

DISTRICT COURT
COUNTY OF DENVER
STATE OF COLORADO

Filed in County Court
City and County of Denver, Colorado

SEP 27 2023

23CR05656

CLERK OF COURT

AFFIDAVIT OF PROBABLE CAUSE FOR ARREST WARRANT

1. Your affiant, Chris Byrne, a Criminal Investigator with the Special Prosecutions Unit of the Colorado Attorney General's Office, a peace officer, being duly sworn upon oath, says that the facts stated herein are true.
2. Your affiant is a criminal investigator and commissioned peace officer employed by the Colorado Attorney General, assigned to the Special Prosecutions Unit, Criminal Justice Section. Your affiant has been employed as a peace officer for 27 years, most recently as a Colorado Attorney General Criminal Investigator, investigating complex felony crimes, and other violations of the Colorado Revised Statutes.
3. Your affiant has probable cause to believe that:

MICHAEL DON BETHEL

[REDACTED]

described as an [REDACTED] has committed the offenses outlined in the attached Felony Complaint and Information.

These offenses are:

- COUNT ONE:** ATTEMPT TO INFLUENCE A PUBLIC SERVANT
§ 18-8-306 C.R.S. (Class 4 Felony) [24051]
- COUNT TWO:** FORGERY
§ 18-5-102 (1)(d) C.R.S. (Class 5 Felony) [1001D]
- COUNT THREE:** CONSPIRACY TO ATTEMPT TO INFLUENCE A
PUBLIC SERVANT
§ 18-8-306 C.R.S.; § 18-2-201 C.R.S. (Class 5 Felony)
[24051C]
- COUNT FOUR:** CONSPIRACY TO COMMIT FORGERY
§ 18-5-102 (1)(d) C.R.S.; § 18-2-201 C.R.S. (Class 6 Felony)
[1001DC]

REASONS FOR MY BELIEF:

In January, 2023, I was assigned to assist then-Colorado Police Office Standards and Training (P.O.S.T.) Investigator Steven Eckelberry (now a Compliance Investigator with the Colorado Department of Local Affairs) with the investigation of allegations of misconduct by former executives of the Adams County Sheriff's Office (A.C.S.O.). I learned that A.C.S.O. Commander James "Jim" Hinrichs sent P.O.S.T. Director Erik "Bo" Bourgerie a letter reporting that in December, 2021, A.C.S.O. Division Chief Mickey Bethel sought Commander Hinrich's help to sign into A.C.S.O. Undersheriff Tommie McLallen's PoliceOne Academy account. McLallen was enrolled in the Northwestern Public Safety and Command course (Northwestern), so Bethel was going to complete training on McLallen's PoliceOne Academy account because McLallen was 4.5 hours short of being compliant with P.O.S.T. Rule 28 (regarding annually required law enforcement training hours). According to Commander Hinrich's letter, on 12/14/2021, Bethel gave three PoliceOne certificates bearing McLallen's name to A.C.S.O. Administrative Assistant Tomasita "Tomi" Galicia to enter into Benchmark; two were for Defensive Tactics and one was for Driving. On 12/16/2021, Bethel gave two more PoliceOne certificates in McLallen's name for Firearms to Galicia for entry into Benchmark. Commander Hinrichs also wrote that A.C.S.O. Sergeant Dan Cordova had reported he witnessed Bethel sign training rosters for training he did not attend.

This affidavit outlines the investigation of Commander Hinrich's complaint. It shows probable cause exists that McLallen, Bethel, and former A.C.S.O. Sheriff Richard Reigenborn were involved in a scheme to forge their names on A.C.S.O. training rosters for classes they did not attend in attempt to influence P.O.S.T. to count those fictitious trainings toward their 2021 P.O.S.T.-mandated annual training hours. As part of this investigation, I talked to Investigator Eckelberry and Colorado Bureau of Investigation Agent Francine Gonzales, who assisted him, and reviewed their reports and affidavits. I also conducted numerous interviews and gathered documents pertaining to this case.

BACKGROUND:

Colorado P.O.S.T. is a unit within the Criminal Justice Section of the Colorado Attorney General's Office that oversees the training and certification of all peace officers in Colorado. P.O.S.T. is located at 1300 Broadway, 9th Floor, City and County of Denver, State of Colorado. P.O.S.T. is authorized by Colorado Revised Statute (C.R.S.) 24-31-303(1)(l), "To promulgate rules deemed necessary by the board concerning annual in-service training requirements for certified peace officers, including but not limited to evaluation of the training program and processes to ensure substantial compliance by law enforcement agencies, departments, and individual officers." Colorado peace officers are required by P.O.S.T. Rule 28 to complete a minimum of 24 hours of in-service training annually between January 1 and December 31. This includes at least 12 hours of perishable skills training in the disciplines of Arrest Control, Driving, and Firearms. Hands-on and online training are both accepted forms of training to meet the perishable skills training requirement. Failure to meet the annual training requirements of Rule 28 can result in suspension of a peace officer's P.O.S.T. certification. Law enforcement agencies can also be found to be non-compliant with Rule 28 if they had an officer fail to complete their required annual training. In that case, the agency can lose access to P.O.S.T. grant funds the following year.

PoliceOne Academy (sometimes referred to as "PoliceOne") is an online law enforcement training platform that features online courses, training videos, and other services. PoliceOne Academy training is accepted by P.O.S.T. toward peace officer training requirements. P.O.S.T.

provides PoliceOne Academy access to every law enforcement agency in Colorado in order for agencies to have access to training.

P.O.S.T. utilizes an online portal called Benchmark to upload, track, and maintain the data of training courses taken by peace officers in Colorado, and is used to verify if peace officers are compliant with Rule 28. Colorado law enforcement agencies submit the training records of their peace officers to P.O.S.T. through Benchmark. P.O.S.T. Training Manager Robert "Bob" Baker is the Colorado public servant responsible for reviewing law enforcement agency submissions in Benchmark to ensure Colorado peace officers are Rule 28-compliant. Training Manager Baker served in this role in 2021 and 2022, and reviewed Benchmark records for any peace officers not compliant with Rule 28 in those time frames.

C.R.S. 24-31-307(3) authorizes the Attorney General to enforce violations of P.O.S.T. standards and, "may bring criminal charges for violations of this part 3 if the violation is knowingly or intentional, or impose fines, as set in P.O.S.T. board rule, upon any individual officer or agency for failure to comply with this part 3 or any rule promulgated under this part 3."

Northwestern is an advanced 10-week course for law enforcement managers that takes place two weeks per month over the course of the class. A.C.S.O. hosted a Northwestern course from 8/16/2021-12/17/2021 at the A.C.S.O. Commerce City Substation at 4701 E. 72nd Ave., County of Adams, State of Colorado. McLallen and other A.C.S.O. command and supervisory personnel, in addition to members of other law enforcement agencies, attended this course.

Investigators obtained copies of the oaths of office for Bethel and McLallen from the Adams County Clerk & Recorder's Office. They showed Bethel was appointed as a Commissioned Certified Special Deputy by Reigenborn effective 1/22/2019 and Bethel's employment was released on 3/1/2022. McLallen was sworn in as Adams County Undersheriff on 1/8/2019 and was released on 2/28/2022. Reigenborn was sworn in as the Adams County Sheriff on 1/8/2019. I was aware he left office in January, 2023.

I used Colorado Motor Vehicle records to identify Bethel as Michael Don Bethel, [REDACTED] McLallen as Thomas Leroy McLallen III, [REDACTED] and Reigenborn as Richard "Rick" Allen Reigenborn, [REDACTED]

POLICEONE ACADEMY TRAINING:

Investigator Eckelberry reviewed McLallen's Benchmark training records and found Northwestern rosters for 12/14/2021-12/16/2021 that indicated McLallen was present on those dates. McLallen's training records also contained the following Benchmark entries:

- Defensive Tactics 4 – one hour of training – PoliceOne Academy, 12/14/2021
- Defensive Tactics 6 – one hour of training – PoliceOne Academy, 12/14/2021
- Driving Techniques – one hour of training – PoliceOne Academy, 12/14/2021
- Firearms 4 – one hour of training – PoliceOne Academy, 12/16/2021
- Firearms 2 – one hour of training – PoliceOne Academy, 12/16/2021

Investigator Eckelberry and Agent Gonzales conducted a series of interviews of A.C.S.O. personnel in 2022 that are outlined below:

Commander Hinrichs was interviewed on 1/27/2022. Commander Hinrichs was assigned to the Flatrock Regional Training Center (Flatrock), 23600 E. 128th Ave., Commerce City, County of Adams, State of Colorado. Commander Hinrichs told investigators that on 12/14/2021, Bethel had McLallen's PoliceOne password and asked Commander Hinrichs for help logging into PoliceOne in McLallen's name. Bethel later told Commander Hinrichs that Bethel accessed the account because McLallen was 4.5 hours short on his required perishable skills training. According to Commander Hinrichs, Bethel did PoliceOne training under McLallen's account on 12/14/2021 and 12/16/2021. Commander Hinrichs saw Bethel give Galicia the PoliceOne certificates with McLallen's name on them for entry into Benchmark. Galicia later told Hinrichs that she knew she was entering the certificates for McLallen but that Bethel completed the training to print the certificates. Commander Hinrichs subsequently learned Sergeant Cordova had seen Reigenborn, McLallen, and Bethel sign rosters for classes they did not attend and had Sergeant Cordova fill out paperwork for training they did not do. I had a later conversation with Commander Hinrichs in which he expressed his belief that McLallen was aware of Bethel's plan and McLallen gave his password to Bethel.

Sergeant Cordova had been the Training sergeant at Flatrock. On 2/3/2022, Sergeant Cordova reported that in December 2021, he witnessed Bethel ask Commander Hinrichs for a password. Commander Hinrichs later told Sergeant Cordova that Bethel asked for the password to McLallen's PoliceOne account. Sergeant Cordova heard Bethel say that he was doing training, but at the time, Sergeant Cordova did not know for whom. In the following days, Commander Hinrichs and Sergeant Cordova discussed how Bethel used McLallen's sign on to do PoliceOne training for McLallen. Sergeant Cordova said Bethel would have taken the training for McLallen at Bethel's Flatrock office and that Bethel had a desktop computer. Sergeant Cordova was aware that McLallen was behind on his hours (for Rule 28). Sergeant Cordova felt McLallen would not have been able to complete the (PoliceOne Academy) training that Bethel submitted to Galicia for entry because McLallen was at Northwestern at the same time. Sergeant Cordova said Galicia went to him a few days after entering the training and seemed remorseful about not saying something when she entered the training.

In addition, Sergeant Cordova believed that Reigenborn, McLallen, and Bethel had not actually attended some of the other trainings they got credit for. Sergeant Cordova provided investigators with a number of A.C.S.O. training records that he said included training that command staff had not attended. He said this had been going on for about four years. He remained silent because he thought that's how he could get promoted, but had previously made reports to what he called, "Red flag," which he described as an internal Adams County system for whistleblowing. Sergeant Cordova pointed out A.C.S.O. training rosters dated 6/9/2021 for Arrest Control and Driving which listed McLallen's name but the signature fields read "cordova signed for him" and "per Cordova." Sergeant Cordova said the rosters indicated McLallen attended those trainings, but McLallen was not actually there. Sergeant Cordova told investigators that Bethel instructed him to fill out those rosters in that manner.

I talked with Sergeant Cordova on 5/4/2023, who said his memory was not clear on some details due to the time lapse, but he recalled multiple occasions when he was told, usually by Bethel, to get training rosters or Firearms Training Records (forms used by the A.C.S.O. Firearms Unit to track Firearms training) for them (Reigenborn, McLallen, and Bethel) to sign that they did not attend. Sergeant Cordova said he feared for his job daily. As far as the 6/9/2021 rosters that Sergeant Cordova wrote in McLallen's name, Sergeant Cordova did not recall exactly how long after the classes he filled in McLallen's name, but it was likely the same day. Sergeant Cordova

said Bethel and Reigenborn were present when he was told to fill in McLallen's name on the 6/9/2021 rosters, but he did not recall in our conversation which one of them told him to do it. Sergeant Cordova saw Reigenborn and Bethel sign the 6/9/2021 rosters but knew they did not attend the classes. Sergeant Cordova saw Reigenborn and Bethel in Bethel's office that day, but never saw McLallen.

Sergeant Cordova also recalled that Bethel had asked Commander Hinrichs for a PoliceOne password for McLallen. Sergeant Cordova did not hear Bethel say he was going to do training for McLallen. According to Sergeant Cordova, Galicia later told him that she was entering PoliceOne certificates in Benchmark for McLallen that were actually completed by Bethel. Galicia was scared about entering this information but Bethel told her to do it. Commander Hinrichs talked to Sergeant Cordova about the PoliceOne issue around the same time Galicia did. Sergeant Cordova told Commander Hinrichs about the roster problem, and Commander Hinrichs decided to contact P.O.S.T..

Galicia was also interviewed on 2/3/2022. Galicia was an administrative assistant at Flatrock whose duties included entering rosters for training into Benchmark. Galicia recalled Bethel gave her four or five PoliceOne certificates to enter for McLallen. McLallen was not in the building and she thought he was at Northwestern at the time. I talked to Galicia by phone on 1/26/2023. Galicia had suffered a stroke after her original interview, which had impacted her memory. She said she had no way of knowing if a certificate was false; she just entered whatever they gave her. During this investigation, I learned that Galicia was the primary person responsible for entering Flatrock-based in-service training data of A.C.S.O. personnel to Benchmark in 2021.

On 2/8/2022, Matthew Johnson, the lead instructor for the 12/14/2021 Social Media/Media relations, was interviewed. Johnson said McLallen was one of his students. He recalled McLallen was there, "a significant portion of the time," but not if McLallen left.

On 2/16/2022, J.D. Biram, another Northwestern instructor, told Eckelberry that he was the course director as well as the instructor on 12/15/2021 and 12/16/2021. Biram said McLallen was there both of those days.

On 2/17/2022, Ken Robinson, the Director of Product at Lexipol (Police One's parent company) provided spreadsheets to Investigator Eckelberry containing data for McLallen's PoliceOne account. Investigator Eckelberry converted the course start and completion times to Mountain Standard Time from Coordinated Universal Time as provided and condensed the data, which showed the PoliceOne Academy online trainings from 12/14/2021-12/16/2021 were taken while McLallen was in Northwestern on those days:

| USER | COURSE | STATUS | MANUALLY CONVERTED START TIME | MANUALLY CONVERTED END TIME | SCORE |
|-----------------|---------------------|--------|-------------------------------|-----------------------------|-------|
| Tommie McLallen | Firearms 4 | Passed | Dec. 16, 2021, 8:35 a.m. | Dec. 16, 2021, 10:32 a.m. | 100 |
| Tommie McLallen | Firearms 2 | Passed | Dec. 15, 2021, 1:54 p.m. | Dec. 16, 2021, 2:28 p.m. | 100 |
| Tommie McLallen | Driving Techniques | Passed | Dec. 14, 2021, 1:43 p.m. | Dec. 14, 2021, 3:01 p.m. | 90 |
| Tommie McLallen | Defensive Tactics 4 | Passed | Dec. 14, 2021, 11:29 a.m. | Dec. 14, 2021, 12:19 p.m. | 100 |
| Tommie McLallen | Defensive Tactics 6 | Passed | Dec. 14, 2021, 9:36 a.m. | Dec. 14, 2021, 10:59 a.m. | 100 |

On 3/25/2022, Investigator Eckelberry and Agent Gonzales interviewed A.C.S.O. Commander Aaron Pataluna, who attended Northwestern with McLallen. Commander Pataluna said McLallen was in the front row during the course and McLallen had an Apple laptop. He recalled for the 12/16/2021 Executive Panel, the class was told they would not need laptops that day. He did not recall at the time if McLallen used his laptop that day, but did recall that nobody else did. In a 3/30/2023 follow up conversation, Commander Pataluna noted a day at Northwestern with a panel discussion on the last day or two (likely the 12/16/2021 Executive Panel) and students were not to have laptop computers for that class. Commander Pataluna recalled McLallen had a plate of food in front of him that day, but no laptop, so McLallen would not have been able to do PoliceOne classes then. Commander Pataluna had an accident some time ago, and as a result he had some memory issues that mainly impacted his ability to recall names, but he could mostly remember events.

On 3/30/2022, Investigator Eckelberry and Agent Gonzales interviewed A.C.S.O. Division Chief (DC) Michael McKinney, who also attended Northwestern with McLallen. DC McKinney remembered that McLallen attended class consistently and had an Apple laptop most days. DC McKinney was present for the 12/16/2021 Executive Panel. He vaguely recalled students were told not to bring laptops to that class, but did not recall if McLallen used a laptop that day. He did not think he saw McLallen doing PoliceOne online training during Northwestern. DC McKinney added that he was a Firearms instructor, and would have helped McLallen if it was Firearms.

Flatrock Operations Supervisor Trace Yang attended Northwestern with McLallen and was also interviewed. Yang recalled McLallen had an Apple computer at Northwestern. She did not think McLallen used his laptop during the Executive Panel. Yang was asked if it was plausible for someone to take an online training while attending either the Social Media & Media Relations class or the Executive Panel class. She replied it was not feasible during the Executive Panel, but it was for the Social Media class. Yang was also asked about command staff signing training rosters for training they did not attend. Yang had never seen command staff come out and say they needed a roster for a training that they had not attended. She said that command staff members sometimes went to their scheduled training but met about pressing business instead of training. In that case, their training would be rescheduled, and they would not receive credit for the original training. Yang was asked if it was possible for command staff to intercept a training roster prior to it being turned in. She said that anyone could turn rosters in and they “float around” a bit prior to being submitted.

Yang later provided investigators with a spreadsheet dated 11/16/2021 that included information on A.C.S.O. personnel who were not compliant with Rule 28 so far that year. It showed McLallen had only completed 3.5 hours of the required 12 hours of perishable skills training for 2021, of which two hours of Driving appear to correspond to training from 6/9/2021.

Agent Gonzalez and I talked to A.C.S.O. DC Bill Dunning, who reported that a group of A.C.S.O. personnel attended the January, 2022 SHOT (Shooting, Hunting, Outdoors Trade Show) in Las Vegas, NV that included himself and Bethel. At some point during the SHOT show, DC Dunning and Bethel were on an escalator together, and Bethel told him, “Hey Bill, I think I fucked up.” Bethel went on to say that McLallen was in the Northwestern course and did not complete his Rule 28-required training hours, so Bethel got McLallen’s user name and password, logged into Bethel’s computer at Flatrock, did the online PoliceOne training for McLallen, and then gave McLallen the certificates.

ROSTER REVIEW:

I reviewed the A.C.S.O. training rosters Sergeant Cordova had provided investigators. I saw the 6/9/2021 Arrest Control and Driving rosters (both listed as 8:00 AM-5:00 PM) were for A.C.S.O. Professional Standards in-service training, which took place at Flatrock. McLallen's name was the last entry on both rosters. The Arrest Control roster signature line had "cordova signed for him" instead of a signature on McLallen's entry. McLallen's signature line on the Driving roster had "per Cordova" written instead of a signature. Bethel and Reigenborn was also listed on the rosters.

Yang worked for Bethel at Flatrock for two and a half to three years, and knew his signature as part of her duties because he had to sign and approve invoices before she could pay them. Yang was shown the 6/9/2021 rosters, and verified Bethel's signatures on them.

A.C.S.O. Executive Assistant to the Undersheriff Sarah Manzanares had been the Executive Assistant for McLallen and was able to verify his signatures by sight. Manzanares was shown documents related to this case, and verified the signatures for McLallen on the Northwestern rosters for 12/14/2021-12/16/2021.

Starting in March, 2023, Agent Gonzales and I interviewed the instructors and students on the 6/9/2021 and 11/16/2021 rosters in attempt to verify if Reigenborn, McLallen, and Bethel attended those trainings. None of the instructors or students said definitively that McLallen or Bethel were at any of the trainings reviewed. The following people reported pertinent information about this case:

6/9/2021 TRAINING:

A.C.S.O. Senior Deputy Sheriff Joshua Kennedy, one of the 6/9/2021 instructors for Arrest Control and Driving, distinctly remembered the 6/9/2021 training day. That was because it involved high level command staff, and it stood out to Deputy Kennedy that some of them were not there. At the end of the day on 6/9/2021, Deputy Kennedy got a phone call, possibly from Bethel, that the Sheriff (Reigenborn) and Undersheriff (McLallen) were waiting for the rosters at the main Flatrock building, and Deputy Kennedy was to meet Reigenborn with the rosters. Deputy Kennedy took the rosters to the main Flatrock building, where Bethel and Reigenborn were waiting. Deputy Kennedy saw Reigenborn write on the rosters, and seemed to recall watching Bethel write on them, even though they did not attend those trainings. Deputy Kennedy recalled Reigenborn called McLallen by phone and told McLallen the rosters would be at the front desk for him, even though McLallen did not attend the trainings, either. Deputy Kennedy believed everyone else who signed the rosters that day attended the trainings. Deputy Kennedy later advised that the 6/9/2021 training day started at about 8:00 am and was done by 1:30 PM or 2:00 PM. The facility had been reserved for training until 5:00 PM, but the training did not last that long.

A.C.S.O. Senior Deputy Sheriff Derek Dummar did not see Reigenborn, McLallen, or Bethel in any of the training courses on 6/9/2021. He recalled Reigenborn was at Flatrock's front desk at the end of the day, but he did not see Reigenborn sign the rosters.

A.C.S.O. Sergeant Adam Sherman was on the 6/9/2021 rosters. He recalled a day that he thought was 6/9/2021 when the instructor, Deputy Kennedy, got a phone call from someone at Flatrock and Deputy Kennedy was told to take the rosters to the main building (at Flatrock). Reigenborn, McLallen, and Bethel were not in Arrest Control the day that call occurred.

Sergeant Sherman did not recall ever having Driving training with Reigenborn (as sheriff), McLallen, or Bethel. Sergeant Sherman was certain that McLallen and Bethel were not in Arrest Control the day that call occurred, and did not recall ever being in Arrest Control or Driving with them.

A.C.S.O. Senior Deputy Sheriff Amanda Overton was also on the 6/9/2021 rosters. She recalled that neither Reigenborn, McLallen, nor Bethel were at training on 6/9/2021 and that was a topic of conversation in class. Deputy Overton said she had never trained with Bethel or McLallen. Deputy Overton recalled Deputy Kennedy got a phone call from someone at Flatrock on 6/9/2021 during Arrest Control. Deputy Kennedy said that he was told to add the Sheriff, Undersheriff, and Chief to the training roster despite them not being there.

DC Dunning was also on the training rosters for 6/9/2021. DC Dunning did not think Reigenborn, McLallen, or Bethel were at any of the 6/9/2021 trainings. DC Dunning was certain he never had a defensive tactics (Arrest Control) class with McLallen. DC Dunning also said Bethel never attended Professional Standard Division training days. DC Dunning later recalled one of the instructors, A.C.S.O. Deputy Sheriff Joshua Kennedy got a phone call about rosters during the 6/9/2021 Arrest Control class, but did not recall more than that.

Retired A.C.S.O. Sergeant Brent Miller retired from A.C.S.O. in 2014 but returned in 2021-2022 to work as a Special Deputy Sheriff assigned to background investigations. Miller was on the 6/9/2021 training rosters. Miller did not recall ever having attended training with Bethel or McLallen. He vaguely recalled Deputy Kennedy getting a phone call during Arrest Control.

A.C.S.O. Detective Michael Drumright did not think Reigenborn, McLallen, or Bethel were at Arrest Control or Driving on 6/9/2021. He did not recall ever doing Arrest Control, or Driving training with McLallen or Bethel. Detective Drumright did not recall having Arrest Control or Driving training with Reigenborn as sheriff prior to the allegations of this case coming out. Detective Drumright recalled an Arrest Control class where one of the instructors, Deputy Kennedy, got a phone call during class, but Detective Drumright did not know what the call was about or what date it was.

A.C.S.O. Senior Deputy Sheriff Jason Humphrey had not done Arrest Control or Driving with Bethel or McLallen. He did not remember Deputy Kennedy getting a phone call during the 6/9/2021 Arrest Control class.

The other A.C.S.O. personnel on the 6/9/2021 rosters interviewed for this case did not recall whether or not Bethel was present at these trainings.

ADDITIONAL RECORDS:

I obtained P.O.S.T. training transcripts for McLallen from P.O.S.T. Director Bourgerie. They indicated McLallen got P.O.S.T. training credit for 6/9/2021 Driving (two hours), but not for Arrest Control. Additionally, McLallen got P.O.S.T. training credit for PoliceOne Academy classes on 12/14/2021 for Defensive Tactics (two hours) and Driving (one hour) and on 12/16/2021 for Firearms (two hours) for a total of five hours. There also appeared to be duplicate entries for PoliceOne Academy on McLallen's training transcript, which added an additional five hours of training for McLallen.

Colorado Open Records Act (C.O.R.A.) requests were sent to A.C.S.O. on 3/2/2023 and 3/31/2023. Records obtained from those requests included Outlook calendars, A.C.S.O. keycard usage data, and training records for Reigenborn, McLallen, and Bethel. Those records indicated the following:

- McLallen had a doctor appointment listed on his 6/9/2021 Outlook calendar from 12:30 PM to 5:00 PM. Perishable Skills Training was also listed on his Outlook calendar that day from 8:00 AM to 5:00 PM.
- No PoliceOne Academy training was found from a network browser history search of Bethel's in December, 2021.

On 4/17/2023, Agent Gonzales executed a search warrant that was authorized by the Honorable Denver County Court Judge Goble for the Hewlett Packard Pro Desk 600G1 desktop computer that was assigned to Bethel and believed to be the one Bethel used to access McLallen's PoliceOne account. A forensic review of the device by CBI Agent Codi Cain found no PoliceOne Academy artifacts on the device from 12/14/2021-12/16/2021.

P.O.S.T. TRAINING INFORMATION:

Training Manager Baker told investigators that law enforcement agencies are responsible for entering truthful and accurate data into Benchmark. In the first week of each year, Training Manager Baker runs non-compliance reports in Benchmark to check for anyone who was not compliant with Rule 28 the prior year. For the 2021 training year, Training Manager Baker and his staff started sending out preliminary non-compliance notices to agencies and their personnel who failed to comply with Rule 28 on 1/12/2022. Training Manager Baker told me A.C.S.O. and all of their personnel were considered compliant with Rule 28 for 2021. In the case of McLallen, Training Manager Baker indicated he would not have had any reason to doubt the accuracy of those training hours had he not been notified they were false.

Training Manager Baker checked Benchmark and determined that Galicia entered the 6/9/2021 trainings for Bethel and McLallen into Benchmark on 7/20/2021. Galicia also created Benchmark entries corresponding to the 12/14/2021 and 12/16/2021 PoliceOne Academy courses for McLallen on the same dates the courses were completed. Those entries contained images of the PoliceOne Academy course certificates for McLallen. Galicia would have made those entries from Flatrock, 23600 E. 128th Ave., Commerce City, County of Adams, State of Colorado. Manzanares entered duplicate data for the PoliceOne Academy trainings for McLallen into Benchmark on 12/22/2021, which appears to have created extra training credit for McLallen. Based on my communications with Manzanares, it appears those duplicate entries were inadvertent. She would have made those entries from A.C.S.O. headquarters, 4430 S. Adams County Pkwy., Brighton, County of Adams, State of Colorado.

According to Training Manager Baker, McLallen's P.O.S.T. training transcript reflected McLallen had 17.5 perishable skills training hours in 2021. That included 10 hours of December, 2021 PoliceOne Academy training hours due to the duplicate entries, and 3.5 hours from 6/9/2021. The PoliceOne Academy hours and likely the 6/9/2021 Arrest Control hours were added to McLallen's P.O.S.T. training transcript through Bethel's intervention when McLallen really did not complete them. When those fraudulent training hours are removed from McLallen's P.O.S.T. training transcript, McLallen was not compliant with P.O.S.T. Rule 28 for 2021, which would have also rendered A.C.S.O. non-compliant as an agency. It has not been

determined why the Arrest Control class was not also reflected on McLallen's P.O.S.T. training record.

Bethel declined to be interviewed for this case through his attorney.

VIOLATIONS:

Based on the above information, I believe there is probable cause to show that Bethel and McLallen did not attend the A.C.S.O. Arrest Control or Driving in-service training at Flatrock on 6/9/2021, despite their names being on the rosters. Bethel signed the 6/9/2021 Arrest Control and Driving rosters on 6/9/2021 at Flatrock, 23600 E. 128th Ave., Commerce City, County of Adams, State of Colorado. It appears Bethel likely directed Sergeant Cordova to write McLallen's name on the 6/9/2021 Arrest Control and Driving rosters between 6/9/2021 and 7/20/2021 at Flatrock, 23600 E. 128th Ave., Commerce City, County of Adams, State of Colorado. These actions generated credit for two training hours each for Arrest Control (Bethel) and Driving (Bethel and McLallen) that were not actually earned.

A conspiracy between McLallen and Bethel occurred when Bethel obtained McLallen's PoliceOne password, which Bethel used to access McLallen's account to complete three hours of PoliceOne Academy training on 12/14/2021, and two hours of PoliceOne Academy training on 12/16/2021 at Flatrock, 23600 E. 128th Ave., Commerce City, County of Adams, State of Colorado. This generated five fraudulent PoliceOne Academy training certificates for McLallen for a total of five training hours (plus the five duplicate hours) that McLallen did not actually complete.

The A.C.S.O. training roster data and PoliceOne Academy certificates were instruments fileable with the public office of P.O.S.T. The actions noted above constituted C.R.S. 18-5-102 (1)(d), Forgery (6/9/2021) and Conspiracy to Commit Forgery (6/9/2021, 12/14/2021, 12/16/2021).

The fraudulent 6/9/2021 A.C.S.O. training hours for Arrest Control (Bethel) and Driving (Bethel and McLallen) were submitted to P.O.S.T. via the Benchmark system on 7/20/2021 in attempt to influence P.O.S.T. to reflect that Bethel and McLallen had sufficient training hours in order to show their compliance with P.O.S.T. Rule 28.

The conspiracy between Bethel and McLallen resulted in the fraudulent PoliceOne Academy certificates being submitted to P.O.S.T. via the Benchmark system between 12/14/2021 and 12/22/2021 in attempt to influence P.O.S.T. to reflect that McLallen had sufficient training hours in order to show his compliance with P.O.S.T. Rule 28.

P.O.S.T. Training Manager Baker was the Colorado public servant responsible for reviewing law enforcement agency submissions in Benchmark to verify Colorado peace officers were Rule 28 compliant in 2021-2022. Training Manager Baker's assessment of 2021 Rule 28 compliance was completed by 1/12/2022. A.C.S.O.'s submissions of Bethel and McLallen's forged training records led Training Manager Baker to believe those records were accurate and that Bethel, McLallen, and A.C.S.O. were compliant with P.O.S.T. Rule 28 for 2021. Training Manager Baker's office is located at P.O.S.T., 1300 Broadway, 9th Floor, City and County of Denver, State of Colorado.

Based upon the above information, your affiant requests the court issue an arrest warrant for Michael Don Bethel, [REDACTED]

[REDACTED] for violation of C.R.S. 18-8-306, Attempt to Influence a Public Servant; C.R.S. 18-8-306, 18-2-201, Conspiracy to Attempt to Influence a Public Servant; C.R.S. 18-5-102 (1)(d), Forgery; and C.R.S. 18-5-102 (1)(d), 18-2-201, Conspiracy to Commit Forgery.

Affiant C. Byrne
Investigator Chris Byrne

Subscribed and sworn before me this 26th day of September, 2023

12-2-25
Commission Expires

Danielle Zambrano
Notary Public

Erndy Ha Dang
Judge

