDACTED]. The defendant admitted to using a black flip phone provided by and the service paid for by Espinoza's mother, Cynthia Medina, [REDACTED]. Espinoza had given the defendant Medina's contact information and the defendant had contact with her through text messages and voice calling. The defendant also admitted to meeting with Medina on December 17, 2018, for a meal.

When asked to describe a typical phone call with Espinoza, the defendant said that Espinoza told her she's a perfect person and she's "forever." When asked if the defendant loves Espinoza, she stated, "No." The defendant was asked why she said she loves him during phone calls and she replied, "I don't know. Because it's probably something I should be hearing at home, but I don't."

The defendant said that around December 13, 2018, Medina gave her a small "note" of paper rolled up and secured with tape to deliver to Espinoza. Medina told the defendant not to open the "note," and she complied with the request. The defendant did not know the contents of the "note," and was afraid to open it because she was scared of what the content could be and because she was told not to open it. When pressed that the "note" could have contained drugs, the defendant stated, "If that's what was in the note, then Oh My God." The defendant denied passing anything else from Espinoza to Medina or vice-versa.

The defendant claimed to have not known Espinoza prior to him being incarcerated at the Jefferson County Detention Facility. The defendant felt like she got in "deep water" with the relationship, but reiterated that she is "not a victim" and was a willing participant. The defendant said Espinoza is "somebody that could literally come after me and my family" and stated that Espinoza knew her first name before their first conversation. The defendant said, "As much as I wasn't innocent, I was a little scared too." The defendant admitted she didn't think of the consequences of her actions. The defendant stated that the actions felt "morally wrong" but she never thought of them as being illegal. The defendant was asked if she were to view the totality of circumstances relative to this case, if she saw it as being against the law. The defendant said, "Yes."

The defendant said a detention facility counselor, Austin Clark, told her of an allegation around December 14-15, 2018, that [REDACTED] alleged she was bringing narcotics into the detention facility. The defendant denied the allegation to Clark.

When questioned further about drugs, the defendant admitted to unlawfully possessing her [REDACTED] Attention Deficit Disorder prescription, Vyvanse. The defendant admitted to occasional use of the pills to stay awake during her shift because she has a young baby and was not getting adequate rest. The defendant said the prescription bottle was gifted to her by her [REDACTED] and remained in her vehicle while she was working, but she would keep one pill in her wallet, which stayed in her possession while working inside the Detention Facility. The defendant admitted to consuming a Vyvanse pill on occasion halfway through her shift to keep her awake. The defendant said she currently had a pill in her wallet and would have taken it into the detention facility for her shift. The defendant last consumed a Vyvanse pill on December 17, 2018.

Throughout the defendant's interview, she was unable to provide specific dates for her actions, but speculated the relationship began approximately two weeks before the phone calls started in November 2018.

Because the defendant was a POST certified law enforcement officer, she had access to law enforcement databases, including sensitive and unclassified information. The defendant was questioned about having access to sensitive and confidential information, which she denied ever sharing any sensitive law enforcement information with Espinoza.

During the interview, the defendant granted verbal consent to search her vehicle, which was parked in the employee parking lot, and her backpack. The defendant was previously known to carry a black backpack with a name tag affixed to it into the facility during her shift. The defendant had the same black backpack when brought in for an interview. The black flip phone and wallet containing the pill were found in the backpack when searched. Also inside the backpack were two pieces of paper with handwritten notes of names of two validated GKI members and a female whose validation as a gang member was unknown. The defendant gave verbal consent to download the contents of the black flip phone.

The prescription pill bottle containing eighteen Vyvanse pills for [REDACTED] was later recovered from the defendant's vehicle by Deputy Andrew Dillman and his K9. The pill from the defendant's was the same as the pills inside the prescription bottle. The prescription bottle was from Safeway at 7353 Federal Blvd in Westminster. It showed prescription number 2732318, written by Dr.

Wade Markland, to [REDACTED] for 30 Vyvanse 70mg CAP SHIR, Filled on December 3, 2018, there were 18 capsules in the bottle and it was non-refillable. A query of the drug, Vyvanse, found it was an amphetamine/stimulant and a schedule 2 controlled substance. A follow up attempt to follow up with [REDACTED] was unsuccessful.

During the defendant's interview, an administrative search of housing 6A occurred. When deputies contacted Espinoza and Ortega, Ortega pulled two small pieces of paper and a clear bag containing tobacco from his waistband. The contents of the pieces of paper were a note containing numbers and a bindle of Suboxone. Deputy Sean Soto later submitted the Suboxone as evidence.

Ortega was interviewed by Investigator Beale and Sergeant Felton. Ortega confirmed Espinoza was using his PIN with his permission. Ortega said Espinoza "cares for her (defendant) more than anything" and is in "love." Ortega estimated the defendant and Espinoza had been in a relationship for about a month. Ortega said that he has seen Espinoza "holding" the defendant's hand and maybe "kissing," but had no direct knowledge of further sexual contact between them.

Ortega said the defendant did not bring Espinoza anything and Espinoza has never told Ortega he was going to ask her to do so. Ortega suspected Espinoza may have been using his PIN to contact the defendant. Ortega did not think Espinoza had asked the defendant to do things for him inside or outside the facility. Ortega said that he found the Suboxone in a dayroom area accessible to numerous inmates and did not implicate Espinoza in the possession of the Suboxone.

Sergeant Felton and Investigator Beale interviewed Espinoza and he denied any personal relationship with the defendant, to include talking to her on the phone.

Given the circumstances and information known, Investigator Beale arrested the defendant at about 10:30 p.m., transported her to the Jefferson County Jail, and booked her through the jail pending charges. The defendant was released from custody and left the Jefferson County Sheriff's Office after collecting her personal effects, absent items taken as evidence. Prior to leaving, the defendant gave verbal consent to Sergeant Felton for the download of her personal iPhone. The defendant was suspended from duty, pending the results of the investigation. The defendant's phone was later returned to her, via her attorney on January 2, 2018.

On December 23, 2018, at about 12:15 a.m., Investigators James Taylor and Beale interviewed Cynthia Medina at her home, located at [REDACTED] Denver. Medina was asked if she recognized the name Myriah, "Gigi", or "Gucci." Medina said she did not know the name Myriah or anyone who went by those monikers.

Medina was advised that we knew she had been receiving calls from [REDACTED] and asked about the caller. Medina did not recognize the name or the number, but when pressed about the fact the deputy may have been talking to her on that number, Medina claimed the deputy, who she did not know by name, had contacted her using the number [REDACTED] Medina said that she met the deputy once for a meal and entered the number into her contact list as "Beautiful," because Medina said she was beautiful and there were no names exchanged.

Medina did not recall specific conversations and text messages between them, but confirmed she had been talking to "Beautiful" on occasion. Investigator Taylor confronted Medina about a text message string referencing transporting the "smallest letter" to Espinoza via the deputy. Medina did not recall the text message and had no detailed information to provide, so Investigator Beale asked Medina for her phone to verify information. Medina voluntarily gave Investigator Beale her phone, which was a black ZTE Blade smartphone.

Investigator Beale reviewed Medina's phone with her consent and found a text message string from [REDACTED] There was no name linked to the number. The text message string was:

Medina - December 13 @ 4:15 p.m. "Hi so the smallest letter I've ever seen is ready. LMK we can go outside."

Medina - December 14 @ 4:14 p.m. "I'm sorry was on a video visit but come by and i'll run outside."

Medina - December 14 @ 4:15 p.m. "I'm home"

Deputy - December 14 @ 4:15 p.m. "okay thanks"

Medina - December 14 @ 4:28 p.m. "Would you like a Pepsi or something to drink to take?"

Medina - December 15 @ 5:09 p.m. "Pls call me back"

Investigator Beale found a profile for "Beautiful" in the contact list and linked to [REDACTED]

Investigators Taylor and Beale confronted Medina about the text messages and if she sent anything to Espinoza via the deputy. Espinoza denied ever sending to or receiving from Espinoza anything via the deputy. Medina said that she would not circumvent the jail protocols to send Espinoza anything and only uses U.S. Mail to send anything to Espinoza. Medina denied purchasing a phone for the deputy and said that she is on a fixed income and does not have the money to pay for phone service for anyone else. Medina accused the deputy of lying and fabricating Medina's involvement. Medina said she would cooperate with the investigation.

On December 26, 2018, Investigators Beale and Taylor interviewed Medina again at her home to follow up on information. Medina confirmed her son was a GKI on "paper" inside jails, but never involved with the gang. Medina confirmed the defendant, "Beautiful," was a Jefferson County Deputy Sheriff assigned to the jail. Medina confirmed the defendant met with her to have a meal at a restaurant called "Camargo's" on December 17, 2018, and the defendant brought her baby with her. The defendant told Medina that she was on the "Gang Unit" and was asking questions about Espinoza. Medina thought the defendant was a "counselor" doing a follow up to verify information on Espinoza for his upcoming prison sentence. Medina estimated she had a "couple calls" with the defendant from [REDACTED] and [REDACTED] and first spoke around December 5, 2018. Their first call consisted of pleasantries and a request to meet. Medina again denied giving or receiving anything from the defendant on Espinoza's behalf. Medina reiterated her desire to assist with the investigation and archived the phone data for the investigation in case it would be needed. Arrangements were made with Medina to have her cellular phone downloaded on December 27, 2018, at the Jefferson County Sheriff's Office. Later that night, Investigator Beale received an e-mail from Medina with a desire to no longer cooperate in the investigation.

On December 27, 2018, Investigator Beale obtained a search warrant to recover Medina's cellular phone and review the contents. The search warrant was executed and the cellular phone recovered. During the search warrant, it was discovered Medina switched the SIM card on her phone the after of December 26, 2018, by going to a Cricket Wireless store. Medina claimed damage to the phone and the Cricket employee switched the SIM card against her request to keep it. Medina's cellular phone was later downloaded and contents were recovered from the phone's hard drive.

During the subsequent investigation, Clark, Deputy Samuel VanAlphen, and Deputy Benjamin Carter were interviewed. Clark confirmed the defendant was on the "Gang Unit" and interviewing Espinoza as a source of information to quell gang related issues among the female inmates. Clark confirmed the defendant interviewed Espinoza alone and 3-4 times weekly. Clark never saw evidence of a relationship between the defendant and Espinoza, nor did he see the defendant in possession of contraband. Clark became concerned because Espinoza's GKI associates would ask him for details about his personal life, which he found concerning. On December 13, 2018, Clark notified the defendant of the narcotics allegation. The defendant was "quick to respond" and seemed almost defensive of her actions, denying any personal relationship with Espinoza and an introduction of drugs into the facility. Clark told me that the defendant made a comment to the effect of "I'm glad I didn't bring him out of the module." The defendant's response seemed "over the top," according to Clark.

Deputy VanAlphen confirmed the defendant was on the "Gang Unit" and that she visited Espinoza to obtain information to quell gang related issues among female inmates. Deputy VanAlphen recalled the defendant visiting Espinoza 1-2 times weekly and interviewing him within his line of sight. Deputy VanAlphen did not see any evidence of a relationship between the defendant and Espinoza. Deputy VanAlphen said there were several occasions when the defendant and Espinoza were at the 6A housing unit workstation looking at a computer screen. The defendant would be viewing Tiburon mugshots of inmates with Espinoza, which VanAlphen presumed was intelligence for the "Gang Unit." Deputy VanAlphen could not recall specific dates for the visits between Espinoza and the defendant.

Deputy VanAlphen spoke of one instance where November 23, 2018, he was assigned to housing unit 6D. Deputy VanAlphen was asked to assist with operational duties in housing units 6B and 6A. When Deputy VanAlphen entered housing 6A via the supply hallway from housing 6B, he observed the defendant at the workstation facing the entry door and Espinoza standing by the stairs leading to the deputy workstation and talking to the defendant. Deputy VanAlphen did not see what was on the defendant's computer screen. When Espinoza saw VanAlphen, he asked him why he was not allowed 6A anymore and if it was because he was testifying in "Barron's" case. Espinoza asked Deputy VanAlphen who he was "going to court against" three times. Deputy VanAlphen denied Espinoza's request for information each time. Later, and after Espinoza was in his cell, Deputy VanAlphen was concerned enough about Espinoza's question to ask the defendant how Espinoza would know he was subpoenaed for a criminal case. The defendant seemed concerned and made a comment to the effect of "I don't know, but he seems to be finding out information," and said she did not know how and did not elaborate further.

Deputy VanAlphen had been served a subpoena to testify in the criminal case of Edward Roy Barron, [REDACTED] Barron was a currently incarcerated inmate housed in 6A36. Deputy VanAlphen had not publicized his subpoena and there was no reason for Espinoza or anyone else to have known about the subpoena.

Deputy Carter confirmed the defendant was on the "Gang Unit" and Espinoza was a GKI member. Deputy Carter recalled the defendant visiting Espinoza 3-4 times weekly for the past six to eight weeks. The defendant and Espinoza would spend "hours" alone together and their meetings would occur in the medical closet. Deputy Carter recalled one shift when Espinoza was cutting [REDACTED] hair. Espinoza and [REDACTED] were talking about female deputies. Espinoza was speaking favorably about the defendant and asked Deputy Carter to rate her looks, which Deputy Carter refused to do. Deputy Carter remembered that, in hindsight, he thought it suspicious that the defendant gave Espinoza dedicated attention and focused specifically on him. Deputy Carter explained that he never saw any flirting, intimacy, or other evidence of a relationship between the defendant and Espinoza, nor did he see the defendant deliver anything to Espinoza, take anything from Espinoza, or possess apparent contraband.

A review of the Securus phone calls was completed by Investigators Jennifer Jones and Paul Spokas. During the review, [REDACTED] stopped being used on December 17, 2018. A new number, [REDACTED] was then utilized between the defendant and Espinoza. The review documented sixty pages of synopsised calls, with call duration between both phone numbers at more than 2,500 minutes.

Examples of the content from the calls are as follows:

- The male tells the female that she has her work cut out for her with him and later adds that he is super jealous and possessive. The male starts talking to the female about her personal space and not allowing anyone in her space, but him. The male then refers to someone else who was in the female's personal space the other day, which got him upset. The female tells the male that they are only as far as they want it to be because she made the decision. The female adds that if she just wanted to bat her eyes and walk away, she would have.
- The female asks the male why he loves her so much, and she tells him it's because she is his mother's favorite. The male later states that he wants the female to give him mouth-to-mouth, to which she tells him that she would do it. The female then tells the male that she loves him because he makes her happy
- The two then talk about how they want to be with each other and anyone else would be a "down grade". The male says he is happy where he is at, saying, "I don't need to look nowhere else, I'm Gucci gang. Shit." The male adds, "I call my Gigi and I'm good." The female then asks the male what his mom thinks about him calling her back the nicknames, to which the male replies, "It's tight huh? You like it." The female says she likes the names and they make her laugh. The male responds by telling the female that his mom "goes with the flow, she's a G." The female asks, "oh yea?" and the male tells her to "run with it."
- The two talk about their relationship for a while before the male asks, "What do you get out of all of this?" To which the female replies, "I get you." The female tells the male to "get out of there" so he can show her what kind of a man he is.
- The female then became upset with the male, telling him not to speak to her in the manner he did and adds that she probably talks as much "heat" as he does. The male asks the female to clarify so she repeats, "I said I probably talk as much, I probably talk as much heat as you do, they should have never trusted me with one of those." The males agrees and then the female adds, "They were dumb enough to even fucking teach me." The male then tells the female not worry and that she will go to "gang school".
- The conversation starts out with the female yelling at her kids about being outside, and then complains about her kids for a while. They each ask each other about how they slept, to which the male says he had a "wet dream" about the female. The two then exchange how horny they are for each other and are thinking about being with each other.
- The conversation starts with the two talking about what sexual acts they will do to each other once the male gets out of jail. The female tells the male that she wants him to bend her over and spank her. The male later asks the female if she remembers the time he kissed her in the laundry mat, to which she says, "Yea". He tells the female that he likes his kisses "like that" and the female clarifies that he likes his kisses "juicy", to which the male says, "Yes."
- The female said she couldn't remain in the bathroom because her baby started crying, but tells the male that she wants him to "taste it" and "lick it off my fingers." The female proceeds to have phone sex with the male, who asks if she "finished". The female says she did not finish yet and waited for the male to call back. The female continues to have phone sex with the male until the male asks if she finished, to which the female tells him she did. The two conclude their conversation by telling each other how much they love each other and can't wait to see each other. The female tells the male that they have a "super unique situation", but there were so many signs.

- The male tells the female that you can take her out of the hood, but can't take the hood out of her, to which the female says she only "gets hood" when she has to.
- The female later tells the male that she wants a "box of our favorite chips" for Christmas.
- The two then talk about a previous encounter where they told each other "I got you." The female tells the male that it was sincere and that she wouldn't have gone this far with him and been "this deep in it" if she didn't care. The female adds that there is "no going back."
- The two then argue about the male's relationship with Erica and the female tells the male that he better be divorced from her by the time he gets out. The male then asks the female where she wants to live and the two discuss plans to have a place together by the time he gets out.
- The male later asks the female if she remembers when she "felt it", which she says she does. The male tells the female that he can't wait until she sees it and she agrees.
- The male tells the female that she is lucky his mom likes him so much. The two talk about a restaurant called "Camargo's", which they both like and the female tells the male she is meeting his mom for lunch and they should go there.
- The male calls back and asks the female what she is doing and she tells him that she is picking up his mom. The female tells the male that she will call him back later, but the male tells her to stay on the phone with him. The female later tells the male that she was "all in a panic trying to switch the damn number. Making sure it was all fixed and ready to go." The female tells the male not to make her and his mother stressed out about things. The female tells the male they are at the restaurant and says she will call him later.
- The female transitions and asks when the last time the male talked to "her", referring to his wife. The female seems to get satisfaction out of hearing his wife was upset and says she would "fuck her up." The female adds that his mother told her that he better cut the wife out of the picture, or his mother would stop talking to him. The female keeps bringing up how the male's mother was talking trash about his wife and she told her that even though she's sick, she would go "fuck up" the wife. The female adds that she told his mother, "You know I pack, Cindy? You just let me know. I got that hollow point shit. I make sure that shit stays in your body. I don't want it just to shoot through you." The female adds that it was the worst thing anyone could have done was to teach her how to use a gun.
- Misses her "butt" and "lips."
- Male said, "Your nickname will be puddles because everywhere I lay you down there will be a puddle." Female said she was "risking a lot" for the male.
- Female told male, "You really need to be careful what you say sometimes, especially if it is what I tell you, know what I mean?" Male said "k" then he asked "Who, Ray?" Female said "Um yeah, 'bout his case" because it will not "bite" her in the "ass", but it is "fucking kinda blow up to bigger than what it needs to be." Male said "yeah, alright, I gotch you."

On January 2, 2019, Investigators Beale, Taylor, and Sergeant Felton met with Espinoza in the JCSO Jail Module 6D medical closet to go through his issued black property tub. This was due to a "kite" request for his legal work he had submitted to detentions administration. While in the medical closet, we made small talk with Espinoza and kept the conversation light. It was explained to him, if he wanted to conduct a formal interview of the events we were investigating we would do so at a later time. Espinoza said he would like to tell his side of things and arrangements were made to interview him later that week.

On January 4, 2019 at 2:50 p.m., Investigators Beale and Taylor interviewed Espinoza with Sergeant Felton present. Espinoza was unsure if he wanted to talk, but then decided to speak with us about his relationship with the defendant.

Espinoza first spoke with the defendant in October 2018. Espinoza was a 6A "module worker" and giving haircuts to other inmates. He said that Deputy Shine was working the module and when the defendant came in he and Deputy Shine were talking "gang stuff." Espinoza spoke with the defendant and Deputy Shine about his opinion and stance of his "Homies" using and selling drugs. Espinoza said that the "G's" (GKI) were drug free and had to be because if they used drugs they would look for the next high and not look out for the interests of the gang.

Espinoza said the defendant came back the next night to discuss "gang issues" in the jail and called him out of the Unit to talk. Espinoza said he thought she was trying to set him up. He explained that a deputy in the past had set up some of his gang members by saying she would pass notes for them.

Espinoza said the defendant asked about female "G's" and gang related issues among the female inmates housed on level 7. Espinoza told us that there are no "actual" female GKI gang members. They were either "hang arounds" or part of the gang by "blood or marriage." The defendant returned a couple weeks later and asked Espinoza if he would talk to her further about how to

deal with some females in modules on level 7 who were fighting and claiming to be "G's." The defendant gave Espinoza some names of females who were causing problems. Espinoza said the defendant asked him to have the females "Chill out". The females were told to stop via Espinoza and complied.

Espinoza said a week or two later, the defendant came back to Module 6A to talk to him. The defendant told him the females were acting the same, again. Espinoza went to the Special Housing Unit (SHU) to talk with the defendant. The defendant and Espinoza had a conversation and he thought he may have been able to assist her, but she would have to do real "police work" to get the answers.

Espinoza said the defendant visited him more often. The defendant would visit Espinoza during haircuts, but other times were after lockdown when he was out cleaning or she would come to module 6A and call him out to talk. Espinoza said they would talk in the staging area, by the module entry door "in the hallway." Espinoza denied being alone in the medical closet with the defendant.

Espinoza said he had to set "boundaries" with the defendant if they were going to continue to talk. He said he told her he was not just going to talk to her because she "was cute." Espinoza thought she was using him as a "Confidential Informant (C.I.)." He said the defendant started asking about his "baby mama," his kids, and family. Espinoza said one day he had gotten done cleaning in the module after doing haircuts and the defendant was hanging around at the counter.

Espinoza said the defendant was "having blurred lines of where her loyalties were at." Espinoza said he gave the defendant a nickname, "Gigi." Espinoza was asked if the defendant was doing anything to impress him and said that she painted her nails purple and bought purple Adidas."

Espinoza said that one month ago he told the defendant about a guy coming in from the courts who was going to be remanded into custody. The guy was going to have "a lot of shit (Drugs)." Espinoza said that the guy, known as "Hoods" a West Wood Hoods gang member, was supposed to hold the drugs and give Espinoza half for payment of what was owed from the last time he was in custody. Espinoza said that "Hoods" was not moved into 6A and went to module 6C. He found this out because inmates had "fell out" and Espinoza figured it was from the drugs brought into the jail. Espinoza said that his half of the drugs were given to an inmate named "Erick" who is known to other inmates as always making "Hooch." Espinoza said the defendant was not working when "Hoods" was jailed.

Espinoza said from then on the defendant visited multiple times a week, whether he had information or not. They would talk in the closet, outside the medical room and recreation yard. The defendant met with him on the last night she worked, December 21, 2018, and they "shot hoops (basketball)" in the recreation yard.

Espinoza said one night when Deputy Van Alphen was working, he was sending out an envelope of photos. The defendant came in, looked at the photos and asked who the females were. Espinoza identified the females, including his wife, and the defendant pointed at the photos and said, "Dumb, Dumber, Dumbest and Stupidest." When she said stupidest she pointed at Espinoza's wife, Erica.

Espinoza was asked about sexual encounters he had with the defendant. Espinoza said there were no sex acts because the defendant was "Too scared. There are always Deputies or inmates around." Espinoza said he rubbed up against the defendant's butt one time. He said he tried to kiss her once and she ducked away, citing, "She dipped out." Espinoza said the defendant conducted a walkthrough of his housing unit and saw him in the shower once. Espinoza said he was in the lower shower and she walked up the stairs and looked into the shower and stared at him. Espinoza said, "We kissed two times and it was near the closet by the workstation. They were kisses on the lips with no tongue." Espinoza was asked if the defendant grabbed his buttocks. Espinoza said the defendant did, citing, "She did. I didn't know it was intentional, but she did. It was like a pinch."

Espinoza said that he would do walkthrough's of the housing units with the defendant. During a walkthrough, Espinoza said he "smacked her ass between units and she said nothing."

Espinoza spoke about the phone calls and confirmed the numbers he used to communicate with the defendant, [REDACTED] and [REDACTED]. Espinoza started calling the defendant in November. Espinoza said they started talking on the phone and things got "hotter." Espinoza said his mother, Cynthia Medina, bought the phone, gave it to the defendant, set it up, and paid for the minutes. Espinoza said that after talking on the phone, he asked the defendant to help him out with his visits because his wife got kicked off "forever" for sexual acts on video. The defendant could not help him with that issue. Espinoza and the defendant spoke by phone a

few hours a day. Espinoza and the defendant talked about their future and having kids together. Espinoza used Ortega and Ohlmeier's PIN to communicate with the defendant.

Espinoza said the defendant was jealous of his wife, Erica. Sgt. Felton asked if this was a "forever" relationship and Espinoza said "Talk is cheap." In reference to what the defendant would do to her fiancé after Espinoza's prison release, he said the defendant would call off the engagement with her fiancé. Espinoza added, "I feel like I have feelings for her. She was having problems at home."

Espinoza was asked about the defendant providing law enforcement information. Espinoza said that "We would be talking and she would throw out a name and show me a photo and I would confirm who they were. This occurred on three occasions and while the defendant and Espinoza were viewing mugshot and jail records via a JCSO computer. Espinoza could not recall the specific dates. Espinoza said the defendant did not look up prisoner information at the Department of Corrections or Federal Bureau of Prison.

Espinoza stated, "I already knew this shit was coming since the number got blocked." (In reference to the phone number [REDACTED] getting blocked on December 17, 2018, and the new phone number, [REDACTED] being activated). Espinoza said he had Ohlmeier call his mom and have his mom call my mom (Medina) to call the defendant and let her know the phone number has been blocked. The defendant obtained the new phone number, called Medina, who called Ohlmeier's mother, and she gave the phone number to Espinoza via Ohlmeier when he called her back."

Espinoza said he and the defendant have not spoken since December 22, 2018. Espinoza said that he does not know the defendant's personal cell phone number. Espinoza said he tried to get the defendant to give him photos of her and she would not. He tried to get the defendant to bring things in to the jail for him and he said no. Espinoza denied asking the defendant to bring in drugs for him.

Espinoza was asked if the defendant brought him anything or delivered anything on his behalf from the detention facility. Espinoza initially said the defendant never brought any mail in for him, but retracted and said he did send a note to his mom through the defendant. She did take one to her and it was origami for my son." Espinoza said, "She did bring in some small drawings from my son that were folded in paper. I told mom not to show her because it was none of her business."

Espinoza was asked who is "Ray" based on content of a phone call between Espinoza and the defendant, "You really need to be careful what you say sometimes, especially if it is what I tell you, know what I mean?" Male said "k" then he asked "Who, Ray?" Female said "Um yeah, 'bout his case" because it will not "bite" her in the "ass", but it is "fucking kinda blow up to bigger than what it needs to be." Male said "yeah, alright, I gotch you." Espinoza said it was a nickname for Deputy VanAlphen because of the Ray Ban sunglasses he wears. Espinoza said he knew Deputy VanAlphen was not working in module 6A any longer because he was subpoenaed in a case against one of the 6A inmates.

A review of Jefferson County Sheriff's Office policy showed the defendant's actions were in conflict with established protocols. The defendant acknowledged those post orders and operational guidelines for Detention Operations Manual 3-173 on June 30, 2016 at 19:33:38 hours. The defendant signed Detention Operations Manual 3-120 on March 30, 2018 at 22:41:31 hours. The verbiage for the policies are as follows:

Detention Operations Manual 3-120: Prohibited/Restricted/Controlled Property:

All persons entering the secured areas of the detention facility are restricted, or prohibited from possessing property or items which may create a safety concern, be potentially dangerous, or which may create a distraction to our mission. Other property must be controlled to ensure accountability.

Restricted Items:

Restricted items are those items that may be allowed with a watch supervisor authorization, or items that may be possessed for a specific purpose and for a specific duration of time. Items include but are not limited to:

- DVDs (digital video disks) and DVD players
- digital/film/movie cameras
- laptop computers
- food/beverages intended for inmate consumption (see Inmate Reward Program)**
- personal computer software or peripheral attachments
- PDA (personal digital assistant)
- no cameras, games, or Internet capability
- baseball/cowboy style hats

Detention Operations Manual 3-173: Inmate Reward Program:

Direct supervision units are unique and require assigned deputies to manage the units using enthusiasm and creativity. One aspect of managing direct supervision units is to provide immediate rewards for positive behaviors exhibited by inmates. This requires staff assigned to the unit be fair and mindful of the inmates' behavior at all times. In furtherance of providing positive rewards in recognition of good behavior, it may be helpful to provide certain items not generally available to the general population through the commissary as a reward for good behavior.

Reward - Items approved by the watch lieutenant or designee and purchased by the Detention Services Division that may include, but is not limited to soft drinks, coffee, cookies, candies, popcorn, personal hygiene products, colored pencils and drawing paper.

• **Rewards are intended to be provided to a group of inmates rather than individual inmates.**

• **All direct supervision inmate rewards will be approved by the watch sergeant and the watch lieutenant.**

• **The watch lieutenant will provide the deputy with the means to purchase the approved item from a local vendor.**

• **Reward items will not be of a nature that presents a danger to any inmate or creates a threat to the security, safety or operation of the facility.**

• **The inmate reward program will be managed by the respective watch lieutenant.**

The defendant was asked to participate in a follow up interview and declined via her attorney.

Based on the above, Investigator Beale filed this case with the 1st Judicial District Attorney's Office on January 18, 2019, with on-going discovery and the potential of additional criminal charges to follow. Articulation of the requested charges is as follows:

1. Unlawful Possession of Controlled Substance – Schedule 2: Defendant's use and possession of her [REDACTED] Vyvanse prescription.
2. Introducing Contraband in the 1st Degree:
 - Defendant's possession of a single Vyvanse pill inside her wallet and intent to introduce the pill into the detention facility while on duty.
3. 2 counts Introducing Contraband in the 2nd Degree:
 - Defendant's transmission and introduction of the "note" to Espinoza from Medina.
 - Defendant's introduction of non-commissary food items into the detention facility and sharing the food with Espinoza in violation of Jefferson County Sheriff's Office policies.
4. Sexual Conduct in a Correctional Institution: Defendant's intentional "touching" of Espinoza's buttocks while working in official capacity inside the Jefferson County Detention Facility.
5. 3 counts of First Degree Official Misconduct
 - Defendant's involvement in an intimate relationship with Espinoza.
 - Defendant's facilitation of allowing Espinoza to view mugshots on a JCSO computer of electronic database records maintained by the Jefferson County Sheriff's Office and not publicly available.
 - Defendant's disclosure of subpoena related information to Espinoza for Deputy VanAlphen.
6. 2 counts of Possession of Drug Paraphernalia: Defendant's possession of another person's prescription pill bottle containing Vyvanse pills the defendant had been consuming and the use of her wallet to contain a single Vyvanse pill.

SEE ATTACHED REPORTS OR AFFIDAVITS FOR ADDITIONAL INFORMATION.**WITNESSES:**

STATE OF COLORADO
By: Investigator Wes Beale #1693
Jefferson County Sheriff's Office
200 Jefferson County Parkway
Golden, Colorado 80401
303-271-5641

Victim/complainant of Unlawful Possession of Controlled Substance, Introducing Contraband in the First Degree, 2 counts of Introducing Contraband in the Second Degree, Sexual Conduct in a Correctional Institution, 3 counts of First Degree Official Misconduct, and 2 counts of Possession of Drug Paraphernalia.

JUSTICE ANDREW ESPINOZA, [REDACTED]
Jefferson County Jail - Inmate
200 Jefferson County Parkway
Golden, Colorado 80401

Involved in an intimate relationship with defendant. Had numerous phone calls with defendant. Had sexual contact with defendant while in custody of Jefferson County Jail. Identified mugshots of inmates with defendant. Shared food with the defendant. Can identify defendant.

JAMES MARTIN ORTEGA, DOB: [REDACTED]
Jefferson County Jail - Inmate
200 Jefferson County Parkway
Golden, Colorado 80401

Cellmate of Espinoza. Confirmed personal relationship between Espinoza and defendant. Confirmed Espinoza was using his Securus PIN to call defendant. Can identify defendant.

ALBERTO A. OLHMEIER, [REDACTED]
Jefferson County Jail - Inmate
200 Jefferson County Parkway
Golden, Colorado 80401

Incarcerated in same housing unit of Jefferson County Jail. Securus PIN used by Espinoza to call defendant.

CYNTHIA NMN MEDINA, [REDACTED]
3850 Alcott Street #206
Denver, Colorado 80211
303-433-3564

Mother of Espinoza. Had telephone and text conversations with defendant. Provided black flip phone to defendant. Met with defendant on December 17, 2018 and can identify defendant.

[REDACTED]
Jefferson County Jail - Inmate
200 Jefferson County Parkway
Golden, Colorado 80401

Provided information to Deputy Oudeman. Can identify the defendant.

JCSO DEPUTY DREW OUDEMAN, #2398
303-271-5476

Obtained information from [REDACTED] about defendant's actions. Relayed information to JCSO supervision. Can identify the defendant and identified voice on calls as defendant. Wrote supplemental report.

JCSO DEPUTY STEWART HARTMAN #2485
303-271-5476

Trainee of Deputy Oudeman. Present during [REDACTED] interview. Training Officer wrote the supplemental report.

JCSO DEPUTY ANDREW DILLMAN #1275
303-271-0211

K9 Deputy who used K9 to conduct search of defendant's vehicle, under her consent. K9 alerted and Deputy searched vehicle finding drugs. Assisted in K9 narcotic search of Detention Facility. Wrote supplemental report.

JCSO DEPUTY RYAN GREASER #2447
303-271-0211

Trainee of Deputy Dillman. Escorted Ortega and Espinoza from the jail for interviews. Wrote supplemental report.

JCSO DEPUTY SEAN SOTO #2541
303-271-5476

Submitted drugs to the JCSO Evidence Vault as a result of an administrative search of Ortega and Espinoza's cell. Wrote supplemental report.

JCSO SPECIALIST CLINT TYLER #1893
303-271-5476

Specialist who listened to Securus calls of Espinoza and defendant using 720-610-1961. Wrote supplemental report.

JCSO SERGEANT MICHAEL DENUZZI #0457
303-271-5476

Sergeant assigned to Detention Facility. Reviewed calls between Espinoza and defendant. Positively identified the defendant. Wrote supplemental report.

JCSO SERGEANT CHASE WALKER #1858
303-271-5476

Sergeant assigned to Detention Facility and immediate supervisor of defendant. Reviewed calls between Espinoza and defendant. Positively identified the defendant.

JCSO INVESTIGATOR PAUL SPOKAS #2278
303-271-5871

Completed review of Securus calls between Espinoza and defendant. Wrote supplemental report.

JCSO INVESTIGATOR JENNIFER JONES #1686
303-271-5614

Completed review of Securus calls between Espinoza and defendant. Wrote supplemental report.

JCSO SERGEANT CHRIS FELTON #1748
303-271-5350

Conducted interview with defendant and witnesses. Wrote supplemental reports.

JCSO INVESTIGATOR JAMES TAYLOR #1288
720-497-7236

Assisted with interviews. Searched personal effects of defendant, with her consent and obtained evidence. Completed review of Securus visits. Completed review of JCSO database accessible to defendant. Requested laboratory processing of evidence. Wrote supplemental reports.

JCSO SPECIALIST SUSAN SCOHY #1299
303-271-5622

Completed phone downloads of Medina's cellular phone and defendant's two cellular phones.

JEFFERSON COUNTY REGIONAL LABORATORY DESIGNEE
303-271-0211

EVIDENCE CUSTODIAN DESIGNEE
303-271-5656

INVESTIGATOR WES BEALE #1693
303-271-5641

Filing Investigator. Conducted interviews with defendant and witnesses. Completed review of cellular phone downloads. Completed review of JCSO inmate accounts and correspondence. Wrote search warrant, case filing, original and supplemental reports. Filed the case with the 1st Judicial District Attorney's Office.

EVIDENCE:

- Reports
- Witness Testimony
- Recorded interviews
- Securus call downloads
- Securus video downloads
- Cellular phones and downloads
- Prescription pills of Vyvanse
- Shabang chips
- Notes from Lovato's possession
- Financial documentation of inmate accounts and "Kites"
- Search Warrant – Medina cellular phone

UNDEVELOPED LEADS:

- Laboratory report for drug analysis
- Review of cellular phone downloads

CRIMINAL HISTORY:

See Attached