# Garfield County Sheriff's Office OFFENSE

CASE REPORT NUMBER 04-0162

Officer Name Livingston, Donivan

Date of Report 1/28/2004

Location

0023 State Highway 325, Rifle, CO

From Date 1/28/2004		Date and From Time 18:59	Time C	<b>)ffense</b> To D	-	d To Ti	ne	☐ Juvenile☐ Sexual As☐ Domestic☐	
					CHA	RGES			
	Statut	<u>e</u>	<u>Descr</u>	iption		<u>P</u>	erson Ch	<u>arged</u>	<u>Class</u>
	18-7-30:	2 li 605 902		exposu	re.	В	pebert, Jays	son Steven	M3
			Vic	tim -	Witnes	ss - Con	plainan	t	
Perso	on	Victim	Туре			Last Nan	ne, First Na	me Middle Name	e
Witne	ess						Kathleen		
Date	of Birth	Sex Female	Race White	_					
Home	e Addres	ss		City		State	Zip (	Code Phone	
•		ne <b>ty Sheriffs (</b> Phone	Office	Addres	ss n <b>S</b> treet Eyes	Height	Weight	Work City Glenwood S Drivers Lic No	•
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•	loyer Nar			Addre				Work City	Work State
	er- Firesio				lwy 325	Llaimht	\M/aiabt	Rifle	CO State
Work <b>8165</b> 0	•	Phone (970) 625-2	231	Hair <b>Gray</b>	Eyes <b>BLU</b>	Height <b>602</b>	Weight 200	Drivers Lic No	State

Garfield County Sheriff's Office

Cleared By Arrest

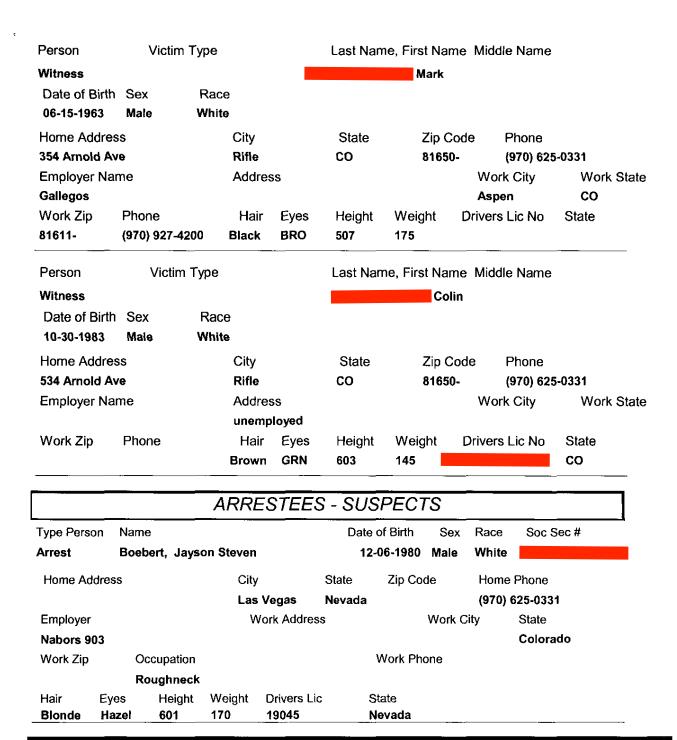
REPORT NUMBER: 04-0162

Livingston, Donivan

Page 1 of 4

DA-COUSI-30-04-cum

Person Victim Type Last Name, First Name Middle Name Victim **INDIVIDUAL** Anne Race Date of Birth Sex 10-11-1983 Female White Home Address City State Zip Code Phone Rifle 312 Hwy 325 CO 81650-(970) 625-0795 **Employer Name** Address Work City Work State Work Zip Height Phone Hair Eyes Weight Drivers Lic No State Person Victim Type Last Name, First Name Middle Name Victim INDIVIDUAL Lynne Date of Birth Sex Race 09-20-1987 **Female** White Home Address City State Zip Code Phone 0486 Mesa Dr Rifle CO 81650-(970) 625-0470 **Employer Name** Address Work City Work State Work Zip Phone Hair Eyes Height Weight Drivers Lic No State 508 Blonde HAZ 165 Person Victim Type Last Name, First Name Middle Name Roberts, Lauren Opal Witness Date of Birth Sex Race 12-16-1986 White **Female** Home Address City State Zip Code Phone 354 Arnold Ave Rifle CO 81650-(970) 625-0331 **Employer Name** Address Work City Work State none given Work Zip Phone Weight Hair Eyes Height Drivers Lic No State **BRO** 500 105 02-029-0759 Brown CO



#### **Narrative**

On 01/28/2004 at approximately 1859hrs I was advised by dispatch of a disturbance that was occurring at 0023 Highway 325 (Fireside Lanes), Rifle, CO.

At approximately 1908hrs I arrived at 0023 Highway 325, Rifle, CO. I contacted the Complaint, Larry Lee McCown DOB 09/11/1944, who advised me that was advised by two female parties, Trisha Wailes DOB 09/20/87 and Erica Anne Coombs DOB 10/11/1983, that Jayson Steven Boebert DOB 12/06/80 had exposed his genitals to them. Mr. McCown advised me that before my arrival he did ask Mr. Boebert several times to leave the bowling alley. Mr. McCown advised me that Mr. Boebert refused to leave and became belligerent.

At approximately 1913hrs Deputy Kathleen Barthel arrived on scene to assist me in the investigation of the incident.

Deputy K. Barthel contacted the parties, Steven M. Bentz, Lauren Opal Roberts, and Sean Colin Karbowski, that were with Mr. Boebert at the bowling alley. Parties advised that they did not observe the incident take place. Deputy K. Barthel was advised by dispatch that Mr. Karbowski did have a warrant (#WO36384) out of Aurora Police Department for failure to appear with the original charge of minor in possession and a bond of \$ 300.00. Deputy K. Barthel did arrest Mr. Karbowski on the outstanding warrant.( See Deputy K. Barthel's supplemental report for further details.)

I did contact the victims, Ms. Wailes and Mrs. Coombs, who advised me that they were standing at the snack bar talking about each others tattoos. Both parties advised me that Mr. Boebert was also standing at the snack bar several feet away from them. Both parties advised me that Mr. Boebert advised them that he had a tattoo on his genitals, at which time Mr. Boebert unzipped his pants, removed his genitals exposing the shaft, covering the head of the genitals with his hand. Mrs. Coombs advised that at this point she advised Mr. McCown of the incident. Ms. Wailes and Mrs. Coombs did complete statements reference this incident.

I did advise Mr. Boebert of my findings. Mr. Boebert advised me that he did not expose himself to either Ms. Wailes nor to Mrs. Coombs. Mr. Boebert advised me that he did unzip his pants and displayed his thumb pretending it was his genitals in a gesture of fun. I did observe that while in contact with Mr. Boebert that he did have an odor of an alcoholic beverage on his breath. Mr. Boebert advised me that he had had several drinks during the evening.

Mr. McCown requested that I advised Mr. Bentz, Ms. Roberts, and Karbowski that they were longer allowed entrance into the bowling alley. Deputy K. Barthel and I did advise these parties that they could longer enter the premises.

I did arrest Mr. Boebert and transported him to the Garfield County Jail where he was lodged.

#### Attachments:

- (1) Warrantless Arrest Affidavit
- (1) Summons (#20130)
- (2) Witness Statements
- (6) 10-27
- (1) Booking Sheet

#### ......... vviilless Statement

GARFIELD COUNTY SHERIFF'S DEPARTMENT REPORT-CONTINUATION

2910-40

· · · · · · · · · · · · · · · · · · ·	Case Number
Victim/Witness Statem	ent
· · · · · · · · · · · · · · · · · · ·	
Name: ENCA P. C. C.	Date of Birth: 10 -11-1983
Address: 312 Hwy 305 Rifle Colo	- Telephone Number: 970 1605 0795
Trish and I were standing and she came up a looked at mand she came up a looked at mand she pulled down her sock a fading "Then Jayson said "I have trish a I said "ya whatever" and him. Then sayson came up bell penis out of his pants. His thum	m at the stack bar and tattoo on my back what said "Look my sick" of turned away to ignore what us and pulled his allowed the
turned anny and went and toke at the shack bay because Jay	Larry. I was Standing son was harassing Nora
since we came in. They were !	Deing really Barrange all
	<del></del>
	1-28-03 OF AFFIANT DATE
WITNESS SIGNATURE SIGNATURE OF REPORTING OFFICER - ID NUMBER	

### ........ vviilless statement

GARFIELD COUNTY SHERIFF'S DEPARTMENT REPORT-CONTINUATION

04-0162

	Case Number
Victim/Witness State	ement
Name: Trisha	Date of Birth: 9-10-87.
Address: 0486 Mesa Drive	Telephone Number: 970~1076-0478
Erica and I were Stand  Painter Jason was standing Looking at Ericas tato on h Aowo My Sock and said"  Is facting "Jason walks"s  " well I mue a tatoo with On My nick "Erica and I alont. He said here III sour alown his Zigner and pi Nos Oving the hocol o The mast when Erica and Thumbs aren't leinches ce and that's when Erica and Lary He got Dissed so but amy Cauled the o Saw:  We were standing  Ne was Narossing her Stayed there.	atross from us. + was or back. Hen I pulled pean mine on my ankle shex to us and Said h your name written both said no you show you, he pulled was it out his hand and all I saw was ong I towns turned away I went and told I was going to leave aps and that all I
THIS INFORMATION IS TRUE AND CORRECT SIGNATURE SIGNATURE AND CORRECT SIGNATURE SIGNATURE AND CORRECT SIGNATURE S	UNE OF AFFIANT DATE
WITHESS SIGNATURE SIGNATURE OF REPORTING OFFICER - ID NUMBER	

# Warrantless Arrest Affidavit

04-0162

Name: Boebert, Jayson Steven DOB: Dec 6 1980

Agency: Garfield County Sheriff's Office

Case Number: 04-0162

Charges

Statute Title:

Felony/Misd

18-7-302

Indecent exposure.

М3

Officer 300 Livingston, Donivan

being duly sworn upon oath says that there is probable cause for the warrantless arrest of the above named defendant for the charges(s) stated above, and that the following facts are true and correct to the best of his/her knowledge, information, and belief and support the arrest of the defendant:

1. The crime(s) alleged occured on or about 1/28/2004 at 0023 State Highway 325, Rifle, CO County of Garfield, State of Colorado.

2. The suspect was arrested at 7:38 PM on: Wednesday, January 28, 2004

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#### Narrative

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I did advise Mr. Boebert of my findings. Mr. Boebert advised me that he did not expose himself to either Ms. Wailes nor to Mrs. Coombs. Mr. Boebert advised me that he did unzip his pants and displayed his thumb pertending it was his genitals in a gesture of fun. I did observe that while in contact with Mr. Boebert that he did have an odor of an alcoholic beverage on his breath. Mr. Boebert advised me that he had had several drinks during the evening.

I did arrest Mr. Boebert and transported him to the Garfield County Jail where he was lodge

Affiant's Signature

Subscribed and sworn to before me this 2 day of 5

Expiration date: 04 260

Wednesday, January 28, 2004

Page 1 of 2

## Warrantless Arrest Affidavit

Notary Public

Address:	
After reviewing the above Affidavit in support of	Warrantless Arrest, I find:
There is probable cause for the arrest.	
There is not probable cause for the arres	st and the Defendant is released from custody.
Date:	Judge

Employer Address  Cocupation	INDUSTREE OF THE STATE OF THE S
mployer Name BORS DRUCING  Shicle License Number and Type  Slate   Vehicle Year   Make   Type or Body Style   Approximate Location of Violation, State of Colorado   X On 23 HW   325, R    Shicle Color (Top/Bottom)   VIN   MILES    OU ARE SUMMONED AND ORDERED TO APPEAR   Registered Owner (Name and Address)   Same as above; or    OUNTY COURT At:   109 8th St., Glenwood Springs, Colo.   110 E. 18th St., Rifle, Colo.   APPEAR   CRS 42-4-1409 (1) Code 954 Owner Operated Units    OUNTY COURT At:   109 8th St., Glenwood Springs, Colo.   100 E. 18th St., Rifle, Colo.   CRS 42-4-1409 (1) Code 954 Owner Operated Units    Ounty Court At:   109 8th St., Glenwood Springs, Colo.   100 E. 18th St., Rifle, Colo.   CRS 42-4-1409 (1) Code 954 Owner Operated Units    Ounty Court At:   109 8th St., Glenwood Springs, Colo.   100 E. 18th St., Rifle, Colo.   100 E. 18th St	fic Accident Injuries Invalved Yes No () Yes 100  FROM
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OU ARE SUMMONED AND ORDERED TO APPEAR ON ANSWER CHARGES AS STATED BELOW IN:  O COUNTY COURT At:  O COUNTY COURT At:  O CRS 42-4-237 (2) Code  O CRS 42-4-237 (2) Code  O CRS 42-4-100 (1) Code 954 Owner Operated Unins:  O CRS 42-4-1409 (1) Code 954 Owner Operated Unins:  O CRS 42-4-1409 (2) Code 955 Parsen Operated Unins:  O CRS 42-4-1409 (3) Code 955 Parsen Operated Unins:  O CRS 42-4-1409 (3) Code 957 Failed to Present Evide  S15 Elne \$2 Surcharge O Points  O CRS 42-4-1409 (3) Code 957 Failed to Present Evide  SECTION  CODE:  FINE	G A A
O ANSWER CHARGES AS STATED BELOW IN:  (Name and Address) () Same as above; or  COUNTY COURT At: 109 8th St., Glenwood Springs, Colo. 110 E. 18th St., Rifle, Colo. 10 CRS 42-4-1409 (1) Code 954 Owner Operated Unins: Drove vehicle when safety beli-not in use. () Driver () Front-Seat Passenger () Driver () Front-Seat Passenger  S15 Fine-S2 Surcharge 0 Points  (CRS 42-4-1409 (2) Code 955 Parsen Operated Unins: Speeding MPH in Zone. S15 Fine-S2 Surcharge 0 Points  (CRS 42-4-1409 (3) Code 957 Failed to Present Evide CRS 42-4-1409 (3) Code 957 Failed to Present Evide S15 Fine-S2 Surcharge 0 Points  (CQDE: FINE	JAKT
COUNTY COURT At: 109 8th St., Glenwood Springs, Colo. 110 E. 18th St., Rifle, Colo. ACL GTH  CRS 42-4-237 (2) Code CRS 42-4-101 (CRS 42-4-1101 (CRS 42-4-1101 (CRS 42-4-1409 (1) Code 954 Owner Operated Unins  CRS 42-4-1409 (2) Code 956 Parsen Operated Unins  Speeding MPH in Sits Eine 52 Surcharge 0 Points  SECTION  CRS 42-4-1409 (2) Code 956 Parsen Operated Unins  Speeding MPH in Sone.  Speeding MPH in Surcharge Points  CRS 42-4-1409 (2) Code 956 Parsen Operated Unins  Speeding MPH in Surcharge Points  CRS 42-4-1409 (3) Code 956 Parsen Operated Unins  Speeding MPH in Sone.  CRS 42-4-1409 (3) Code 956 Parsen Operated Unins  Speeding MPH in Surcharge Points  CRE 42-4-1409 (3) Code 956 Parsen Operated Unins  Speeding MPH in Sone.  CRE 42-4-1409 (3) Code 956 Parsen Operated Unins  Speeding MPH in Sone.  CRE 42-4-1409 (3) Code 956 Parsen Operated Unins  CRE 42-4-1409 (3) Code 956 Parsen Operated Unins  Speeding MPH in Sone.  CRE 42-4-1409 (2) Code 956 Parsen Operated Unins  CRE 42-4-1409 (3) Code 956 Parsen Operated Unins  CRE 42-4-1409	
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# Supplemental Report

# Garfield County Sheriff's Office

Report Number

Officer

Date

Time

Location

04-0162

Barthel, Kathleen

1/28/2004

21:00

0023 Hwy 325 Rifle, CO. 81650

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Statute **Description**  Person Charged

Class

**Warrant Arrest** 

Karbowski, Sean Colin

4902

18-13-122

Illegal possession or consumption of ethyl alcohol by an underage person.

Karbowski, Sean Colin

P2

906

**ARRESTEES - SUSPECTS** 

Type Person

Name

Age at Arrest

Sex

Race

Soc Sec#

Type Person

Name

Age at Arrest

Sex

Race

Soc Sec#

**Arrest** 

Karbowski, Sean Colin

20

Male

White

521-71-5028

Hair

Eyes GRY

Height

Weight **Drivers Lic** 

**Brown** 

603

State Colorado

Home Address 534 Arnold Ave. City

145

State

Zip Code

Home Phone

Rifle

Colorado

81650-

(970) 625-0331

Employer

Occupation

99-195-0131

unemployed

Work Address

Work City

State

Work Zip

Work Phone

### Narrative

On 01-28-04 at approximately 1859 hours Deputy Livingston was dispatched to a disturbance at the Fireside Lanes in Rifle, CO.

At approximately 1913 hours I responded to the above location to assist. Livingston obtained Identification from all parties involved and I ran them through NCIC/CCIC for wants and warrants. Mr. Karbowski stated that he has a

Garfield County Sheriff's Office

Cleared By Arrest

Barthel, Kathleen

REPORT NUMBER: 04-0162

Page 1 of 2

DA-01-30-04 cm



warrant for FTA out of the Denver area. He stated that he would cooperate with Law Enforcement if we needed to arrest him on the warrant. Dispatch then advised that Sean Karbowski had (2) two warrants for FTA, (1) one out of Arapahoe, CO. with a \$500.00 bond and (1) one out of Aurora, CO with a \$300.00 bond. Dispatch advised that Aurora would extradite, but Arapahoe would not.

I than placed Mr. Karbowski under arrest for the warrant. I handcuffed him after insuring a proper fit and double locked the cuffs. Mr. Karbowski complained that the cuffs were too tight and that he could not move. I removed him from the back of my patrol car and I double checked the cuffs. They were found to be fitting properly. I then placed Mr. Karbowski back in my patrol car and transported him to the Garfield County Jail. He complained about the cuffs the entire time while enroute to the jail, but stated on numerous occasions that he was cooperating fully and wanted that noted in the report.

While enroute to the Jail I smelled the odor of an alcoholic beverage coming from Mr. Karbowski. Once at the jail Mr. Karbowski stated that he had drank more than a six pack of beer. Detention deputies stated that he had a BAC of .189. Mr. Karbowski was issued a summons for consumption of alcohol by a minor.

I then released Mr. Karbowski to Detention Deputies without incident.

\*Attachments\* NCIC/CCIC printouts (2) Custody Sheet Copy of Summons #20383

CSP 4 (REV 5-00)

Manufactured by Alexander Clark Graphics - Boise, Idaho - (208) 322-0611

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CASE NO: [09204M 00060] NAME: [B	OEBERT, JAYSON STEVEN ] DEFN: [001]
DIVISION: [II ] DISPO-DA	TE [11/03/04] OTHER CASE: [ ] # CASES [ 3]
PROSECUTOR: [BEESONM ] JUDGE: [CARTERS	] SENTENCE DATE:[11/03/04] NOTES? [Y]
	AGENCY CASE NO: [04-0162 ] TEAM:[SA]
OFFICER: [LIVINGST] OFFENSE DAT	E: [01/28/04] BLOOD ALCOHOL LEVEL [000]
CNT CHARGE REVO?[]	CLASS DISPO LENGTH UNITS SENT MOD
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Profit, Inter Guetadian

to much share are obtained ants, please consider the action anthony to release/destroy the evidence in the mantful owner(s).

Stark

TO A CHIE

south District Attorney

Date