

22-19309Supplement No
ORIG**Jefferson County Sheriff Office**Reported Date
12/01/2022
Member#
FEHRINGER, XNature of Call
GOVT-M**Administrative Information**

Agency Jefferson County Sheriff Office		Report No 22-19309	Supplement No ORIG	Reported Date 12/01/2022	Reported Time 14:49
Status OPEN - BEING INVESTIGATED BY DEPUTY			Nature of Call GOVERNMENT OPERATIONS - MISDEMEANOR		
Location 200 JEFFERSON COUNTY PKWY					City GOLDEN
Z P Code 80401	Rep Dist 32	Area JCN	From Date 01/01/2021	From Time 12:00	
Member# 1631/FEHRINGER, X					
Assignment INVESTIGATIONS PROPERTY CRIMES NORTH/MTN			Entered By 1631	RMS Transfer Successful	Prop Trans Stat Successful
Property? None	DV No	Approving Officer 1364		Approval Date 12/09/2022	Approval Time 07:08:35
# Offenses 1	Offense 18-8-503(1)	Description PERJURY 2ND DEGREE		Complaint Type	
NIBRS 1 90ZCC 88 15 5003				Seq# 1	IBRS 90Z
Attempted/Completed C	Used C	Bias 88	Location Type 15	# Premises	Method of Entry
Criminal Activity		Weapon/Force		NCIC_OFF 5003	
Cargo Theft?					

Report Officer
1631/FEHRINGER, XPrinted At
08/03/2023 10:13

Jefferson County Sheriff Office**Modus Operandi**

Crime Code(s)

OTHER**Narrative****CASE ASSIGNMENT/FOLLOW UP:**

On December 1, 2022, I was asked by Jefferson County Sheriff's Office (JCSO) Commander Mitchell Puraty to assist Colorado State Patrol (CSP) with an investigation in reference to a trooper, later identified as Trooper Venessa Valadez, possibly falsifying documents associated with Driving Under the Influence (DUI) arrests. I was to contact (CSP) Sergeant Stephen Gaynor for additional information.

On December 2, 2022, I sent an e-mail to Sergeant Gaynor requesting reports and any report attachments to assist with my investigation. Sergeant Gaynor replied to my e-mail and provided the following attachments:

I9000 Investigation Facts.docx
 Rincon Intox Memo.docx
 1A213261 Report.pdf
 1A-21-3150 CAD Log.pdf
 Valadez_memo EBAT 071922.docx
 1A213150 Report.pdf
 1A-21-3261 CAD Log.pdf
 Wolz Intoxilyzer Memo.doc

From Sergeant Gaynor's 'I9000 Investigation Facts' document I learned the following:

- Trooper Venessa Valadez lost her Evidential Breath Alcohol Test (EBAT) certification on October 3, 2021.
- On nine (9) different occasions, from November 10, 2021 to July 4, 2022, Trooper Valadez performed a breath test utilizing another operator's EBAT card.
- The deprivation period on all nine (9) occasions began in a patrol car.
- On four (4) of the nine (9) occasions the CAD log shows the EBAT operator left before the breath test was completed.

Copies of the attachments were sent to Records as a case report attachment.

Disposition: Open

Report Officer

1631/FEHRINGER, X

Printed At

08/03/2023 10:13

Jefferson County Sheriff Office

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12/06/2022
Member#
FEHRINGER, X

Nature of Call

Administrative Information

Agency Jefferson County Sheriff Office	Report No 22-19309	Supplement No 0001	Reported Date 12/06/2022	Reported Time 12:33
Member# 1631/FEHRINGER, X				
Assignment INVESTIGATIONS PROPERTY CRIMES NORTH/MTN		Entered By 1631	RMS Transfer Successful	Prop Trans Stat Successful
Property? None	DV No	Approving Officer 1364	Approval Date 12/09/2022	Approval Time 08:01:41
Assisting Deputy/Employee Number DEPUTY ELIZABETH GARD #1672		Assisting Deputy/Employee Number DEPUTY KATHLEEN ZIEGLER #220024		

Narrative**FOLLOW UP: INTOXILYZER 9000**

On December 6, 2022, at 11:40 a.m., I met with Jefferson County Sheriff's Office (JCSO) Deputy Elizabeth Gard, who was an instructor for the Intoxilyzer 9000. We walked to the JCSO Booking Lobby and entered the room where the Intoxilyzer 9000 was located. Deputy Gard explained the Intoxilyzer 9000 process and showed me the 'Intoxilyzer 9000 Operator & Instructor Guide for Law Enforcement' provided by the Colorado Department of Public Health and Environment (CDPHE).

I asked what the I-9000 would display if a law enforcement officer was no longer certified. Deputy Gard contacted JCSO Deputy Kathleen Ziegler and asked her to respond to our location. Deputy Ziegler, who was no longer certified, swiped her EBAT card in an attempt to log in. An 'Invalid Login' screen popped up, "This operator's certification has expired."

I took photographs of the 'Intoxilyzer 9000 Operator & Instructor Guide for Law Enforcement' and of the invalid login pop-up screen.

Intoxilyzer 9000 Operator & Instructor Guide for Law Enforcement**Table of Contents**

Performing an Evidential Breath Alcohol Test (EBAT)-Page 1

OPERATORS

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INSTRUCTORS

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EBAT Program Contact Information-Page 29

Listed below were specific parts of the 'Intoxilyzer 9000 Operator & Instructor Guide for Law Enforcement' that were pertinent to this investigation:

Performing an Evidential Breath Alcohol Test (EBAT) (Pages 1-7)

1. Press the touch screen to initiate the 2-minute warm-up period, bringing the instrument out of the screen saver mode. During the 2-minute warm-up period, the instrument displays "NOT READY" and the START button will be

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red with.... (red circle with X)

2. Press the START button to begin the EBAT sequence
3. **OPERATOR INFORMATION:** Enter your unique ID number by swiping your access card or by using the keyboard. For Operators using the keyboard, the PIN box will display, but it may not be necessary to enter a PIN if one was not entered during a prior recertification (PIN's are designed for Instructors).
4. **ARRESTING OFFICER INFORMATION:** If you are the arresting Officer, check "Yes" and push the right arrow. If you are NOT the arresting Officer, check "No." Enter the arresting Officer's information on the screen which follows.
5. **SUBJECT INFORMATION:** Enter subject information by swiping the subject's driver's license or by using the keyboard. NOTE: If the driver's license is swiped, confirm information with subject.
6. **INCIDENT INFORMATION:** Enter pertinent incident information.
7. Check the 20-minute deprivation period acknowledgements. Affirm the each checklist item has been performed by touching the screen next to items 1-4, creating a checkmark to appear in the blue box.

Blue Box 1. The 20-minute deprivation period has been conducted at the certified EBAT facility by a certified EBAT instructor or operator that is in an active status.

Blue Box 2. The subject has removed any foreign material from the mouth cavity that is not permanent in nature, prior to starting the 20-minute deprivation period.

Blue Box 3. The subject has been deprived access to foreign material that may be introduced into the mouth cavity during the 20-minute deprivation period.

Blue Box 4. The subject has been observed for signs of belching, regurgitation, or intake of any foreign material into the mouth cavity during the 20-minute deprivation period.

8. Enter the start time of the 20-minute deprivation period using a 24-hour format. The I-9000 may be used to count down the 20-minute deprivation period and will start the test sequence once completed.

9. Perform the EBAT sequence by following the I-9000 prompts.

10. Enter any comments pertinent to the EBAT test.

11. Sign using the signature pad.

The signature may be cleared by double tapping the "Clear" button. NOTE: If the signature pad does not respond, be sure to sign the EBAT report manually once it prints.

12. Select the number of copies desired and print the report. Please wait for all paperwork to be completely printed. Each subject test will printout a minimum of FOUR pages.

NOTE: All printouts generated from the I-9000 **MUST** be included in the DUI packet,, to include any Exception Message reports, if applicable .

OPERATOR OPTIONS (Pages 8-13)

When the Intoxilyzer I-9000 is in the READY Mode, Press the OPTIONS button from the main screen.

Swipe your access card or enter your User ID number to proceed to the OPTIONS menu.

Operators have three menu options:

I-9000 Re-certification

Reprint Subject Test

Recall Test

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Jefferson County Sheriff Office

Narrative

Recall Test

Subject Test- Contains a searchable field to retrieve a previously completed EBAT. The last name and either the first name or the event date must be provided to perform the search.

Recertification- Contains a searchable field to retrieve a previously completed recertification.

Operator Recertification Requirements

Annual Online Refresher Course

Annually, the EBAT Operator must complete the online refresher course to maintain certification. The course may be found at www.train.org/colorado. Search "I-9000 EBAT OPERATOR - (year) Annual Refresher Course" A course ID and registration code will be required and will be provided by email.

Recertification EBAT

WITHIN 180 days, the EBAT Operator must complete a recertification EBAT to remain certified, or when an Operator needs to update his/her information.

To perform a recertification EBAT, wait for the Intoxilyzer 9000 to be in the "READY" Mode. Push the OPTIONS button and choose *I-9000 Recertification*.

If you have changed agencies, name/email address or phone number, make those changes in the Operator Information screen.

When prompted, you will need to re-enter your email address and direct phone number EVERY time a 180-day recertification is performed.

Operators: DO-NOT enter a PIN.

Follow the remaining steps to complete the recertification.

Once completed, the printout will indicate "**Intoxilyzer 9000 Re-Certification Test Report**" as the top. Retain this ONE PAGE printout for your records for a minimum of 5 years.

NOTE: Once the printout is complete, push the "BACK" arrow button until you return to the main state seal screen. This ensures you are logged out of instrument.

Operators may perform a recertification anytime within the 180-day certification period. A new 180-day period is calculated whenever this is performed.

I submitted copies of the photographs to the JCSO Records Unit as a case report attachment and sent them to the Jefferson County Regional Crime Laboratory (JCRCL) to be archived. The photos were deleted from my department issued cell phone.

Disposition: Open

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Nature of Call

Administrative Information

Agency Jefferson County Sheriff Office	Report No 22-19309	Supplement No 0002	Reported Date 12/06/2022	Reported Time 15:23
Member# 1631/FEHRINGER, X				
Assignment INVESTIGATIONS PROPERTY CRIMES NORTH/MTN			Entered By 1631	
RMS Transfer Supplement Transfer Complete	Prop Trans Stat Successful	Property? None	DV No	
Approving Officer 1364	Approval Date 12/14/2022	Approval Time 13:57:28		

OTHER 1: TUCKER, JARED

Involvement OTHER	Invl No 1	Type Individual	Name TUCKER, JARED	
MNI 1642534	Race WHITE	Sex Male	Ethnicity Not of Hispanic origin	RMS Transfer Successful
PRN 2131038				Res Status Unknown
NIBRS U				
Type Work/Business	Address [REDACTED]			
City DENVER	State Colorado	ZIP Code 80230	Date 12/06/2022	
Phone Type Fax	Phone No [REDACTED]	Date 12/06/2022	Phone Type Work	Phone No [REDACTED]
Date 12/06/2022				
Type Business	Email [REDACTED]			
Employer/School CO DEPT OF PUBLIC HEALTH AND ENVIRONMENT			Position/Grade EBAT SPEC	
Location [REDACTED]			City DENVER	
State Colorado	ZIP Code 80230	Phone Type Work	Phone No [REDACTED]	

Narrative

FOLLOW UP: COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT (CDPHE)

On December 6, 2022, at 3:19 p.m., I attempted to contact Jared Tucker, EBAT Electronics Specialist with the Colorado Department of Public Health and Environment (CDPHE) but had to leave a voicemail message.

On December 8, 2022, at 11:53 a.m., I attempted to contact Jared but had to leave a voicemail message. I sent Jared an e-mail at [REDACTED]

On December 9, 2022, I spoke with Jared Tucker via telephone and advised him of my investigation. Jared explained it was the responsibility of the Evidential Breath Alcohol Test (EBAT) operator to maintain their certification. Operators were "strongly encouraged" to re-certify every three to four months instead of waiting until the 180th day to maintain their certification. The EBAT machine did not discern whether an EBAT operator's identification number was manually entered or card scanned, nor logged information if an attempt was made to enter their EBAT number. If an operator's certification was expired, a notification would display on the EBAT screen. Jared referred me to the Colorado Secretary of State website to view the CDPHE's Code of Regulations 5 CCR 1005-2. Jared said there was no penalty from the CDPHE if an EBAT operator violated the Code of Regulations, but the operator would have to attend the eight (8) hour class to become re-certified. Jared said he could send me certification dates for Colorado State Patrol (CSP) Trooper Venessa Valadez.

I received an e-mail from Jared which contained the 'Initial Certification Dates' and 'Recert Dates' for Trooper

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Jefferson County Sheriff Office**Narrative**

Valadez (User ID 1928817):

Initial Certification Dates:

May 23, 2018

December 20, 2018

September 27, 2022

Recert Dates:

February 14, 2019

June 15, 2019

September 9, 2019

February 14, 2020

May 18, 2020

October 21, 2020

April 7, 2021

August 10, 2021

Jared advised Trooper Valadez was in the operator class and re-certified on September 27, 2022, with an expiration of March 25, 2023. CSP Trooper Alexis Rincon and CSP Trooper Brady Wolz also attended the class on September 27, 2022. They were both decertified on July 21, 2022.

I went to the Colorado Secretary of State website and obtained a copy of the CDPHE Code of Colorado Regulations 5 CCR 1005-2.

A copy of the e-mail and a copy of the Code of Colorado Regulations 5 CCR 1005-2 were sent to Records as a case report attachment.

Disposition: Open

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Nature of Call

Administrative Information

Agency Jefferson County Sheriff Office	Report No 22-19309	Supplement No 0003	Reported Date 12/19/2022	Reported Time 09:18
Member# 1631/FEHRINGER, X				
Assignment INVESTIGATIONS PROPERTY CRIMES NORTH/MTN			Entered By 1631	
RMS Transfer Supplement Transfer Complete	Prop Trans Stat Successful	Property? None	DV No	
Approving Officer 1364	Approval Date 01/26/2023	Approval Time 07:48:45		

OTHER 1: TUCKER,JARED

Involvement OTHER	Invl No 1	Type Individual	Name TUCKER, JARED		
MNI 1642534	Race WHITE	Sex Male	Ethnicity Unknown	RMS Transfer Successful	PRN 2131038
NIBRS U					Res Status Unknown
Type Work/Business		Address [REDACTED]			
City DENVER		State Colorado	ZIP Code 80230	Date 12/19/2022	
Phone Type Cell	Phone No [REDACTED]	Date 12/19/2022	Phone Type Work	Phone No [REDACTED]	
Date 12/19/2022					
Type Business	Email [REDACTED]				
Employer/School CO DEPT OF PUBLIC HEALTH AND ENVIRONMENT				Position/Grade EBAT SPEC	
Location [REDACTED]					City DENVER
State Colorado	ZIP Code 80230	Phone Type Work	Phone No [REDACTED]		

OTHER 2: CUELLAR,ROXANNE

Involvement OTHER	Invl No 2	Type Individual	Name CUELLAR, ROXANNE		
MNI 1645589	Race UNKNOWN	Sex Female	Ethnicity Unknown	RMS Transfer Successful	PRN 2136420
NIBRS U					Res Status Unknown
Type Work/Business		Address [REDACTED]			
City DENVER		State Colorado	ZIP Code 80230	Date 12/19/2022	
Phone Type Cell	Phone No [REDACTED]	Date 12/19/2022			
Type Business	Email [REDACTED]				
Employer/School CO DEPT OF PUBLIC HEALTH AND ENVIRONMENT				Position/Grade EBAT	
Location [REDACTED]					City DENVER
State Colorado	ZIP Code 80230	Phone Type Work	Phone No [REDACTED]		

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OTHER 3: GROFF,JEFF

Involvement OTHER	Invl No 3	Type Individual	Name GROFF, JEFF		
MNI 1645726	Sex Male	Ethnicity Unknown	RMS Transfer Successful	PRN 2136421	
NIBRS U					Res Status Unknown
Type Work/Business		Address [REDACTED]			
City DENVER		State Colorado	ZIP Code 80230	Date 12/19/2022	
Phone Type Cell	Phone No [REDACTED]		Date 12/19/2022		
Type Business	Email [REDACTED]				
Employer/School CO DEPT OF PUBLIC HEALTH AND ENVIRONMENT				Position/Grade PROG MGR	
Location [REDACTED]					City DENVER
State Colorado	ZIP Code 80230	Phone Type Work	Phone No [REDACTED]		

Narrative**FOLLOW UP: COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT (CDPHE)**

After reviewing the documents provided by Colorado State Patrol (CSP) Sergeant Stephen Gaynor, I wanted to clarify when Trooper Venessa Valadez lost her EBAT certification (October 3, 2021 versus February 5, 2022).

On December 8, 2022, I sent an e-mail to EBAT Electronics Specialist Jared Tucker requesting assistance with this case.

On December 9, 2022, I spoke with Jared via telephone and also exchanged e-mails. Jared confirmed the CSP Troopers I asked about (CSP Trooper Valadez, CSP Trooper Alexis Rincon, CSP Trooper Brady Wolz) were the same persons they dealt with earlier in the year. All of the troopers attended the EBAT Operator Class on September 27, 2022 held in Silverthorne, Colorado and their EBAT expiration was now March 25, 2023. Jared referred me to Roxanne Cuellar, as she managed the "Co.Train accounts." Jared stated Venessa's EBAT certification was already expired by the time CDPHE received an inquiry by Sergeant Gaynor (Dated July 10, 2022).

On December 13, 2022, I spoke with Roxanne via telephone. Roxanne explained EBAT users have to recertify within every 180 days. Roxanne did not know how Sergeant Gaynor came up with the October decertification date. I asked if Venessa's decertification date would be 180 days from August 10, 2021 and Roxanne said, "Correct." Roxanne said Venessa could have lost her certification due to not completing the refresher course, which was the second requirement of being EBAT certified. Every Intoxilyzer user has to have the annual online refresher course completed by December of each year. Roxanne confirmed Venessa did not complete the 2021 online refresher course. Roxanne said reminders were sent throughout the year and she runs a report every month to see who has not completed the course. A reminder was sent to whoever was on the report for not completing the course and drops off the report once the course was completed. A person does not receive a reminder if their certification was suspended. If a person swiped their EBAT card or manually entered their number and they were no longer certified, a message would display on the machine and it would not let them go any further. The Intoxilyzer machine did not discern whether a number was manually entered or if a card was swiped and did not log entries. Roxanne said Venessa's certification expired on February 5, 2022. Roxanne confirmed the CDPHE did not penalize someone for being de-certified, a person only needed to re-take the course to become certified again.

On December 19, 2022, I sent an e-mail to Jeff Groff, Program Manager for EBAT and Laboratory Certification, with the following questions:

1. Do you have an exact decertification date for Venessa Valadez?
2. Do you know what types of error messages are given when an EBAT card does not work?

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3. Is there documentation to prove Venessa was sent EBAT recertification reminders?

4. How does one get notified if their EBAT certification has expired?

5. Did CDPHE conduct their own investigation or was it based on information provided by CSP Sergeant Gaynor?

6. Was a letter sent to Venessa?

I received a group response from Jeff, Roxanne, and Jared:

Jared stated he manually reviewed each of Venessa Valadez recertifications going back to February 14, 2019:

1. None of them had a PIN number created.
2. The recertification on August 10, 2021, was not completed because Venessa Valadez received a 'Calibration Interferent Detected Exception' message (Jared attached a copy of the 'Intoxilyzer 9000 Re-Certification Test Report').
3. Venessa Valadez would have expired on **October 4, 2021**, since her last successful recertification was on April 7, 2021.

Jeff answered the following:

1. Our records show a recert conducted on 8.10.2021. Expiration would have been 2.5.2022. However the 2021 online operator refresher course was not completed so certification was suspended by 1.1.2022. If she tried to access the intox in Nov her certification was active then. No reason for her to not have access. Not receiving the email reminders was due to her not typing in her email address at the time of her last recert. Email reminders for recerts and refresher courses are automated. We do not see or receive the bounce backs. The 2020 online refresher course was completed 7.2.2020. In every refresher course it is mentioned that the online refresher course is due every year in Dec. Also mentioned in the training class is users can login to their account in train to verify if the refresher course was completed. Their completion certifications can be found under their Learning tab. Approx 12-14 monthly email reminders are sent for the refresher course starting in Jan til Dec. Towards Nov and Dec additional email reminders are issued.
2. Not answered.
3. In the database under automated emails you can type in the name of the officer and select the recert emails. The last record shows a cert date of 4.7.21. Expiration of 10.3.21. Date email sent shows 9.3.2021 and again on 9. 18.21 but Trooper Valadez failed to include her email address at her last recertification. When and if an officer does not include their email address upon recert, the field will default to being blank. Therefore providing no method for her to receive email reminders.
4. Email reminders are scheduled to be sent to officers 30 days and again at 15 days out. If a recert is not conducted properly prior to expiration, a notice of expired certification is not issued.

Jared answered question #5 and #6:

5. No CDPHE didn't do an investigation, we just reviewed records related to the information we received.
6. From what I remember, Venessa didn't get a Letter from us (Like the other CSP operators) because she was already expired at the time.

On January 4, 2023, I spoke with Jeff via telephone. Jeff said the CDPHE was notified about CSP Trooper Venessa Valadez in July of 2022. Letters were sent to CSP Troopers Alexis Rincon, Brady Wolz, and Troy Guba whom were advised their EBAT Operator certification status was revoked due to them letting Trooper Valadez use their EBAT information. A letter was not sent to Trooper Valadez because she was already de-certified in January 1, 2022, for not completing the online annual refresher course. All of the troopers were re-certified after completing an eight hour class in September of 2022. Jeff said it was the responsibility of the EBAT user to keep up on their own certification status, reminders were sent for a courtesy. Trooper Valadez did not contact the CDPHE about her EBAT card/number not working. Jeff read the back of a CDPHE EBAT card (and later sent it to

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me via e-mail):

"This certification card has been issued to (Operator's Name)

CDPHE authorizes the above named individual to perform Evidential Breath Alcohol Testing, authenticate the normal business records provided by the certified EBAT instrument and provide interpretation of the information contained therein.

This card is the property of CDPHE and may only be used by the named individual for whom it was issued."

Jeff said, "Just because a different operator used the card, it has no bearing on the validity of a test result."

Jeff could not recall, possibly one other time, of another person using someone else's EBAT card/number.

The e-mails, the Intoxilyzer 9000 Re-Certification Test Report, and the EBAT Operator Card Example were sent to Records as a case report attachment.

Disposition: Open

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Administrative Information

Agency Jefferson County Sheriff Office	Report No 22-19309	Supplement No 0004	Reported Date 12/19/2022	Reported Time 09:20
Member# 1631/FEHRINGER, X				
Assignment INVESTIGATIONS PROPERTY CRIMES NORTH/MTN			Entered By 1631	
RMS Transfer Supplement Transfer Complete	Prop Trans Stat Successful	Property? None	DV No	
Approving Officer 1364	Approval Date 01/27/2023	Approval Time 08:26:52		

OTHER 1: SERGEANT STEPHEN GAYNOR

Involvement OTHER	Invl No 1	Type Individual	Name SERGEANT STEPHEN GAYNOR #		
MNI 1645739	Race WHITE	Sex Male	Ethnicity Not of Hispanic origin	RMS Transfer Successful	PRN 2136608
NIBRS U					Res Status Unknown
Type Work/Business		Address [REDACTED]			
City GOLDEN		State Colorado	ZIP Code 80401	Date 12/19/2022	
Phone Type Fax	Phone No [REDACTED]	Date 12/19/2022	Phone Type Work	Phone No [REDACTED]	
Date 12/19/2022					
Type Business	Email [REDACTED]				
Employer/School COLORADO STATE PATROL				Position/Grade SERGEANT	
Location [REDACTED]					City GOLDEN
State Colorado	ZIP Code 80401	Phone Type Work	Phone No [REDACTED]		

Narrative

FOLLOW UP: COLORADO STATE PATROL-SERGEANT STEPHEN GAYNOR

On December 15, 2022, at 1:00 p.m., I met with Colorado State Patrol (CSP) Sergeant Stephen Gaynor at the Jefferson County Sheriff's Office (JCSO) Headquarters, located at 200 Jefferson County Parkway, Golden.

Sergeant Gaynor said he was reviewing reports and noticed "odd verbiage" on a supplemental report written by CSP Trooper Alexis Rincon about the Intoxilyzer 9000 (I9000). Sergeant Gaynor spoke with Alexis and learned Alexis had used his Colorado Department of Public Health and Environment (CDPHE) Evidential Breath Alcohol Test (EBAT) operator card to log into the I9000 for CSP Trooper Venessa Valadez on several occasions. Sergeant Gaynor found additional reports where CSP Trooper Brady Wolz and CSP Trooper Troy Guba used their EBAT operator cards to log into the I9000 for Venessa so she could perform the breath test on her arrestees. Sergeant Gaynor spoke with Venessa, who confirmed she was no longer EBAT certified. Venessa, Alexis, Brady and Troy each wrote memos about their involvement with the I9000. Troy could not recall any specific information about his involvement with the I9000. Venessa, Alexis, and Brady thought their actions were acceptable because they were directed by their sergeant, Sergeant Kelly Pickering to do so. Sergeant Pickering has since retired from the CSP. Sergeant Gaynor sent a memo to the CDPHE about the violation of 5 CR 1005-2.

Sergeant Gaynor said Venessa Valadez was terminated on December 14, 2022. Venessa had been a trooper for four years with Sergeant Gaynor being her supervisor since April 1, 2022. Sergeant Gaynor did not know if Venessa was reported to POST, a unit of the Criminal Justice Section at the Colorado Attorney General's Office.

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Jefferson County Sheriff Office**Narrative**

On December 16, 2022, Sergeant Gaynor shared a folder via Google Drive, which contained the following information:

1A-21-3150.pdf
1A-21-3261.pdf
 1A-21-3439.pdf
 1A-21-3457.pdf
 1A-22-0242.pdf
 1A-22-0722.pdf
 1A-22-1472.pdf
 1A-22-1771.pdf
 1A-22-1863.pdf
1A213150 Report.pdf
 1A213150.pdf
1A213261 Report.pdf
 1A213261.pdf
 1A213439 Report.pdf
 1A213439.pdf
 1A213457 Report.pdf
 1A213457.pdf
 1A220242 Report.pdf
 1A220242.pdf
 1A220722 Report.pdf
 1A220722.pdf
 1A221472 Report.pdf
 1A221472.pdf
 1A221771 Report.pdf
 1A221771.pdf
 1A221863 Report.pdf
 1A221863.pdf
 CDPHE Memorandum 2.pdf
 CDPHE Memorandum.pdf
 Decertification Letter- A. Rincon.pdf
 Decertification Letter-B. Wolz.pdf
 Decertification Letter-T. Guba.pdf
 I9000 Certification Status Memo - Guba.doc
I9000 Investigation Facts.docx
 Requested contact info.pdf
Rincon Intox Memo.docx
 Team 4 i9000 Court Case Update 090822.pdf
 Team 4 I9000.xlsx
Valadez_memo EBAT 071922.docx
Wolz Intoxilyzer Memo.doc

I was unable to download the file, but was able to print each individual item. Some items were duplicates of what I had already received from Sergeant Gaynor on December 2, 2022 (The duplicated items listed above are in bold). The items were sent to Records as a case report attachment.

Disposition: Open

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Jefferson County Sheriff Office

Reported Date
01/04/2023
Member#
FEHRINGER, X

Nature of Call

Administrative Information

Agency Jefferson County Sheriff Office	Report No 22-19309	Supplement No 0005	Reported Date 01/04/2023	Reported Time 12:16
Member# 1631/FEHRINGER, X				
Assignment INVESTIGATIONS PROPERTY CRIMES NORTH/MTN			Entered By 1631	
RMS Transfer Supplement Transfer Complete	Prop Trans Stat Successful	Property? None	DV No	
Approving Officer 1364	Approval Date 01/27/2023	Approval Time 08:27:13		

OTHER 1: VALADEZ, VENESSA

Involvement OTHER	Invl No 1	Type Individual	Name VALADEZ, VENESSA		
MNI 1528172	Race WHITE	Sex Female	Ethnicity Hispanic origin	RMS Transfer Successful	PRN 2136604
NIBRS N					Res Status Non-resident
Type Home	Address [REDACTED]				
City ENGLEWOOD	State Colorado	ZIP Code 80111	Date 01/04/2023		
Phone Type Cell	Phone No [REDACTED]	Date 01/04/2023			

OTHER 2: TROOPER BRADY WOLZ #9523

Involvement OTHER	Invl No 2	Type Individual	Name TROOPER BRADY WOLZ #9523		
MNI 1645728	Sex Male	Ethnicity Unknown	RMS Transfer Successful	PRN 2136605	
NIBRS U					Res Status Unknown
Type Work/Business	Address [REDACTED]				
City GOLDEN	State Colorado	ZIP Code 80401	Date 01/04/2023		
Phone Type Cell	Phone No [REDACTED]	Date 01/04/2023	Phone Type Work	Phone No [REDACTED]	
Date 01/04/2023					
Type Business	Email [REDACTED]				

Employer/School COLORADO STATE PATROL			Position/Grade TROOPER		
Location [REDACTED]					City GOLDEN
State Colorado	ZIP Code 80401	Phone Type Work	Phone No [REDACTED]		

OTHER 3: TROOPER ALEXIS RINCON #0213

Involvement OTHER	Invl No 3	Type Individual	Name TROOPER ALEXIS RINCON #0213		
MNI 1645729	Race UNKNOWN	Sex Male	Ethnicity Unknown	RMS Transfer Successful	PRN 2136606
NIBRS U					Res Status Unknown

Report Officer 1631/FEHRINGER, X	Printed At 08/03/2023 10:13
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Jefferson County Sheriff Office

Type Work/Business	Address [REDACTED]				
City GOLDEN	State Colorado	ZIP Code 80401	Date 01/04/2023		
Phone Type Cell	Phone No [REDACTED]	Date 01/04/2023	Phone Type Work	Phone No [REDACTED]	
Date 01/04/2023					
Type Business	Email [REDACTED]				
Employer/School COLORADO STATE PATROL				Position/Grade TROOPER	
Location [REDACTED]					City GOLDEN
State Colorado	ZIP Code 80401	Phone Type Work	Phone No [REDACTED]		
OTHER 4: TROOPER TROY GUBA #0204					
Involvement OTHER	Invl No 4	Type Individual	Name TROOPER TROY GUBA #0204		
MNI 1645730	Race UNKNOWN	Sex Male	Ethnicity Unknown	RMS Transfer Successful	PRN 2136607
NIBRS U					Res Status Unknown

Type Work/Business	Address [REDACTED]				
City GOLDEN	State Colorado	ZIP Code 80401	Date 01/04/2023		
Phone Type Cell	Phone No [REDACTED]	Date 01/04/2023	Phone Type Work	Phone No [REDACTED]	
Date 01/04/2023					
Type Business	Email [REDACTED]				
Employer/School COLORADO STATE PATROL				Position/Grade TROOPER	
Location [REDACTED]					City GOLDEN
State Colorado	ZIP Code 80401	Phone Type Work	Phone No [REDACTED]		

Narrative**FOLLOW UP: COLORADO STATE PATROL TROOPERS**

On January 4, 2023, at 12:19 p.m., I attempted to contact Trooper Brady Wolz via telephone. It went directly to a recording stating the voicemail box was not set up. I sent Trooper Wolz an e-mail requesting a call back.

At 12:24 p.m., I attempted to contact Trooper Troy Guba via telephone. I reached a recording stating the voicemail box was not set up yet. I sent Trooper Guba an e-mail requesting a call back.

At 2:20 p.m., I attempted to contact Trooper Alexis Rincon via telephone. I reached a recording to leave a voicemail message on a different telephone number than the one I dialed so I did not leave a message. I sent Trooper Rincon an e-mail requesting a call back.

I received messages from Alexis and Troy but have not heard from Brady.

On January 9, 2023, at 3:39 p.m., I spoke with Attorney Reza Rismani who was contacted by Troy and Alexis. I told Reza I was asked to conduct an outside criminal investigation into Venessa Valadez, which was separate from the internal investigation conducted by CSP.

On January 26, 2023, I sent e-mails again to Troy, Alexis and Brady requesting contact.

Disposition: Open

Report Officer 1631/FEHRINGER, X	Printed At 08/03/2023 10:13
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Jefferson County Sheriff Office

Reported Date
02/09/2023
Member#
FEHRINGER, X

Nature of Call

Administrative Information

Agency	Report No	Supplement No	Reported Date	Reported Time
Jefferson County Sheriff Office	22-19309	0006	02/09/2023	05:52
Member#	1631/FEHRINGER, X			
Assignment	Entered By	RMS Transfer	Prop Trans Stat	
INVESTIGATIONS PROPERTY CRIMES NORTH/MTN	1631	Successful	Successful	
Property? DV	Approving Officer	Approval Date	Approval Time	
None No	1364	02/09/2023	06:42:32	

Narrative

FOLLOW UP: COLORADO STATE PATROL TROOPERS

On February 9, 2023, I received an e-mail from Colorado State Patrol (CSP) Trooper Troy Guba. Troy had a discussion with his attorney and he would like to invoke his fifth amendment right to remain silent in the matter.

As of this date I have not spoke with CSP Trooper Alexis Rincon nor CSP Trooper Brady Wolz.

Disposition: Open

Report Officer 1631/FEHRINGER, X	Printed At 08/03/2023 10:13
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Jefferson County Sheriff Office

Reported Date
05/08/2023
Member#
FEHRINGER, X

Nature of Call

Administrative Information

Agency	Report No	Supplement No	Reported Date	Reported Time
Jefferson County Sheriff Office	22-19309	0007	05/08/2023	15:00
Member#	1631/FEHRINGER, X			
Assignment	Entered By	RMS Transfer	Prop Trans Stat	
INVESTIGATIONS PROPERTY CRIMES NORTH/MTN	1631	Successful	Successful	
Property? DV	Approving Officer	Approval Date	Approval Time	
None No	1364	05/19/2023	07:39:50	

Narrative**FOLLOW UP: VENESSA VALADEZ, DOB: 07/07/1979**

On May 8, 2023, at 3:00 p.m., I attempted to contact Venessa Valadez, [REDACTED], but had to leave a voicemail message. As of May 18, 2023, I have not received a call back.

Disposition: Open

Report Officer 1631/FEHRINGER, X	Printed At 08/03/2023 10:13
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Jefferson County Sheriff Office

Reported Date
05/30/2023
Member#
FEHRINGER, X

Nature of Call

Administrative Information

Agency Jefferson County Sheriff Office		Report No 22-19309	Supplement No 0008	Reported Date 05/30/2023	Reported Time 07:24
Status ADMINISTRATIVELY CLEARED		Member# 1631/FEHRINGER, X			
Assignment INVESTIGATIONS PROPERTY CRIMES NORTH/MTN			Entered By 1631		
RMS Transfer Supplement Transfer Complete	Prop Trans Stat Successful	Property? None	DV No		
Approving Officer 1364	Approval Date 05/30/2023	Approval Time 08:31:30			
# Offenses 1	Offense 18-5-102 (1) (A-H) FRG	Description FORGERY		Complaint Type	
NIBRS 1 250CC 88 15 U 2589			Seq# 1	IBRS 250	
Attempted/Completed C	Used C	Bias 88	Location Type 15	# Premises	Method of Entry
Criminal Activity U		Weapon/Force		NCIC_OFF 2589	
Cargo Theft?					
# Offenses 2	Offense 18-8-406	Description ISSUING A FALSE CERT		Complaint Type	
NIBRS 2 90ZCC 88 15 7399			Seq# 2	IBRS 90Z	
Attempted/Completed C	Used C	Bias 88	Location Type 15	# Premises	Method of Entry
Criminal Activity		Weapon/Force		NCIC_OFF 7399	
Cargo Theft?					
# Offenses 3	Offense 18-8-404 (1)	Description OFFICIAL MISCONDUCT		Complaint Type	
NIBRS 3 90ZCC 88 15 7399			Seq# 3	IBRS 90Z	
Attempted/Completed C	Used C	Bias 88	Location Type 15	# Premises	Method of Entry
Criminal Activity		Weapon/Force		NCIC_OFF 7399	
Cargo Theft?					
# Offenses 4	Offense 18-8-503 (1)	Description PERJURY 2ND DEGREE		Complaint Type	
NIBRS 4 90ZCC 88 15 5003			Seq# 4	IBRS 90Z	
Attempted/Completed C	Used C	Bias 88	Location Type 15	# Premises	Method of Entry
Criminal Activity		Weapon/Force		NCIC_OFF 5003	
Cargo Theft?					
# Offenses 5	Offense 18-5.5-102 (1) (A-J) CC	Description COMPUTER CRIME-CYBER		Complaint Type	
NIBRS 5 26GCC 88 15 2609N			Seq# 5	IBRS 26G	
Attempted/Completed C	Used C	Bias 88	Location Type 15	# Premises	Method of Entry
Criminal Activity		Weapon/Force		NCIC_OFF 2609	
Cargo Theft? N					

Report Officer
1631/FEHRINGER, X

Printed At
08/03/2023 10:13

Jefferson County Sheriff Office

SUSPECT 1: VALADEZ, VENESSA

Involvement SUSPECT	Invl No 1	Type Individual	Name VALADEZ, VENESSA							
MNI 1528172	Race WHITE	Sex Female	DOB [REDACTED]	Age 43	Ethnicity Unknown	Juvenile? No	Height 5'04"	Weight 129#	Hair Color Sandy	Eye Color Blue
OFN_INVL 1	RMS Transfer Successful	PRN 2155048								
NIBRS 43 N									Vic/Ofnd Age 43	
Res Status Non-resident										
Type Home	Address [REDACTED]									
City ENGLEWOOD	State Colorado	ZIP Code 80111	Date 05/30/2023							
Phone Type Cell	Phone No [REDACTED]	Date 05/30/2023								
Alias Name VENESSA LEFFLER								Race WHITE	Sex Female	DOB [REDACTED]
Height 5'04"	Weight 129#	Hair Color Sandy	Eye Color Blue							

Narrative**RECLASSIFICATION:**

On May 23, 2023, this case was staffed with the Jefferson County District Attorney's Office. The case will be reclassified as Administratively Cleared as charges against Venessa Valadez, [REDACTED], for Forgery, Issuing a False Certificate, First Degree Official Misconduct, Second Degree Perjury, and Cybercrime are pending.

Disposition: Administratively Cleared

Jefferson County Sheriff Office

Reported Date
06/29/2023
Member#
COVER, JEREMY C

Nature of Call

Administrative Information

Agency Jefferson County Sheriff Office	Report No 22-19309	Supplement No 0009	Reported Date 06/29/2023	Reported Time 08:51
Member# 2316/COVER, JEREMY C	Assignment INVESTIGATIONS FTI		Entered By 2316	
RMS Transfer Successful	Prop Trans Stat Successful	Property? None	DV No	Approving Officer 1373
Approval Date 06/29/2023	Approval Time 14:09:21			

Narrative**FOLLOW UP:**

On June 27, 2023, I was asked by Commander Mitch Puraty to review this case and follow up. The District Attorney's Office asked to have Vanessa Valadez [REDACTED], issued a summons for cybercrime.

At about 8:52 a.m. I attempted to contact Vanessa by phone. Vanessa did not answer her phone and I left a voicemail for her to call me back.

DISPOSITION: OPN

Report Officer 2316/COVER, JEREMY C	Printed At 08/03/2023 10:13
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22-19309

Supplement No
0010

Jefferson County Sheriff Office

Reported Date
06/30/2023
Member#
COVER, JEREMY C

Nature of Call

Administrative Information

Agency Jefferson County Sheriff Office		Report No 22-19309	Supplement No 0010	Reported Date 06/30/2023	Reported Time 08:26
Member# 2316/COVER, JEREMY C			Assignment INVESTIGATIONS FTI	Entered By 2316	
RMS Transfer Successful	Prop Trans Stat Successful	Property? None	DV No	Approving Officer 1693	
Approval Date 06/30/2023		Approval Time 08:42:10			

Narrative

FOLLOW UP:

On June 30, 2023, at about 7:54 a.m. I attempted to contact Venessa Valadez [REDACTED] by phone. Venessa did not answer and I left a voicemail informing her I need to issue her a summons and to call me back.

DISPOSITION: OPN

Report Officer 2316/COVER, JEREMY C	Printed At 08/03/2023 10:13
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Jefferson County Sheriff Office

Reported Date
07/05/2023
Member#
COVER, JEREMY C

Nature of Call

Administrative Information

Agency Jefferson County Sheriff Office	Report No 22-19309	Supplement No 0011	Reported Date 07/05/2023	Reported Time 07:53
Status CLEARED BY ARREST	Member# 2316/COVER, JEREMY C	Assignment INVESTIGATIONS FTI		
Entered By 2316	RMS Transfer Supplement Transfer Complete	Prop Trans Stat Successful	Property? None	DV No
Approving Officer 1693	Approval Date 07/05/2023	Approval Time 13:51:22		
-BODY WORN CAMERA- Yes				
# Offenses 1	Offense 18-5.5-102(1)(A-J) CC	Description COMPUTER CRIME-CYBER	Complaint Type	
NIBRS 1 26GCC 88	13	2609N	Seq# 1	IBRS 26G
Attempted/Completed C	Used C	Bias 88	Location Type 13	# Premises 1
Method of Entry		Criminal Activity	Weapon/Force	NCIC_OFF 2609
Cargo Theft? N				

ARRESTEE 1: VALADEZ, VENESSA

Involvement ARRESTEE	Invl No 1	Type Individual		
Name VALADEZ, VENESSA	MNI 1528172	Race WHITE	Sex Female	
DOB [REDACTED]	Age 43	Ethnicity Hispanic origin	Juvenile? No	Height 5'04"
Weight 129#	Hair Color Sandy	Eye Color Blue	OFN_INVL 1	RMS Transfer Successful
PRN 2160564	NIBRS 43 N	Vic/Ofnd Age 43		
Res Status Non-resident				
Type Home	Address [REDACTED]			
City ENGLEWOOD	State Colorado	ZIP Code 80111	Date 07/05/2023	
Phone Type Cell	Phone No [REDACTED]	Date 07/05/2023		
Employer/School [REDACTED]	Position/Grade UNKNOWN			
Location [REDACTED]			City DENVER	
State Colorado	ZIP Code 80202	Phone Type Business	Phone No [REDACTED]	
Involvement Cited	Arrest Type Summons/cited (not taken into custody)	Arrest Date 07/05/2023	Arrest Time 10:37:00	Status Cited
Dispo ADULT MISDEMEANOR	Citation No 308577			
NIBRS C01				
Multi-Arrests Count arrestee	Armed With Unarmed			
Charge 18-5.5-102(1)(A-J) CC	Charge Literal COMPUTER CRIME-CYBER			

Narrative

FOLLOW UP:

On July 5, 2023, at about 7:21 a.m. I attempted to contact Venessa Valadez [REDACTED], by phone. Venessa did not answer, and I left a voicemail to call me back.

Report Officer 2316/COVER, JEREMY C	Printed At 08/03/2023 10:13
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Jefferson County Sheriff Office

Narrative

At about 7:25 a.m. I contact Arapahoe County Sheriff's Office to attempt to contact Venessa at her residence located at [REDACTED] in Englewood Colorado. I was contacted by an Arapahoe County Sheriff's Deputy at 7:49 a.m. informing me that Venessa's son answered the door. Venessa's son informed the Deputies that she was not home. Venessa's son was told to have her contact me.

At about 8:33 a.m. Venessa contacted me by phone. I informed Venessa that I needed to issue her a summons for cybercrime. Venessa agreed to meet me her work [REDACTED] in Denver.

At 10:37 a.m. I met Venessa at the [REDACTED] in Denver, Colorado. I issued summons #308577 to Venessa for Cybercrime.

I submitted all pertaining documents to E-discovery.

DISPOSITION: CBA