

15-5163

Supplement No  
ORIG

# LARIMER COUNTY SHERIFFS OFFICE



2501 MIDPOINT DR  
FORT COLLINS, CO 80525

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

Reported Date  
**07/01/2015**  
Rpt/Incident Typ  
**HARASSMENT**  
DATE FILED: March 27, 2017 1:16 PM  
FILING ID: F11ED010EA744  
OFFICER: CALKINS, JUSTIN  
CASE NUMBER: 2016CV31096

**PUBLIC  
RELEASE**

## Administrative Information

Agency <b>LARIMER COUNTY SHERIFFS OFFICE</b>	Report No <b>15-5163</b>	Supplement No <b>ORIG</b>	Reported Date <b>07/01/2015</b>	Reported Time <b>10:33</b>
CAD Call No <b>151820219</b>	Dispo <b>REPORT TO FOLLOW</b>	Rpt/Incident Typ <b>HARASSMENT</b>		
Location <b>3400 W VINE DR</b>				City <b>LC FORT</b>
ZIP Code <b>80521</b>	Rep Dist <b>J50540</b>	DArea <b>LC</b>	Area <b>A2</b>	From Date <b>07/01/2015</b>
Officer# <b>L02006/CALKINS, JUSTIN</b>		Assignment <b>LC SO PATROL - RED DAYS</b>		Entered By <b>L02006</b>
Assignment <b>LC SO PATROL - RED DAYS</b>		RMS Transfer <b>Successful</b>	Prop Trans Stat <b>Successful</b>	Property? <b>None</b>
Approval Date <b>07/13/2015</b>		Approval Time <b>10:56:44</b>		
Release Status <b>RELEASABLE</b>		Narrative Complete Date <b>20150707</b>		
# Offenses <b>1</b>	Offense <b>18-09-0111</b>	Description <b>HARASSMENT</b>		Complaint Type <b>C</b>
Bias <b>88</b>	Loc <b>13</b>	#Pr	MOE	Act
Weapon/Force		IBRS <b>90Z</b>	No <b>1</b>	Cargo Theft?

## Person Summary

Invl <b>CIT</b>	Invl No <b>1</b>	Type <b>I</b>	Name <b>GILMARTIN, KEITH</b>	MNI <b>306571</b>
Race <b>W</b>	Sex <b>M</b>	DOB <b>04/13/1949</b>		
Invl <b>VIC</b>	Invl No <b>1</b>	Type <b>I</b>	Name <b>GUTHRIE, JAL</b>	MNI <b>337231</b>
Race <b>W</b>	Sex <b>M</b>	DOB <b>03/19/1976</b>		

## Vehicle Summary

Invl <b>SUS</b>	Type <b>2</b>	License No <b>914YNB</b>	State <b>CO</b>	Lic Year	Year <b>1999</b>	Make <b>FORD</b>	Model <b>EXP</b>	Style	Color <b>WHI</b>
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## Property Summary

Involvement <b>PHO</b>	Description <b>Article: OTHER (NONE OF THE ABOVE) - 8 photographs</b>
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## Summary Narrative

ajp/L02006/070215  
Case Status: Charges Filed

KEITH GILMARTIN pulled his vehicle onto the property of Poudre Fire Authority where they were training. This interfered with their training. KEITH was also shining lights in their faces when they were driving. KEITH was summonsed for harassment.

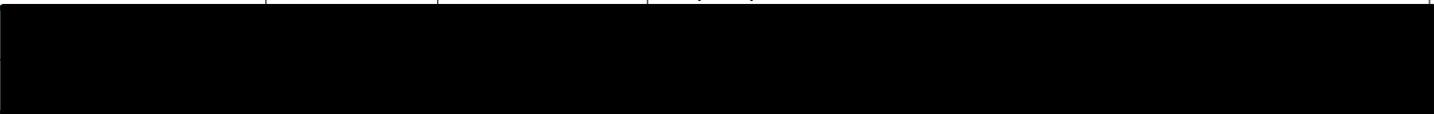
**EXHIBIT**  
**J**

RELEASE DATE **07/27/15**  
RELEASED BY **L95013**

# LARIMER COUNTY SHERIFFS OFFICE

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

Involvement <b>CITED (REPORTED AS AN ARRESTEE)</b>		Invl No <b>1</b>	Type <b>INDIVIDUAL</b>					
Name <b>GILMARTIN, KEITH</b>						MNI <b>306571</b>	Race <b>WHITE</b>	Sex <b>MALE</b>
DOB <b>04/13/1949</b>	Age <b>66</b>	Ethnicity <b>NOT HISPANIC OR LATINO</b>		Juvenile? <b>No</b>	Height <b>6'04"</b>	Weight <b>200#</b>		
Hair Color <b>GRAY OR PARTIALLY GRAY</b>		Eye Color <b>BLUE</b>	Res Status <b>RESIDENT</b>	OFN_INVL <b>1</b>	Vic/Ofnd Age <b>66</b>	PRN <b>1741011</b>		
Type <b>HOME</b>	Address <b>3316 W VINE DR</b>							
City <b>LC FORT</b>		State <b>COLORADO</b>	ZIP Code <b>80521</b>	Date <b>07/01/2015</b>				



Phone Type <b>CELL</b>	Phone No <b>(970) 412-6906</b>	Date <b>07/01/2015</b>
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Involvement <b>CITED</b>	Arrest Type <b>SUMMONS/CITED (NIBRS)</b>	Arrest Date <b>07/01/2015</b>	Arrest Time <b>12:00:00</b>	Status <b>CITED</b>	Citation No <b>555605</b>	Armed <b>UNARMED</b>
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Multi-arrests  
**COUNT ARRESTEE**

Charge <b>18-09-0111</b>	NCIC Offense <b>5309</b>	Level <b>M3</b>	Charge Literal <b>HARASSMENT</b>	IBRS <b>90Z</b>
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## \*VICTIM (VICTIM OF CRIME ONLY!) 1: GUTHRIE,JAL

Involvement <b>*VICTIM (VICTIM OF CRIME ONLY!)</b>		Invl No <b>1</b>	Type <b>INDIVIDUAL</b>					
Name <b>GUTHRIE, JAL</b>						MNI <b>337231</b>	Race <b>WHITE</b>	Sex <b>MALE</b>
DOB <b>03/19/1976</b>	Age <b>39</b>	Ethnicity <b>NOT HISPANIC OR LATINO</b>		Juvenile? <b>No</b>	Height <b>6'02"</b>	Weight <b>235#</b>	Hair Color <b>RED OR AUBURN</b>	Eye Color <b>GREEN</b>
Res Status <b>RESIDENT</b>	Vic/Ofnd Age <b>39</b>	PRN <b>1741012</b>						
Type <b>HOME</b>	Address <b>2930 ADOBE DR</b>							
City <b>FORT COLLINS</b>		State <b>COLORADO</b>	ZIP Code <b>80525</b>	Date <b>07/01/2015</b>				

Phone Type <b>CELL</b>	Phone No <b>(970) 232-4613</b>	Date <b>07/01/2015</b>
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Alias Name <b>GUTHRIE, JJ</b>			Race <b>WHITE</b>	Sex <b>MALE</b>	DOB <b>03/19/1976</b>
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Height <b>6'02"</b>	Weight <b>175#</b>	Hair Color <b>RED OR AUBURN</b>	Eye Color <b>GREEN</b>
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## IBRS Info

Victim Invl No <b>1</b>	Offense Codes <b>90Z</b>
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## Vehicle: 914YNB

Involvement <b>SUSPECT</b>	Type <b>TRUCK/VAN</b>	License No <b>914YNB</b>	State <b>COLORADO</b>	Year <b>1999</b>	
Make <b>FORD/COURIER/FORD GOLDLINE CAMPER</b>			Model <b>EXP</b>	Color <b>WHITE</b>	VIN <b>1FMZU34X5XZ12685</b>

## Property

Item <b>1</b>	Involvement <b>PHOTO EVIDENCE</b>	Invl Date <b>07/01/2015</b>	In Custody? <b>No</b>	Security <b>No</b>
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[Redacted]				Type <b>A</b>
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Other <b>OTHER (NONE OF THE ABOVE)</b>	Article <b>PHOTOGRAPHS</b>	IBRS Type <b>OTHER</b>	Entered Date <b>07/12/2015</b>	Entered Time <b>07:22</b>	RMS Transfer <b>Successful</b>
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Control <b>L08022</b>	<b>0713151057</b>
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## Narrative

### Case Outline

Report Officer <b>L02006/CALKINS, JUSTIN</b>	Printed At <b>07/24/2015 15:56</b>	Page 2 of 5
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295013

# LARIMER COUNTY SHERIFFS OFFICE

## Narrative

Case Origin  
Initial Information  
Contact with Captain RICE  
Contact with JJ GUTHRIE  
Contact with KEITH GILMARTIN  
KEITH GILMARTIN Summoned  
Additional Information from KEITH GILMARTIN  
Photographs  
Vehicle Disposition  
Case Status  
Attachments

### Case Origin

Radio dispatched.

### Initial Information

On 070115, I was on patrol in Larimer County, Colorado. At 1103 hours, I was radio dispatched to 3400 West Vine Drive, Fort Collins on a report of neighbor problems. Initial information from Dispatch was that the reporting party, SPENCER RICE, a Captain with Poudre Fire Authority (PFA), was reporting that they have ongoing issues with their neighbor, KEITH GILMARTIN. Captain RICE reported that KEITH has parked his two-door Blazer and trailer on PFA property and will not move it from the property. Captain RICE also reported that KEITH was shining lights at the firefighters as they were driving their fire trucks and preventing them from training.

### Contact with Captain RICE

I responded to 3400 West Vine Drive and spoke with Captain RICE. Captain RICE informed me that they have had an ongoing neighbor problem with KEITH and that he is always causing issues for them. Captain RICE stated that he seems to be escalating in the past several weeks. Captain RICE told me that just a couple of weeks ago KEITH was issued a citation by the Larimer County Sheriff's Office for Disorderly Conduct for the way that he was treating some of the landscape/maintenance personnel that were on the property.

Captain RICE informed me that they had been performing driving training where they drive out of the gate, perform a turn, and then drive back into the gate. Captain RICE stated that KEITH was apparently upset about this and had parked his vehicle and trailer on the side of the road where they do their turnaround, preventing them from completing their training. Captain RICE told me that after he parked his vehicle, he stood in front of it and as the firefighters were driving down the road, he began shining bright lights into their eyes trying to prevent them from being able to see. I asked which firefighter he had done this to and he informed me it was firefighter JAL "JJ" GUTHRIE.

### Contact with JJ GUTHRIE

I asked if "JJ" was still available and he stated that he was. I spoke with "JJ" and asked him to tell me what had happened. "JJ" told me that he was performing his turn around driving training when KEITH had driven down the road and parked his vehicle right where he needed to turn around. "JJ" stated that KEITH then got out and was waving his arms up and down and yelling at him; however, the windows to the fire truck were up and he was unable to hear what KEITH was yelling. "JJ" stated that KEITH continued yelling at him and as he got closer, he pulled out a light and began shining it in his eyes. "JJ" stated initially he was afraid because he thought he might be pointing a gun or some other weapon at him; however, he realized it was just a flashlight as he got closer. "JJ" stated that even though it was daylight, it was a relatively bright light and it was bright in his eyes as he was trying to drive the fire truck. "JJ" told me that this was more of an annoyance to him than anything else, but decided that he would like to see KEITH charged with harassment if I had probable cause to do so.

*295013*

# LARIMER COUNTY SHERIFFS OFFICE

## Narrative

### Contact with KEITH GILMARTIN

After finishing my conversation with "JJ", I spoke again with Captain RICE and was informed that if KEITH was not willing to move his vehicle then they were going to have it towed. I responded to KEITH's residence, 3316 West Vine Drive, where I was able to contact him. KEITH informed me that he had parked his vehicle on the side of the road off the pavement because that is city property and he is allowed to do so. I informed KEITH that I was not sure whose property it was; however Poudre Fire Authority was claiming that it was theirs. I also informed KEITH that Poudre Fire Authority was advising that it was interfering with their training and that if he was not willing to move it, then they were going to have it towed. KEITH asked me how they would be able to have it towed if it was a public road owned by the city. I informed him that I was not sure about the property ownership, but that if it was PFA property they could have it towed if they wanted to.

I also asked KEITH to tell me about this morning when he parked his vehicle. KEITH stated that he parked his vehicle and walked straight back to his property and did not interact with the firefighters at all. KEITH stated that he had parked his vehicle at approximately 0800 hours and had not even seen any of the firefighters. I informed KEITH that several of the firefighters had told me that he had parked his vehicle at approximately 1015 hours and that several of them were willing to do statements to that fact. KEITH then told me that he had in fact parked his vehicle a little after ten while they were doing training; however, he had not had any other interaction with him other than that. I informed KEITH that they were claiming that he was shining flashlights in their eyes and he just shrugged his shoulders and stated, "I wasn't."

### KEITH GILMARTIN Summoned

I informed KEITH that I had several individuals that were disputing his claim and that all of their statements were consistent. I informed KEITH that he would be issued a summons for Harassment. I completed a Uniform Summons & Complaint (#555605) for KEITH for the charge of Harassment. After explaining the charge to KEITH and the court date, he told me that he understood it, did not have any questions and signed the summons when I asked him to.

### Additional Information from KEITH GILMARTIN

KEITH asked me if I would be willing to look at some paperwork that he had from the assessor's files that showed the property lines of the roadway and the easement. I informed him that I would and he provided me a copy, which is attached to this report.

### Photographs

KEITH stated that he had photographs of where the vehicle was parked and that he was going to take these to court if they towed his vehicle. I again informed KEITH that I was not sure if the property belonged to PFA or not; however, I did not feel they would tell me it was theirs if it was not. I told him that I was going to take photographs for my investigation as well. After finishing my conversation with KEITH, I went out and photographed the vehicle and its location to the paved roadway as well as the Poudre Fire Authority property. While speaking to KEITH, he informed me that the property behind the orange bailing twine he had strung up was his and the rest of the property along the roadway belonged to the city. Several of the photograph's show KEITH's vehicle on the property he claimed was the city's.

### Vehicle Disposition

After finishing my conversation with KEITH, he refused to move his vehicle and I went back and informed Captain RICE of this. Captain RICE called a tow truck to come and remove the vehicle from the property. As the tow truck was arriving on scene, KEITH walked out of his property, got in his vehicle and drove it back onto his property. That was the last contact I had with KEITH or his vehicle during the incident.

### Case Status

Report Officer <b>L02006/CALKINS, JUSTIN</b>	Printed At <b>07/24/2015 15:56</b>	Page 4 of 5
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*195013*

# LARIMER COUNTY SHERIFFS OFFICE

## Narrative

Charges Filed.

### Attachments

Uniform Summons & Complaint #555605  
Voluntarily Written Statement/JJ GUTHRIE

End of Report

*L95013*

Inform Summons & Complaint or Penalty Assessment

Docket #

Case # 15-5168

Date of Violation: 07-01-15 Time of Violation: 1015 Approximate Location of Offense, State of Colorado: 3400 W. Vine Dr. Ft Collins

Fingerprinted  Traffic Accident  Injuries  Construction Zone  School Zone  Traffic  Penal  Ordinance  C.R.S. Dir of Travel:  I-76

The People of Colorado vs. Defendant (Last Name) (First) (Middle): Gilmer, Keith

Date of Birth: 071349 Age: [redacted] Registered Owner Name:  Same as Defendant, or

Registered Owner Address: [redacted]

Rac: W M Eth: N Hgt: 604 Wgt: 200 Hair: Brn Eyes: Blu

Name Address: 3516 W. Vine Dr Ft Collins CO 80521 Phone: (970) 412-6906 Type: C

Vehicle License Number: [redacted] Lic Type: [redacted] State: [redacted] Veh Year: [redacted] Vehicle Make: [redacted] Vehicle Model: [redacted] Body Style: [redacted] Color (Top/Bottom): [redacted] VIN: [redacted]

CRS/ORD	Code	CRS/ORD	Offense	Code	CRS/ORD	Offense	Code
<input type="checkbox"/>	LCTC 1101(1) Speeding	<input type="checkbox"/>	LCTC 603 Disregarded Traffic Control Device	300	<input type="checkbox"/>	LCTC 1007(1)(a) Failed to Drive in Single Lane	223
<input type="checkbox"/>	CRS 42-4-1101(1) Speeding	<input type="checkbox"/>	CRS 42-4-603 Disregarded Traffic Control Device	4 Pts	<input type="checkbox"/>	CRS 42-4-1007(1)(a) Failed to Drive in Single Lane	3 Pts
<input type="checkbox"/>	LCTC 237 (2)	<input type="checkbox"/>	LCTC 289(2) Child Restraint Violation	524	<input type="checkbox"/>	LCTC 1004(2) Following Too Close	142
<input type="checkbox"/>	Drive Vehicle While Safety Belt Not in Use (secondary)	<input type="checkbox"/>	Description:	0 Pts	<input type="checkbox"/>	CRS 42-4-1006 (1) Following Too Close	4 Pts

CRS/Ord	Offense	Code	Fine	Surcharge	Pts
15-9-11(1)(h)	Harassment	(MS)	\$	Summons	
			\$	\$	
			\$	\$	

CR Summons - See instructions on reverse side.  Penalty Assessment (This ticket may be handled without coming to court) - See instructions on reverse.

I hereby promise to pay the fines listed on this ticket without admitting guilt, appear in court at the time and place below.

Defendant: *Keith Gilmer*

If plead or found guilty in court: Fine+Surcharge: \$ Minimum Cost: \$ 26.50 Minimum Due: \$ Points: [redacted]

If EARLY SETTLEMENT/AGREEMENT is accepted: Fine+Surcharge: \$ Costs: \$ 0.00 Total Due: \$ Points: [redacted]

You are summoned and ordered to appear to answer charges as stated above in:

Larimer County Court, 201 LaPorte Ave, Fort Collins, CO

Wellington Municipal Court, 3800 Wilson Ave, Wellington, CO

Timothy Municipal Court, 4800 Goodman Street, Timothy, CO

On: September 14 2015 At: 9:30 AM

The undersigned has probable cause to believe that the defendant committed the offense(s) against the peace and dignity of the people of the State of Colorado and affirms that a copy of this Summons & Complaint or Penalty Assessment was duly served upon the defendant.

Officer: *J. Galt* No. 07006

Print Last Name: *Galt* Date Issued: 07-01-15

Distribution: White - COURT, Blue - DEFENDANT ORDINANCE, Green - DEFENDANT C.R.S., Pink - MVD TRANSCRIPT, Yellow - DISP/D.A.

ARIMER COUNTY SHERIFF'S OFFICE THIS IS A LEGAL DOCUMENT - READ BOTH SIDES!

DISP/D.A.

Officer's Observations / Drivers Statements:

Altitude:  0-1000  1001-2000  2001-3000  3001-4000  4001-5000  5001-6000  6001-7000  7001-8000  8001-9000  9001-10000  Unclassified

Weather:  Clear  Partly Cloudy  Overcast  Fog  Mist  Rain  Snow  Ice  Cold  Wind  Temp: [redacted]

Road Conditions:  Dry  Wet  Sluddy  Slushy  Snow packed  Ice  Other

Road Type:  Paved  Unpaved  Light Conditions:  Day  Night

Speed Measurement:  Radar  Laser  Pace Test

Vehicle:  Make: [redacted]  Model: [redacted]  Year: [redacted]  Color: [redacted]  License: [redacted]

Patrol Direction:  Stationary  Moving  Same  Opposite

Speed: Estimate: [redacted] Actual: [redacted]  Increasing  Decreasing  Distance

# Vehicles Present: [redacted] Vehicle Position: 0-1' 0-2' 0-3' 0-4' 0-5' 0-Other

# Passengers: [redacted] Location of Stop:  Close to Violation  Other

License:  CO  Other Presented?:  Y  N Other Identification: [redacted]

Registration:  CO  Other Presented?:  Y  N # [redacted]

Insurance:  CO  Other Presented?:  Y  N State: [redacted]

Aggressive Driving

295013

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

15-5163

Case # 15-5163

Page 1 of 1

I, Det. "JD" Guthrie make the following voluntary statement to  
Deputy Calkins and Deputy \_\_\_\_\_  
who have identified themselves as officers of the Larimer County Sheriff's Office, Fort Collins, Colorado.

Date of Birth <u>3/19/76</u>	Age <u>39</u>	Sex <u>M</u>	Height <u>6'2"</u>	Weight <u>235</u>	Hair <u>Red</u>	Eyes <u>Blue/Grn</u>	Ears
Home Address <u>2930 Adobe Drive</u>		City/State/Zip <u>Ft. Collins, CO 80525</u>			Area Code + Phone <u>970 232-4613</u>		
Work Address <u>2000 Matthews St.</u>		City/State/Zip <u>Ft. Collins, CO 80525</u>			Area Code + Phone <u>970 416 2603</u>		

while driving Fire Engine 3 at the training center I was performing the driving course. I was inside the boundaries of the training center heading East toward the entrance / exit gate. I noticed Keith, walking toward me and ~~he~~ holding an object in his right hand up next to his head. The object was shining a bright white light that I would estimate it to be about the size of a golf ball. He continued to walk West toward the Fire Engine as I turned around and drove in the opposite direction. He also continued to shine this light at me from the North side of the road approximately 20 feet from the gate at the training center. I stopped the Fire Engine and got out to allow another fire fighter to take her turn to drive when I noticed Keith walk to the South side of the road. I could see his mouth moving while waving his arms around and looking at me. After a few minutes of continuing this behavior he then retrieved a pick-up truck and trailer and parked it about 15 feet from the gate where we were turning the Engine around. This prevented us from continuing our tasks required for our training.

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]  
Signature  
[Signature]  
Witness

7/1/15  
Date  
\_\_\_\_\_  
Witness