

15-3366

Supplement No
ORIG

LARIMER COUNTY SHERIFFS OFFICE



2501 MIDPOINT DR
FORT COLLINS, CO 80525

Phone
970-498-5100
Fax
970-498-9203

Reported Date
05/02/2015
Rpt/Incident Typ
DISORDERLY
Officer#
RUTLEDGE, CODY

**PUBLIC
RELEASE**

Administrative Information

Agency LARIMER COUNTY SHERIFFS OFFICE	Report No 15-3366	Supplement No ORIG	Reported Date 05/02/2015	Reported Time 17:08
CAD Call No 151220451	Dispo REPORT TO FOLLOW	Rpt/Incident Typ DISORDERLY CONDUCT/FLAG OFFENSES		
Location 3400 W VINE DR				City LC FORT
ZIP Code 80521	Rep Dist J50540	DArea LC	Area A2	From Date 05/02/2015
Officer# L13015/RUTLEDGE, CODY		Assignment LCSO PATROL - BLUE SWINGS		
2nd Officer COLEMAN, JEREMY	2nd Assignment LCSO PATROL - BLUE SWINGS	Entered By L13015		
Assignment LCSO PATROL - BLUE SWINGS	RMS Transfer Successful	Prop Trans Stat Successful	Property? None	Approving Officer L92047
Approval Date 05/09/2015	Approval Time 18:50:32			
Release Status UNDRINVEST	Narrative Complete Date 20150506			
# Offenses 1	Offense 18-09-0106	Description DISORDERLY CONDUCT	Complaint Type C	NCIC Offense 5311
Use N	Bias 99	Loc 25	#Pr 	MOE
Act 	Weapon/Force 	IBRS 90C	No 1	Cargo Theft?

Person Summary

Invl SUB	Invl No 1	Type I	Name GRESS, MIKE	MNI 1696658
Race W	Sex M	DOB 		
Invl SUS	Invl No 1	Type I	Name GILMARTIN, KEITH	MNI 306571
Race W	Sex M	DOB 04/13/1949		
Invl VIC	Invl No 1	Type I	Name GILSTRAP, RYAN JACOB	MNI 1274154
Race W	Sex M	DOB 08/17/1998		
Invl VIC	Invl No 2	Type I	Name JACKSON, ROGER WAYNE	MNI 1556627
Race W	Sex M	DOB 04/15/1998		

Summary Narrative

jls/L13015/050315
Case Status: Active

On 050215, I was dispatched to a call at the Poudre Fire Authority (PFA) training facility on a report that the resident of the property next to the PFA facility, KEITH GILMARTIN, was in an argument with the landscaping company that was working at the PFA facility. The argument was over them using the easement to park their vehicles while they work at the PFA training facility.

EXHIBIT
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Report Officer L13015/RUTLEDGE, CODY	Printed At 07/24/2015 15:50	Page 1 of 4
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RELEASE DATE 07/27/15
RELEASED BY L95013

LARIMER COUNTY SHERIFFS OFFICE

SUBJECT (NOT INTERCHANGEABLE WITH SUSPECT) 1: GRESS,MIKE

Involvement SUBJECT (NOT INTERCHANGEABLE WITH SUSPECT)		Invl No 1	Type INDIVIDUAL		
Name GRESS, MIKE		MNI 1696658	Race WHITE	Sex MALE	
Ethnicity NOT HISPANIC OR LATINO	Res Status UNKNOWN	PRN 1726602			
Phone Type CELL	Phone No (970) 566-4306	Date 05/02/2015			
Employer/School POUDRE FIRE AUTHORITY			Position/Grade DIV CHIEF		

*SUSPECT (SUSPECT OF CRIME) 1: GILMARTIN,KEITH

Involvement *SUSPECT (SUSPECT OF CRIME)		Invl No 1	Type INDIVIDUAL		
Name GILMARTIN, KEITH		MNI 306571	Race WHITE	Sex MALE	
DOB 04/13/1949	Age 66	Ethnicity NOT HISPANIC OR LATINO	Juvenile? No	Height 6'04"	Weight 200#
Hair Color GRAY OR PARTIALLY GRAY	Eye Color BLUE	Res Status RESIDENT	OFN_INVL 1	Vic/Ofnd Age 66	PRN 1726603
Type HOME	Address 3316 W VINE DR				
City LC FORT	State COLORADO	ZIP Code 80521	Date 05/02/2015		

Phone Type CELL	Phone No (970) 416-6906	Date 05/02/2015
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*VICTIM (VICTIM OF CRIME ONLY!) 1: GILSTRAP,RYAN JACOB

Involvement *VICTIM (VICTIM OF CRIME ONLY!)		Invl No 1	Type INDIVIDUAL		
Name GILSTRAP, RYAN JACOB		MNI 1274154	Race WHITE	Sex MALE	
DOB 08/17/1998	Age 16	Ethnicity NOT HISPANIC OR LATINO	Juvenile? Yes	Height 5'07"	Weight 130#
Hair Color BROWN	Eye Color BLUE	Res Status RESIDENT	Vic/Ofnd Age 16		
Type HOME	Address 4836 KIVA DR				
City LC FORT	State COLORADO	ZIP Code 80535	Date 05/02/2015		

Phone Type CELL	Phone No (970) 556-1134	Date 05/02/2015
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IBRS Info

Victim Invl No 1	Offense Codes 90C
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*VICTIM (VICTIM OF CRIME ONLY!) 2: JACKSON,ROGER WAYNE

Involvement *VICTIM (VICTIM OF CRIME ONLY!)		Invl No 2	Type INDIVIDUAL		
Name JACKSON, ROGER WAYNE		MNI 1556627	Race WHITE	Sex MALE	
DOB 04/15/1998	Age 17	Ethnicity NOT HISPANIC OR LATINO	Juvenile? Yes	Height 5'08"	Weight 145#
Hair Color BROWN	Eye Color BROWN	Res Status RESIDENT	Vic/Ofnd Age 17		
Type HOME	Address 518 MOCKORANGE CT				
City FORT COLLINS	State COLORADO	ZIP Code 80524	Date 05/02/2015		

L95013

LARIMER COUNTY SHERIFFS OFFICE

Phone Type CELL	Phone No (970) 556-1134	Date 05/02/2015
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IBRS Info

Victim Invl No 2	Offense Codes 90C
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Narrative

Case Outline

- Case Origin
- Initial Information
- Contact with the Landscaping Company
- Contact with MIKE GRESS
- Contact with GILMARTIN
- Case Status
- Attachments

Case Origin

Radio dispatched.

Initial Information

On 050215, I was doubled with Field Training Officer Deputy COLEMAN. I was dispatched to 3400 West Vine Drive, the location of the Poudre Fire Authority training facility in Fort Collins on a report that the property owner adjacent to the facility was in an argument with landscaping staff that had parked their work truck and trailer on the easement of the landowner's property.

Contact with the Landscaping Company

When I arrived on scene, I spoke to RYAN GILSTRAP, DOB: 081798, and ROGER JACKSON, DOB: 041598. I spoke to the gentlemen briefly and asked them the basic details of what took place. They informed me that they were working at the Poudre Fire Authority training facility doing landscape work and were just finishing up and attempting to leave when a man approached them and began to yell at them to get off of his property.

The man was identified as KEITH GILMARTIN, DOB: 041349, who is the property owner adjacent to the Poudre Fire Authority training facility.

The landscape workers told me that he blocked them in with his vehicle and would not let them leave for approximately 20 minutes, so they got in their vehicle, locked the doors and called the police.

Deputy NISWENDER provided the two men with Voluntarily Written Statement forms which were filled out and returned to me.

Contact with MIKE GRESS

I contacted my dispatch to make contact with someone from the Poudre Fire Authority and I was transferred to a battalion chief who I informed of the situation at the training facility and he had the division chief of the training facility, MIKE GRESS, call me in regards to this situation. Mr. GRESS told me they have had a lot of problems with Mr. GILMARTIN in the past and that he knew Mr. GILMARTIN was trespassed from the Colorado State University property across the street but was not trespassed from the Poudre Fire Authority training facility.

Mr. GRESS said that the Poudre Fire Authority has access and rights to use the road and easement to their training facility and that Mr. GILMARTIN put up an orange twine line down his property to mark his lines of which the landscape company vehicle and trailer did not cross. Mr. GRESS said that the road leading to the Poudre Fire Authority training facility and easement were public access and anyone can use them as the Poudre Fire Authority training facility is used by a multitude of people.

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LARIMER COUNTY SHERIFFS OFFICE

Narrative

Contact with GILMARTIN

I attempted to contact Mr. GILMARTIN at his residence. Upon knocking at his door, he did not answer. I went to the vehicle that he was reported to be in during the incident and he was not there either. Further follow-up will be needed to get Mr. GILMARTIN's side of the story. There have been multiple issues that have taken place between Mr. GILMARTIN and the PFA training facility. Contact has been made with the Larimer County Assessor to try and gather more information and continue investigation on who has rights to use the easement.

Case Status

Active.

Attachments

Voluntarily Written Statement - RYAN GILSTRAP
Voluntarily Written Statement - ROGER JACKSON

END OF REPORT

L95013

15-3366

Supplement No
0001

LARIMER COUNTY SHERIFFS OFFICE



2501 MIDPOINT DR
FORT COLLINS, CO 80525

Phone
970-498-5100
Fax
970-498-9203

**PUBLIC
RELEASE**

Reported Date
05/03/2015
Rpt/Incident Typ
DISORDERLY
Officer#
RUTLEDGE, CODY

Administrative Information

Agency LARIMER COUNTY SHERIFFS OFFICE		Report No 15-3366	Supplement No 0001	Reported Date 05/03/2015	Reported Time 21:51
CAD Call No 151220451	Dispo SUPPLEMENTAL REPORT TO FOLLOW		Rpt/Incident Typ DISORDERLY CONDUCT/FLAG OFFENSES		
Location 3400 W VINE DR					City LC FORT
ZIP Code 80521	Rep Dist J50540	DArea LC	Area A2	From Date 05/02/2015	From Time 17:08
Officer# L13015/RUTLEDGE, CODY			Assignment LC SO PATROL - BLUE SWINGS		
2nd Officer COLEMAN, JEREMY		2nd Assignment LC SO PATROL - BLUE SWINGS		Entered By L13015	
Assignment LC SO PATROL - BLUE SWINGS		RMS Transfer Successful	Prop Trans Stat Successful	Property? None	Approving Officer L92047
Approval Date 06/16/2015		Approval Time 18:53:25			
Release Status UNDRINVEST		Narrative Complete Date 20150611			

Summary Narrative

cdr/L13015/050315
Case Status: Active

On 050315, I attempted to call KEITH GILMARTIN by phone several times to speak to him about the incident that took place the day before between him and the landscape workers at the PFA (Poudre Fire Authority) training facility. He did not have a message system to leave a message to have him call me back.

I attempted to call Mr. GILMARTIN several times each week of work and was unable to make contact with him. I will continue to try and contact Mr. GILMARTIN or will apply for a warrant for his arrest for Disorderly Conduct.

Attachments

None

END OF SUPPLEMENTAL REPORT

L95013

15-3366

Supplement No
0002

LARIMER COUNTY SHERIFFS OFFICE

2501 MIDPOINT DR
FORT COLLINS, CO 80525Phone
970-498-5100
Fax
970-498-9203**PUBLIC
RELEASE**Reported Date
05/21/2015
Rpt/Incident Typ
DISORDERLY
Officer#
RUTLEDGE, CODY

Administrative Information

Agency LARIMER COUNTY SHERIFFS OFFICE	Report No 15-3366	Supplement No 0002	Reported Date 05/21/2015	Reported Time 02:48
CAD Call No 151220451	Dispo SUPPLEMENTAL REPORT TO FOLLOW	Rpt/Incident Typ DISORDERLY CONDUCT/FLAG OFFENSES		
Location 3400 W VINE DR				City LC FORT
ZIP Code 80521	Rep Dist J50540	DArea LC	Area A2	From Date 05/02/2015
Officer# L13015/RUTLEDGE, CODY		Assignment LCSO PATROL - BLUE SWINGS		
2nd Officer COLEMAN, JEREMY	2nd Assignment LCSO PATROL - BLUE SWINGS	Entered By L13015		
Assignment LCSO PATROL - BLUE SWINGS	RMS Transfer Supplement Transfer Complete	Prop Trans Stat Successful	Property? None	
Approving Officer L95039	Approval Date 06/16/2015	Approval Time 00:35:28		
Release Status RELEASABLE	Narrative Complete Date 20150527			

Summary Narrative

cdr/L13015/052215
Case Status: Charges Filed

On 052115, I contacted KEITH GILMARTIN about the incident that took place between him and the landscaping company on 050215. Mr. GILMARTIN gave his side of the story and was issued a summons for Disorderly Conduct.

CITED (REPORTED AS AN ARRESTEE) 1: GILMARTIN, KEITH

Involvement CITED (REPORTED AS AN ARRESTEE)	Invl No 1	Type INDIVIDUAL		
Name GILMARTIN, KEITH	MNI 306571	Race WHITE	Sex MALE	
DOB 04/13/1949	Age 66	Ethnicity NOT HISPANIC OR LATINO	Juvenile? No	Height 6'04"
Weight 200#	Hair Color GRAY OR PARTIALLY GRAY	Eye Color BLUE	Res Status RESIDENT	OFN_INVL 1
RMS Transfer Successful	Vic/Ofnd Age 66	PRN 1726603		
Type HOME	Address 3316 W VINE DR			
City LC FORT	State COLORADO	ZIP Code 80521	Date 05/22/2015	

Phone Type CELL	Phone No (970) 416-6906	Date 05/21/2015		
Involvement CITED	Arrest Type SUMMONS/CITED (NIBRS)	Arrest Date 05/02/2015	Arrest Time 17:08:00	Status CITED
Citation No 558467	Armed UNARMED			
Multi-arrests COUNT ARRESTEE				
Charge 18-09-0106	NCIC Offense 5311	Level P1	Charge Literal DISORDERLY CONDUCT	IBRS 90C

Narrative

Case Outline
Initial Information

Report Officer L13015/RUTLEDGE, CODY	Printed At 07/24/2015 15:50	Page 1 of 3
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L95013

LARIMER COUNTY SHERIFFS OFFICE

Narrative

Attempted Contact with Mr. GILMARTIN
Contact with Mr. GILMARTIN
Case Status
Attachments

Initial Information

On 052115, I was doubled with my Field Training Officer, Deputy COLEMAN. For several weeks I had been attempting to contact KEITH GILMARTIN DOB: 041349, regarding the incident that took place on 050215 between him and a landscape company that takes care of the Poudre Fire Authority (PFA) facilities.

Attempted Contact with Mr. GILMARTIN

When I arrived to Mr. GILMARTIN's residence, I attempted to contact him at his home and realized that no one was there. I had tried to make personal contact with Mr. GILMARTIN at his residence and have made multiple phone calls with no answer from him. It was decided that if I could not get a hold of Mr. GILMARTIN, I would apply for a warrant for Mr. GILMARTIN's arrest based on the probable cause of Disorderly Conduct that I had determined. As I was leaving Mr. GILMARTIN's residence, I was talking to my cover officer when a vehicle approached and began to pull behind our patrol vehicles. The vehicle then slowly pulled out into the road and I noticed that it was Mr. GILMARTIN's vehicle. I watched the driver, addressed him by his first name of KEITH, and told him I wanted to talk to him about the incident that took place a few weeks prior. The driver confirmed he was KEITH GILMARTIN.

Contact with Mr. GILMARTIN

Initially when I began speaking with Mr. GILMARTIN, he asked me if I had a warrant for his arrest. I told Mr. GILMARTIN that I did not have a warrant and that I just needed to speak to him about what took place a few weeks before with the landscaping company that was working at the PFA training facility. Mr. GILMARTIN seemed a bit agitated and I asked him to just tell me what was going on and what caused the issues that day.

Mr. GILMARTIN told me he has had issues with PFA and CSU (Colorado State University) for many years over land boundaries and easement rights that have to do with his land. Mr. GILMARTIN says that he owns the land that the easements and the road are on, and that his concerns are his belief that if he does not maintain or use the land, that the land could possibly be taken from him because the Poudre Fire Authority maintains and improves on the land themselves. Mr. GILMARTIN said that he is currently in a lawsuit with CSU and a jury trial is to begin in the early part of June in regards to property lines and those rights.

Mr. GILMARTIN explained to me that he has had several issues over the years of people parking on the easement and not working as they should be if they are going to be parking there. Mr. GILMARTIN said that he is just concerned that when people go down there they could be getting into things or causing problems so he is alert to when people are parked off the road of the PFA training facility. He wants to know what is going on at all times because it is his property. I asked Mr. GILMARTIN specifically what happened the day that I responded out there and was unable to speak to him. He told me that when he got home, he noticed a trailer was parked on the easement next to the road leading into the PFA training facility. He said that he went and inspected the trailer and parked his vehicle in front of the trailer while he tried to figure out who it belonged to. He said that two teenage boys showed back up in a truck and said it was their trailer. Mr. GILMARTIN said he was unaware of why they would have left it there, was upset, and felt like the boys basically blew him off by the way they were acting. He was agitated by their demeanor. Mr. GILMARTIN said that one of the boys said they were going to call the police, but was unable to. Mr. GILMARTIN said he left his dog which is obedient, in front of the trailer while he went to his house and retrieved his phone so he could call the police.

Mr. GILMARTIN said that the boys knocked the dog over out of the way so they could hook back up to their trailer. Mr. GILMARTIN said that he returned and was upset that the boys had messed with his dog and was angry at the way the boys were acting. Mr. GILMARTIN said that he yelled at the boys for what they were doing. Mr. GILMARTIN said that he could understand that the young teenage boys may have been alarmed and scared

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LARIMER COUNTY SHERIFFS OFFICE

Narrative

at the situation that had taken place, but noted that he would have not done anything physical with the young men if it had come to that point.

I asked Mr. GILMARTIN about the easement rights and what is supposed to be done with the land that is a part of the easement. I was provided a document by Chief GRESS with the PFA which stated that the easement rights belonged to the PFA and they are to maintain the roadway and the drainage ways of the entire easement. When I discussed this with Mr. GILMARTIN, he acknowledged that part of the easement rights is that they are to maintain the landscaping on those easements. As I discussed with Mr. GILMARTIN the possibility of the landscaping crews being able to park on the easements of which they work on, he said that that was not unreasonable but that he still feels like it is his necessary duty to know who is on his property whether they are a landscaping crew or somebody else. Mr. GILMARTIN and I discussed that the landscaping company is contracted to perform the tasks set forth by the PFA, and they are going by the easement property rights from the early 90's that Mr. GILMARTIN and his parents were aware of. Mr. GILMARTIN understood that the landscaping company needs to be able to maintain those easement areas but he does not want them to go past the easement lines. He said the lines are currently marked, but have been moved or taken down several times.

Due to the ongoing issues between the PFA, Mr. GILMARTIN, and the landscaping company, I asked Mr. GILMARTIN if he would be willing to let the landscaping company park on the easement so they could do their work, rather than have them park a quarter mile down the road and drive their equipment back and forth on the roadway to the PFA. Mr. GILMARTIN said that was reasonable as long as it was not an abused privilege. I expressed to Mr. GILMARTIN that I understood that there were ongoing issues with his property lines that he was dealing with and that my main goal was for him to not have to worry about people causing issues on his land and, adversely, people having any issues with him approaching them while they are working.

Mr. GILMARTIN was very understanding of the situation and seemed to be reasonable as we discussed the situation. I advised Mr. GILMARTIN that I was going to issue him a summons for Disorderly Conduct because of his actions towards the young men that work for the landscaping company. I explained to him when I spoke to the young men, that they were legitimately scared and worried about what might have happened had they not been in their vehicle. Mr. GILMARTIN understood and said that he would sign the summons and asked if I would be in court. I told him that I would be there when I was subpoenaed and he said he understood. At the end of our conversation, Mr. GILMARTIN said thank you and shook my hand. Before leaving, I told Mr. GILMARTIN that I hoped that he can get his concerns resolved with his property lines so this type of issue does not keep arising as it has in the past. Mr. GILMARTIN thanked me again and drove to his house.

Case Status

Charges Filed

Attachments

Uniform Summons and Complaint #558467

END OF SUPPLEMENTAL REPORT

L95013

**PUBLIC
RELEASE**

LARIMER COUNTY SHERIFF'S OFFICE
VOLUNTARILY WRITTEN STATEMENT

Case # 15-3366

Roger Jackson make the following voluntary statement to

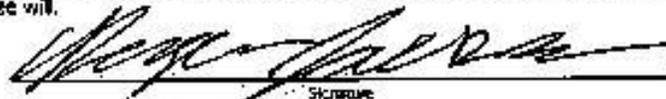
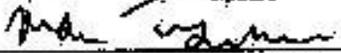
Page 1 of 1

Deputy _____ and Deputy _____
who have identified themselves as officers of the Larimer County Sheriff's Office, Fort Collins, Colorado.

Date of Birth <u>9/15/98</u>	Age <u>17</u>	Sex <u>M</u>	Height <u>5'11"</u>	Weight <u>140</u>	Hair <u>Brown</u>	Eyes <u>Brown</u>	Sex
Home Address <u>518 Markorange Ct</u>		City/State/Zip <u>Fort Collins CO 80521</u>		Area Code + Phone <u>970-566-1134</u>			
Work Address		City/State/Zip		Area Code + Phone			

He pulled up as ~~the~~ we were loading up
the trailer and kept saying that this is his
property and that I was on our equipment.
As we got in the truck he parked his car
in front of us and got out and told us
to get far off his property but he kept
standing in front of the truck and wouldn't
let us out for 20 mins. At that time
I was pretty scared and nervous.

I have read the above and foregoing statement and know the contents thereof and certify that the same is true and I am signing it voluntarily of my own free will.


Signature

Witness

5-2-15
Date
5-2-15
Witness

**PUBLIC
RELEASE**

**LARIMER COUNTY SHERIFF'S OFFICE
VOLUNTARILY WRITTEN STATEMENT**

Case # 15-3366

I, Ryan Gissard make the following voluntary statement to

Page 1 of 1

Deputy _____, and Deputy _____
who have identified themselves as officers of the Larimer County Sheriff's Office, Fort Collins, Colorado.

Date of Birth <u>3-17-98</u>	Age <u>16</u>	Sex <u>M</u>	Height <u>5'8</u>	Weight <u>135</u>	Hair <u>Brown</u>	Eyes <u>Blue</u>	Eyes
Home Address <u>4836 River Drive</u>			City/State/Zip <u>Lafayette CO 80525</u>		Area Code + Phone <u>970-566-1184</u>		
Work Address			City/State/Zip		Area Code + Phone		

He pulled up next to us started yelling at us
telling us to get the F off of us well hooking
up trailer then he drove fast and blocked the front
of our truck then we got in our back seat
He said the trailer went across and shot in
front of our truck wouldn't let us leave and
was cursing at us so he just shot in
front of our truck and then he walked back
to his car and then we took off and
he chased us and got behind our truck
and then pulled into his drive at 2 foot
search was threatened

I have read the above and foregoing statement and know the contents thereof and certify that the same is true and I am signing it voluntarily of my own free will.

Ryan Gissard
Signature

Witness

5-2-15
Date

Witness

