

WEBER COUNTY ATTORNEYS OFFICE
CRIMINAL INVESTIGATION

August 7, 2006 I met with Weber County Attorney Mark DeCaria. Mr. DeCaria presented me with two documents. One was from Mayor Godfrey and the other from Chief of Police Jon Greiner. Both are dated August 7, 2006. Each appears to be their version of the events surrounding the July 27th incident in which the Mayor observed someone driving the van with the signs on it "Welcome to Ogden, home of Mayor Godfrey's ticket writing campaign."

August 14, 2006 at 09:45 a.m. Investigator Minor and I met with Lt. Tony Fox and acting Assistant Chief Scott Sangberg of the Ogden Police Department. Acting Assistant Chief Sangberg stated that Lt. Fox had been assigned to do the Internal Affairs Investigation into theft allegations, and conduct unbecoming an officer, of Officer Matt Jones. They brought with them three cases that they are investigating where theft was the allegation and one case of brutality.

The brutality case involved that of "DG" of [Ogden address]. The complaint was received on 8/7/06 by Lt. Ashment. DG claimed he was struck in the back by Officer Matt Jones for no reason and placed under arrest. The initial call was a domestic violence.

Lt. Sangberg reported that he had done some follow-up on the case tracking it through the system and determined that the case had been dismissed against DG. Sangberg stated DG reported that the prosecutor had initially offered a deal in which the case would be reduced if he would plead guilty. DG reportedly told the prosecutor no, that he had done nothing wrong and would not plead guilty to a reduced charge. DG reportedly received a second offer of further reduction in which DG refused, again citing that he had done nothing wrong. DG reported that the prosecutor returned and informed him that the case would be dismissed. Sangberg wanted the prosecutor interviewed to see if there was any communication from Officer Jones that would indicate something amiss.

One of the three theft cases presented by Fox and Sangberg was that of a Search Warrant served at [Ogden address] with the suspect being "RS". Information on this case came to Chief Greiner confidentially. The information he had was that on January 17, a wallet was stolen during the service of a search warrant. Officer Matt Jones came on scene at that warrant service to assist the strike force. The informant in the case reported that Officer Jones had taken the wallet during the service of the search warrant. The wallet reportedly contained \$100.00 cash, a check for \$30.00 written to RS by his grandmother and some gift cards he had received as Christmas presents. The wallet did not get placed into evidence. Sangberg stated that they had just received a letter that morning, August 14, 2006, from Chief Greiner, that he had received out lining the details of the wallet theft. The letter was written by "MS", RS's sister. It was dated February 2, 2006.

The second case of the three thefts was reported by "SM". SM claimed he was driving in the area of 5th and Washington when he was stopped by an OPD officer. SM claimed that the officer took his wallet containing \$481.00 in cash, his driver license, and insurance card and left the area. Fox and Sangberg reported that SM is an illegal alien. The report was filed under OPD case number 06-12068 by Shawn Walton and approved by Lt. Scott Conley. The report was not followed up until March 1, 2006 when it was assigned to Detective Tim Shelstead. Shelstead's report indicates that there was \$450.00 cash taken along with the wallet, driver license and Mexican Consolate ID.

Det. Shelstead had SM go through a Voice Stress Analysis conducted by Tim Scott and through interpreter Tom Sawyer. SM reportedly passed the VSA however could not identify anyone from a photo line-up consisting of officers working the shift the theft occurred. Officer Matt Jones was one of seven patrol officers working squad 6 the night the theft occurred. It should be noted that this case was closed and was not reopened prior to July 27, 2006.

The third case of the three thefts made known to us was that of a wallet that took place on July 15, 2006, reportedly at 9:15 a.m.. It was reported to Sgt. Troy Burnett on July 18, 2006. Victim in the case is "JP" and complainant is "MC." The initial memo from Sgt. Burnett to Lt. Ashment states that JP left his wallet containing \$107.00 cash, a bankcard, and his ID, in the vehicle of MC. MC claims that on 7/15/06 between the hours of 09:00 and 10:00 he was stopped in his red jeep, in the 3100 block of Porter Ave. when the officer took the wallet from between the front seat near the floor. It should be noted that in the report written by Tim Shelstead it gives the time of occurrence as 9:15 a.m. however in other reports the time is listed as early as nine o'clock and as late as 10:30 a.m. During the traffic stop the officer told MC that he could claim his wallet at the police station. JP reported that he received a phone call from MC at 10:00 a.m. on the 15th telling him that the officer had taken his wallet. JP reported to Sgt. Burnett that he thought that MC had stolen his wallet and made up the story about the police officer taking the wallet.

At the time of the alleged theft there were 7 patrol officers working, 2 traffic officers and one Sergeant. One of the Officers was Matt Jones. This day was also the day of the horse parade and there were some fifty other officers working in uniform in various locations around the city.

Fox and Sangberg reported to investigator Minor and I that Matt Jones was "the common denominator" between the two thefts..

Fox and Sangberg also informed us of a case involving a cockfight that Officer Jones had responded to in April of 2006. In this case the roosters and chickens were impounded. There were also some chicks on the premises. Officer Jones reportedly took some of the chicks home rather than taking them to the animal shelter. Sangberg stated that the case had been investigated and Officer Jones had received days off without pay for his involvement.

Lt. Fox reported that he has had a long history with Officer Matt Jones and believed him responsible for the wallet thefts. Fox stated that as soon as he read the reports he knew it was Officer Jones who committed the thefts. Fox cited that Jones lacked moral fiber and he was going to devote all his resources to prove that Jones was guilty. Fox cited other incidents where money and tools had been reported missing from impounds in which Officer Jones had done the impounds.

Inv. Minor and I interviewed Chief Greiner at his office regarding the complaints against Officer Matt Jones and the associations involvement in the van displaying the signs about Matthew Godfrey.

Chief Greiner stated that he did not want to answer the question as to who the officer was at the west end of the stadium parking lot on the night of the 21st or 22nd of July, who informed him that the police association was not involved in renting the van.

Chief Greiner stated he did not want to answer the question as to who the employee of the OPBA was

that he had spoken to regarding the van and if the association was involved.

Chief Greiner stated that the reason he did not want to divulge the identity of the officer(s) was to protect the officers from members of the association. Chief Greiner stated that one of the officers had been president of the association and the other officer had retired and came back.

Chief Greiner stated that the Sheriff's Association and the Chiefs Association had been in discussions about the involvement of benefit associations in political activity.

Chief Greiner stated that "that" officer told him the association was not involved had been a member of the wage negotiation but was not currently a member of the association board.

Chief Greiner stated the reason he chose to have Matt Jones placed on suspension was that Lt. Sangberg had informed him of the complaint on the 27th filed by MC and JP and on the 17th and reporting that it took place on the 15th of July. Lt. Sangberg believed the complaint was "credible" according to Greiner. Sangberg stated to me on the 14th of August that he believed the complaint was credible however he was "uncomfortable" in telling Greiner that he had enough to place Matt Jones on administrative leave.

Chief Greiner stated it was about 7:30 p.m. when he was at the event with his wife when he received a call from the Mayor informing him of the van being driven by someone he believed to be a police officer. Greiner stated he asked the Mayor for the plate number, told him he would take care of it and hung up. Greiner then stated he called dispatch and asked for the license plate information. Chief Greiner stated dispatch jacked him around citing that the dispatcher asked for clarification on who he was and then transferred him to the dispatch supervisor. Greiner stated the supervisor asked for clarification on who he was before releasing the information. Greiner stated he could not recall the plate number but did recall that it was to a tan, Pontiac, possibly a Grand Am, registered to Matt Jones.

Greiner stated he did not call the Mayor back after finding out the plate information.

Chief Greiner stated he then tried to call acting Assistant Chief Sangberg but was unable to get a hold of him. Greiner then stated he called Duty Lieutenant Acker and told him to go get Jones' car, gun and badge and placed him on administrative leave.

I showed Chief Greiner a copy of the statement or memo Mayor Godfrey sent to Mark DeCaria and asked him if he had ever seen the memo before. Greiner stated he had not seen it before.

8/15/06 Inv. Minor and I attempted to contact Mayor Godfrey at his office at approximately 10:20 hours. No one was in the Mayor's office. We waited about ten minutes and no one returned. We left without contact.

8/15/06 we interviewed Lt. Mark Acker. We asked Lt. Acker to relate the events that occurred on the evening he was asked to place Officer Jones on administrative leave. Lt. Acker remembered that it was a Thursday and after looking at his calendar he was able to confirm the date was July 27th 2006. Lt. Acker stated he received a call from Chief Greiner asking him to find Acting Assistant Chief Sangberg and Lt. Stubbs. Acker stated Greiner told him he didn't care if Stubbs was on vacation, he wanted him to find him and have him call him immediately. Lt. Acker stated he took the information and attempted

to call Sangberg and Stubbs but was unable to contact either. Being unable to contact either party, Acker stated he went to dinner at Karens with one of the Sergeants.

Lt. Acker stated at approximately 8:30 p.m. Chief Greiner called him back and told him he wanted him to get a Sgt. and go to Matt Jones residence, get all his city issued equipment and place him on administrative leave for "conduct unbecoming an officer." Acker also stated that Greiner told him to call Sgt. Burnett and inform him because Officer Jones was on Burnett's squad.

Lt. Acker stated he called Matt Jones home to see if he was at home and he was not. Lt. Acker then called Sgt. Burnett and informed him that he was placing Matt Jones on administrative leave. Lt. Acker stated that within minutes of the call to Sgt. Burnett he received a call from Matt Jones who stated I hear that you are looking for me. Lt. Acker stated he informed Officer Jones he was being placed on administrative leave and wanted to know if he was home. Officer Jones stated he was not at home but was working for [private security company] in his patrol vehicle. Acker and Jones arranged that Jones would meet him at the police station and Acker would take possession of his city issued equipment at that time.

I asked Acker what Chief Greiner's demeanor was like when he called. Acker stated the Chief was upset. I asked him how he knew the Chief is upset. Acker stated that one has no difficulty telling when the Chief is upset. Acker stated "He gets very short with you, you know, when he's mad."

Lt. Acker stated each Lt. has been assigned internal investigations to conduct. He stated there is suppose to be a rotation from IA to IA however due to availability its done in kind of a shotgun effect. Acker stated each is suppose to do their own investigation from start to finish and that they are not given to detectives or officers to conduct. Acker stated in the time he has been a Lt. he has conducted 4 or 5 internal investigations, however he could only recount three, one of which was on Matt Jones when he was involved in the chase of a suspect vehicle that crashed on 24th and Grant Ave. killing two occupants of the vehicle they hit. The suspect in that case was "JB".

8/15/06 at approximately 11:30 hours we interviewed "MS" of [auto rental company]. MS resides at [address], Ogden, Utah [phone]. We asked MS about the police officers that came investigating the people that had rented the van to place the signs about Mayor Godfrey on them. Before answering she asked who we were investigating. We informed her we were from the County Attorney's Office investigating the matter of the Mayor, Chief of Police and the officers. She informed us how unhappy she was that the officer that rented the van had gotten into trouble. [She] told us the officers that came to find out who rented the van cited that due to the fact it had been seen around in several different places combined with the fact that there had been so much terrorist activity of late they were concerned that the truck may have had a bomb in it. [She] stated she gave them a copy of the invoice showing who rented the van and what days it was rented for. The invoice provided us by MS shows that Matt Jones rented the van and it was for the time frame of July 19, 2006 through July 30, 2006. MS stated she asked the officers investigating if the one who rented the van to put the sign on it as going to be in trouble? They informed her that they would not get involved in political activity.

8/15/06 at 3:45 p.m. Investigator Minor and I met with the Mayor at his office. I asked the Mayor to clarify for me the purpose of this investigation. Mayor Godfrey stated he'd asked Mark DeCaria to investigate 3 areas. 1. To determine if he, the Mayor, had done anything wrong, unethical or or illegal, by following the van and celling Chief Greiner with the license plate information. 2. If Chief Greiner

had done anything unethical or illegal by running the license plate and finding out it was Officer Matt Jones involved. 3. If Chief Greiner had done anything unethical or illegal by placing Matt Jones on administrative leave.

I showed Mayor Godfrey a copy of the e-mail he had sent to Mark DeCaria and then showed him a copy of the e-mail of Chief Greiner's statement. I asked the Mayor if he had seen Chief Greiner's statement before or after he wrote his statement? Mayor stated he could not recall the actual chain of events but believed that he had seen Greiner's statement after he sent his statement to DeCaria.

I asked the Mayor to relate the facts concerning the van. Mayor Godfrey stated he was on his way home eastbound on 26th Street at about Monroe when he observed the van coming westbound on 26th and what he thought was a female police officer driving it. Mayor Godfrey stated he turned around and followed the vehicle. Mayor Godfrey stated the van turned northbound on about Jefferson and then westbound on 25th to Washington. Mayor Godfrey stated the van parked in front of the Municipal Bldg. Mayor Godfrey stated when the female driver got out of the van he knew it wasn't a female officer. Mayor Godfrey stated the car following the van pulled past it to 26th Street and parked in the Municipal Bldg. parking lot. Mayor Godfrey stated he saw the female driver get into the car and got the license number. Mayor Godfrey followed the vehicle as it left the parking lot west bound on 26th to Grant and northbound on Grant. Mayor Godfrey stated he was able to see the driver of the vehicle and described him as wearing a blue polo shirt with a badge on it.

Mayor Godfrey stated he called Chief Greiner as he was sitting in the angle parking across from the Federal Bldg. Mayor Godfrey said he asked Greiner if he hadn't said that his officers were not involved with the van. Greiner informed him that was correct. Mayor Godfrey stated he told Greiner that he thinks they were lying to him and explained about the van. Mayor Godfrey provided the plate number to Greiner and Greiner said he would take care of it.

I asked the Mayor what Chief Greiner's demeanor was at the time he had called the chief. Mayor Godfrey said that Greiner was upset. Mayor Godfrey said that Chief Greiner gets very short, very curt when he is mad.

I asked Mayor Godfrey if he received a return call from Greiner? Mayor Godfrey stated he did receive a return call but he could not be sure if it was later that night or the next morning. Mayor Godfrey stated Greiner told him it was an officer and that he had been placed on Administrative Leave.

8/16/06 we met with Tammy Weese at the Dispatch Center to inquire about the dispatch logs of Officer Jones and the GPS read out on Jones' vehicle. Also to obtain a copy of the call Greiner made to dispatch when he called in the license plate number of Matt Jones. Tammy stated that Jones' GPS hadn't worked since June 26th. Tammy provided us with the dispatch log of the calls and radio activity Jones had on July 15th. Tammy also informed us that Assistant Chief Wayne Tarwater had obtained a copy of the dispatch call when Greiner called in. Tammy stated Tarwater informed her that there had been a complaint against a dispatcher and he needed a copy of the call. Tammy stated when she took a copy of the call to Assistant Chief Tarwater she informed him that she had listened to the tape and thought the dispatcher handled it perfectly and had done nothing wrong.

8/16/06 I spoke with RN RN is the attorney that represented RS. RN stated that he is the one who gave the one who gave the letter written by MS to Chief Greiner. RN did not give Greiner the letter

until it had been made public that Matt Jones had been placed on Administrative Leave. RN stated that he felt it was important that Greiner have the letter. RN had maintained the letter in his file since the day MS gave it to him. RN stated he placed a call to the Duty Lieutenant to inquire about the wallet but could not get a hold of anyone. RN stated he left a message but did not get a return call. RN stated he wanted to maintain anonymity because he did not want any retaliation toward RS by the police department.

8/16/06 we met with MS. MS stated she wrote the letter a few days after a search warrant was served and gave it to RN. MS stated she called Shawn Hamblin a few days after to see about getting the wallet back but was unable to get a hold of him. MS stated she left a message asking Hamblin to return her call but he never did.

8/16/06 We met with Sgt. Shawn Hamblin of the Strike Force. I showed Sgt. Hamblin the letter given to Tony Fox by Chief Greiner and asked him if he remembered any conversation about the wallet the day of the search warrant. Sgt. Hamblin stated he could not recall any conversation about the wallet or seeing the wallet, however he did state that the description in the letter sounded like something he would do and say.

8/16/06 we met with Shawn Grogan the lead strike force agent on the search warrant that was served at RS's house. Grogan stated he recalled when they were getting ready to leave the residence, after having served the search warrant and arrested RS there was a conversation with RS and his sister about how they were going to bail him out. Grogan remembers RS saying his wallet was somewhere over by the desk.

8/17.06 at 10:00 hours we interviewed Lt. Scott Sangberg. Lt. Sangberg stated when he came into work on July 25 he received the complaint filled out by Sgt. Burnett and forwarded to Lt. Ashment listing MC as the victim. Sangberg stated on the 26th he called Lt. Fox in and assigned him to determine if a crime had occurred. Sangberg stated he met with Chief Greiner on the morning of the 27th and informed him of the complaint filed by MC and JP. Sangberg told him of the case back in February that was a similar case and told Greiner that the common denominator in both cases was Matt Jones but that they needed more time to investigate. Sangberg told Greiner that he didn't feel like he had enough evidence to put anybody on administrative leave.

Lt. Sangberg stated when Greiner tried to call him on the night of the 27th he was out mowing his lawn and didn't hear the telephone even though he had it on him at the time. Sangberg also stated he didn't hear the call Acker put in to him. It was only after he was done mowing that he retrieved the messages from Greiner and Acker. Sangberg stated he called Greiner back at approximately 8:45 p.m.. Sangberg stated Greiner was mad and asked him why he couldn't get a hold of him. Sangberg was informed that the Mayor had seen Matt Jones wife driving the van and wanted him placed on Administrative Leave. Sangberg stated he stressed his concerns about Matt Jones' 1st Amendment Rights. Greiner stated "I don't want to hear it."

Lt. Sangberg stated on 7/28/06 he met with Chief Greiner and Lt. Stubbs. Stubbs was assigned to investigate the lies Greiner believed he had been told concerning the Association not being involved in the van. It was determined that they should find out about the van, who and how it was rented. Sangberg stated he went to Stubbs to track down the renter of the van and ended up at [auto rental agency]. Stubbs spoke to the woman at [auto rental agency] and informed her of the van investigation.

Sangberg reported Stubbs told her there could be a bomb in the van and that is why they were investigating, not for political purposes.

8/18/06 Investigator Minor and I interviewed Lt. Ashment to determine what happened to the case from the time it was filed on the 15th of July to the 26th of July. Ashment stated the complaint came in on the 15th. Sgt. Burnett took the complaint and was in the process of writing his memo to Lt. Ashment. Ashment stated it got to be late on their shift and he left for home before Burnett got the report completed. Ashment was starting his days off and he didn't come back to work until the 22nd. Ashment stated he placed the memo into the Duty Lieutenant's tray thinking it would be sent up to the Chief's office to be assigned out. Ashment stated who ever got the report took it back and placed it on his personal desk. Ashment stated when he came back to work as the Duty Lieutenant he didn't go to his private office and it stayed there until the 25th when he gave it to acting Assistant Chief Sangberg.

August 21, 2006 Investigator Minor and I met with Officer Matt Jones. Officer Jones stated his wife moved the van from 26th and Harrison to 2500 Washington on the evening of July 27th. Officer Jones stated they took the route down 26th Street to Monroe, north on Monroe to 25th Street, west on 25th Street to Washington and south on Washington to in front of the Municipal Bldg. Matt stated he drove past the van to 26th, turned west on 26th Street and turned into the Municipal Bldg. parking lot, to avoid any chance of being seen in connection with the van.

Matt stated as his wife was getting out of the van she called him on the phone and asked him what the chances were of the Mayor following them? His wife told him there was a guy stopped in the travel lane next to her shaking his head and smiling at her. Jones stated the Mayor pulled into the parking lot of the Municipal Bldg. Jones stated to avoid any kind of confrontation he pulled out of the parking lot onto 26th Street and went west to Grant Ave., turned north and continued onto the 2500 block of Grant. Jones stated the light turned red at 25th and Grant and he was forced to stop. Jones stated he was wearing a blue polo shirt with an embroidered badge on it. He stated he was getting ready to go to work for [private security company] when he was seen by the Mayor.

Matt stated about two weeks before the van incident officers at the police department received a memo from Mark Johnson of the city. The memo cited a recent policy that came out saying that city employees could be involved in political activity as long as they were off duty when they did whatever work they wanted to do.

Matt stated that he and some of the other officers were called in for internal investigations due to citations they had written to some citizens. During the traffic stops Jones and other officers told the drivers that they could not give them warnings due to the policy of the city and in order for them to get the raises necessary to support themselves they were required to write citations. Jones stated he cited his chain of command and ended up with the Mayor's office as being in that chain. Jones said he knew the guy was mad and that he was going to call and complain so he was very careful of what he said. Jones stated 2 hours after the citation was issued he received a call from Lt. Korginski informing him he was conducting an IA. Jones stated during the IA interview he was given Garrity and questioned about the traffic stop. Jones said he didn't hear any more of the IA.

Jones stated he was not the only officer to be called in for IA's concerning similar traffic stops. Jones stated he knew that Rachel Burnesse and Ken Hammond also were called in for IA's.

Jones stated around 8:30 p.m. on the 27th he received a call from Troy Burnett asking him what he had done. Troy informed him that someone had just called [Jones private security company employer] and informed him that he taken away his privilege to work a part time job and that the department was taking his gun, badge and car.

Jones stated he immediately went to WalMart and purchased a digital recorder on his way to work at [the private security company]. Jones stated he called Lt. Acker and asked if he was looking for him. Lt. Acker informed him that he was on the way to his house. Jones said he made arrangements to meet Lt. Acker at the police station.

Jones stated he met Acker at O.P.D.. Jones stated Acker informed him he was being placed on Administrative Leave for "conduct unbecoming an officer", and that he had been instructed to get "all" of his police equipment. Jones stated he didn't have his department issued badge with him at the time. Jones stated Lt. Acker and Sgt. Clifford followed him to his house to retrieve his badge, gun belt and radio equipment.

Jones stated Friday morning, July 28th, he called acting Assistant Chief Sangberg and asked why he was placed on Administrative Leave and was informed it was for "Conduct Unbecoming an Officer", and that Lt. Stubbs would be doing the IA, however he was scheduled to be on two weeks vacation, and if Jones had any further questions he should ask Chief Greiner.

Jones stated also on Friday morning he spoke with Det. Shawn Grogan who informed him that his wife had called the Mayor's office and asked if anyone had been fired due to the van incident the night before. Shawn Grogan's wife reported that she had been informed that someone was fired.

Jones reported that he called the Mayor's office around noon on the 28th and informed the person answering the phone that he had heard that an officer had been fired last night due to the van incident and wanted to know if that was true. Jones reported that the person he spoke to informed him that they had not been fired yet and if they wanted to clarify he should call Chief Greiner's office.

Jones informed Investigator Minor and I that he had been involved with an IA before where he was placed on Administrative leave due to his involvement in the pursuit of a vehicle that became involved in a traffic fatality at 24th and Grant. Jones stated he thought it was the JB case. Jones stated in that case he had to turn over his gun and badge and they gave his equipment back the very next day.

Jones turned over copies of three conversations he had recorded. One of the conversations he had with the mayor's office on Friday, July 28, 2006, one from a conversation with Lt. Acker at the police station, and one with Lt. Acker when Acker went to his house to retrieve his badge and other equipment.

We asked Jones about his activity on the day of the 15th of July, showed him a copy of the calls that he was involved in that day, and asked him to walk us through the day. Matt stated he was working squad 2 area 5 which is 20th Street to 28th Street and west of Washington Blvd.

The Officer Radio Log shows that at 08:08 hours he is dispatched to a call at **** Lincoln. Jones arrived at the scene at 08:15 hours. Jones remembered that Salt Lake City had brought an intoxicated juvenile up to Archway and he was assigned to transport the juvenile from Archway to the Weber

Valley Detention Center. Jones is tied up on that call from 08:15 to 08:45 hours.

Once Officer Jones goes in service at 09:01 hours and stated he is just coming in from Roy east bound on 31st Street, he is dispatched to **** Ogden Ave .to a disturbance call. Jones stated he remembers thinking he would stop at A-1 Uniforms to pick up some uniform pants when he was dispatched. Jones remembers responding to the call and talking to the complainant. Jones stated the complainant thought someone had broken into his truck and camper. While going through the truck they found a piece of paper belonging to their nephew and decided that the nephew probably stayed the night in the camper. Jones stated that the complainant opted not to pursue a case.

At 09:04 hours Jones is dispatched to **** Childs ave. which is officer Hawes' area. Jones arrived on the scene at 09:12 hours. Jones stated he could not remember the call. Jones is back in service at 09:14 hours.

At 09:22 hours Jones is dispatched to *** Mond along with 2F21 which is Officer Taylor. Jones stated he could not remember the call.

Jones goes back in service at 9:32 and is dispatched to **** Jefferson Apt. ****. Jones said it was a medical call and the fire department was there when he arrived. Jones stated he knocked on the door and was advised she was okay. Jones stated he got the victims name and left and is back in service at 10:07.

From 10:07 to 10:42 the activity log is inactive. At 10:42 Jones is dispatched to *** 16th Street to a burglary of a vacant house in which a lawn mower has been stolen. Jones remembered that the victim said it was the third time this year that he has had a lawn mower stolen from inside this house. Jones remembered spending some time with the victim and running a name several times to get it right along with other suspects. Jones cleared the call at 11:24.

Jones log shows activity up until noon which is the only hours I requested from dispatch.

I asked Jones about his GPS system his patrol vehicle is equipped with. Jones stated it has worked off and on. Jones stated that Officer Hammond's GPS system has not worked for over a year. Jones stated he recognized the problem with the connection and put black electrical tape over the connector to try to keep it together. Jones stated his modem had not worked well and placed a work order for it. Jones stated he took his vehicle to the shop to have the modem repaired and mentioned the GPS to the repairman. Jones stated the repairman told him that the screws were not matching up causing the problem.

I asked Jones if he gets a signal from the computer that the GPS is not working when he starts the car or computer? Jones stated that he does not get a signal indicating that the GPS is not working however so he is so used to seeing it that he just hits enter and the computer begins working.

I asked Officer Jones if he recalled the case involving RS? Jones stated that he remembered the case. Jones stated he remembered people at the house looking for the wallet so that they could bail him out of jail.

Officer Jones remembers transporting RS to jail and stated that the bondsman had informed him that

RS had informed him that Reece had accused him of stealing his "stuff". RS wasn't specific to the bondsman as to what Matt had stolen.

8/22/06 Investigator Minor and I interviewed Rachel Burrese. Rachel stated she remembers getting permission from Chief Watt to go as a ride along trainee with Matt Jones the night he did the search warrant of RS. Rachel remembers going inside the residence after the S.W.A.T. team made the entry and after the task force had begun searching. Rachel stated she had not yet been to P.O.S.T. and had not been certified as a police officer. Rachel stated she recalls being told by Matt Jones that they normally look for photographs of drugs with children, and guns in the drug houses where children are. Rachel stated she searched a desk in the living room and there was no wallet on the desk she searched any time while she was there.

Burrese informed us of the IA she had to go through concerning a citizen complaint to a citation she wrote. Burrese stated the IA was conducted by Lt. Fox. In her conversation with the citizen Burrese stated she told the citizen if they had a complaint to take it up the chain of command starting with my Sergeant. Lt. Fox recommended 6 months probation, 3 days off without pay, a letter of caution, she would write a letter of apology to the Mayor and to the citizen. On review Chief Watt gave her a letter of caution in her personnel file.

Burrese stated she was called in to speak with Lt. Fox on the Matt Jones case. Burrese stated her first meeting with Lt. Fox was calm and professional. Burrese stated she was called back in and the second meeting with Fox was totally different. Burrese described Fox's demeanor as intimidating. Burrese stated Fox was mad at her for not remembering a wallet being placed on a desk inside the RS home. Burrese stated that Fox was upset with her and stated he "was tired of thesis s***." Fox stated to her that she "was called in under a cloud of suspicion" and asked "do you value your job"? Burrese stated he asked her "do I have to put you on a polygraph"?

8/22/06 we met with JB, owner of [private security company owner]. JB stated on the night of the 27th at approximately 8:15 p.m. Chief Greiner called him at home and stated he had taken Matt Jones' ability away to work a part time job. JB stated he was sleeping when he called and could not remember all the details.

8/25/06 Investigator Minor and I met with Mayor Godfrey again. Mayor Godfrey allowed us access to his phone records and retrieved a copy for us to review. Mayor Godfrey made the call to Chief Greiner at 7:26 p.m.. The call lasted 5 minutes. Mayor Godfrey stated he received a return call from Greiner at approximately 8:30 p.m. informing him that the officer had been placed on Administrative leave. That call lasted 4 minutes.

I asked Mayor Godfrey if his office received calls on the morning of the 28th from people inquiring if an officer had been fired the night before due to the officer's involvement in the van? Mayor Godfrey stated yes, that Christy, his Administrative Assistant, received a call from a woman claiming to be a supporter of his. Mayor Godfrey stated that Christy told the woman that she had not been told that an officer had been fired and if she wanted confirmation to call Chief Greiner.

Mayor Godfrey stated Chief Greiner sent him an e-mail copy of his statement on the 7th day of August and he e-mailed both his statement and Greiner's statement to Mark DeCaria.

Mayor Godfrey stated that there had been no discussion in his office about whether or not an officer had been fired due to the van incident.

8/25/06 Investigator Minor and I met with Chief Jon Greiner. Greiner stated he remembers the briefing he had with Lt. Scott Sangberg as being on the afternoon on the 27th. Greiner stated he was informed by Sangberg about the current accusation about an officer taking the wallet from the vehicle of MC and of the case back in February where the wallet was taken from SM. He remembers Sangberg telling him he believed it was a credible complaint. I informed Greiner that Sangberg stated at the time that he was uncomfortable telling the chief that there was enough evidence to place Jones on administrative leave and requested they be allowed to investigate further and that Greiner agreed to allow them to do so. Greiner stated the reason he agreed to let them keep the investigation was that he didn't know how readily available MC and JP would be as witnesses and if they would be willing to go along with the investigation due to the fact that they were illegal aliens. Greiner stated it was in the afternoon of the 27th that he made his decision to place Jones on Administrative leave. Greiner stated he went downstairs to inform the Duty Lieutenant to place Jones on Administrative leave but no one was there. Greiner stated he became distracted because he had some personal business to take care of and forgot until he later received the call from the Mayor.

I specifically asked Greiner what he knew about past internal investigations on Officer Jones when he made his decision to place Officer Jones on administrative leave. Greiner stated he knew about the complaint from July 15th involving MC, the complaint of another wallet being taken from an illegal alien back in February in which Jones was one of the suspects, the theft of chicks back in April and th internal investigation involving tickets being written to members of the public, referring them to their superiors or to the Mayor's office to complain.

I asked Chief Greiner how many internal investigations were conducted in the last year and how many resulted in the officer being placed on administrative leave. Chief Greiner responded by saying he had no way to determine how many internals were done and no way to know how many resulted in administrative leave actions. Chief Greiner took me to the file cabinets in the waiting area of the chief's office and pointed out that the cabinets were full of files and he would have to go through each one to determine the answer to those questions.

Chief Greiner stated that Lt. Stubbs was assigned to find out about the van. Greiner stated when Stubbs found out about the van and that Officer Jones had rented it he officially closed the investigation on the van and determined that the association had nothing to do with renting it.

Greiner refused to name the two officers he spoke to about the association being involved in the van with the banner on it. Greiner agreed to allow us to obtain a copy of his cell phone records to determine the time line on the phone call from the Mayor and his call to dispatch. Greiner directed us to Dave Stanger to obtain the call records.

8/28/06 at approximately 07:15 hours I met with RS at the Kiesel facility. I informed RS that I had served an Investigative Subpoena to Weber County Credit Union for his ATM records. RS stated that he did not ever remember owning an ATM card and stated that the card he was missing or referring to was a debit card.

RS stated he remembers telling his sister that his wallet was on the desk. RS stated that the whole time

Rachel Burrese was present she just stood around with her hands behind her back. RS stated Matt Jones picked up the wallet and started going through it, took out the check his Grandma had written him for a Christmas present and asked specifically who "MS" was? RS remembers Jones telling him it was standard procedure for them to confiscate his wallet. RS did not ever remember Burrese going through the desk examining photos or anything else. He stated she mainly just stood around.

8/26/06 I met with Ryan Medina, president of the Ogden Police Benefit Association. Ryan Medina stated Chief Greiner did not ever ask him if the Association was involved with the van. Ryan stated that when he heard Matt Jones had been placed on Administrative Leave he went to the Chief's office on 7/31/06 and informed him that the Association was not involved with the van, and that they had met and decided to support the van issue, but there were no Association funds being used for its purpose.

8/28/06 We met with Christy Shaw assistant to the Mayor. Christy stated she received a call at the Mayor's office on the morning of the 28th of July from a male caller asking if an officer had been fired. Christy stated she wasn't aware if an officer had been fired but that he had been placed on Administrative leave. Christy stated she suggested that the caller call Chief Greiner's office if he wanted further details.

8/31/06 I spoke with Janae Grogan. Mrs. Grogan told me she called the Mayor's office on the morning of July 28th, thinking that she would get to talk to the Mayor. Mrs. Grogan stated that a man named Marshall answered the phone. She told him she'd heard an officer got fired last night due to his involvement with the van and asked if that was true. Mrs. Grogan explained that the Mayor had seen an officer's wife moving the van, followed them, and called Chief Greiner. Mrs. Grogan stated that Marshall informed her that he didn't think anyone had been fired and didn't think the Mayor would follow anyone. Marshall stated he would ask and put her on hold. Mrs. Grogan stated Marshall came back on the line and told her someone had been fired last night.

8/31/06 I spoke with Shawn Grogan. Shawn stated he had been interviewed by Lt. Fox as to how the gift cards mentioned in the letter written by MS got into the evidence. Grogan stated that they pulled the disc of the photos taken at the scene of the search warrant and the gift cards had been located in a small stash box along with some rock cocaine and an earring in RS's bedroom. Shawn also stated that an examination of the photos did not reveal a wallet on the desk.

8/31/06 I found out that the bondsman that bailed RS was Tony Choate of Second Chance Bail Bonds. I asked Tony if he remembered a conversation with RS where he accused Matt Jones of stealing stuff from him. Tony could not recall such a conversation.

CONCLUSION

As to the criminal allegations reported to us by the Ogden Police Administration we will take each on a one by one basis to form a conclusion. We considered RS to be the most credible as did Lt. Sangberg. This case has an actual witness that reports seeing Officer Matt Jones with the wallet, however the description of what was in the wallet is suspect. The letter written by MS indicates that there were gift cards in the wallet along with a check and some cash. The gift cards were later discovered in the inventory placed into evidence and photographs of the gift cards were taken at the crime scene. Also the photographs taken at the crime scene do not depict a wallet anywhere within the crime scene, and Rachel Burrese denies that a wallet was ever on the desk at the time she was in the house. The

investigative subpoena served at Weber County Credit Union yielded the following: the ATM card as reported in the letter by MS had not been used for several months prior to January 2006. The bank card or debit card was reported stolen on January 20, 2006 but had not been used since January 2, 2006. The ATM card has never been reported as stolen nor has it been replaced. Agent Grogan remembers conversation about the wallet being somewhere by the desk. RS remembers telling his sister that the wallet was somewhere by the desk. Officer Jones remembers there being conversation about the wallet as being necessary to bail him out of jail. The evidence is insufficient to pursue criminal charges against Officer Matt Jones for the theft of this wallet.

In the JP / MC case JP reported to officers that he did not believe a theft by a police officer took place and suspects MC in the theft. JP reported that he received a call from MC at 9:15 a.m. on the day of the theft telling him that the police had just stolen his wallet. JP reported that MC then came to his home at 9:30 a.m. According to Tammy Weese the GPS unit on Officer Jones vehicle had not worked since June 26, 2006. Dispatch logs show Officer Jones was on call from 08:08 hours to 08:45 in Roy. Officer Jones is reported as going in service at 9:01 hours and is dispatched to **** Ogden Ave. and is cleared from the call. At 09:04 hours Jones is dispatched to **** Childs and arrives on the scene at 09:12 hours and is back in service at 09:14 hours. At 09:22 hours Officer Jones is dispatched to *** Mond and is back in service at 09:32 hours. Detectives investigating the report by JP and MC used an interpreter in a voice stress analysis which is somewhat unconventional. The identification techniques employed by the detectives was a process of elimination and not a process of identification. After discussing the above information with prosecutors it was determined that there is insufficient evidence for filing criminal charges against Officer Matt Jones.

The case involving SM ended with SM stating he could not identify anyone. That combined with the GPS problems leaves no alternative but to find there is insufficient evidence to file criminal charges against Matt Jones.

After interviewing prosecutor Justin Singleton on the DG case it was determined that the case was dismissed because there were no other crimes committed and the likelihood of conviction was not great. Officer Jones appeared in court as scheduled. In conversation with Lt. Sangberg he informed me that the case had been dropped from the internal investigation.

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