

# **EXHIBIT R**

CODE SEC: 9.04.050 TRESPASS ON PRIVATE PROPERTY  
SECONDARY: 9.04.130 OBSTRUCTION OF DUTIES OF PUBLIC OFFICIAL

DATE/TIME REPORTED: Sun. 05/30/99 17:45 hrs.

DATE/TIME OCCURRED: Sun. 05/30/99 17:45 hrs.

LOCATION OF OCCURENCE: 318 FOURTH ST BLOCK AREA: 01

SUSPECT-1: GONZALES, SIMON JAMES HM30 (11/19/68) (303) 814-5884  
OTHER ROLES: CITED  
ADDRESS: 1094 SOUTH ST #7, CASTLE ROCK, CO 80104  
DL NO./STATE: 920851782/CO NO.: 0  
EMPLOYER: NATURAL BALANCE BUS. PHONE: (303) 688-6633  
BUS. ADDRESS: 3130 COMMERCE CT, CASTLE ROCK, CO 80104  
RACE: Hispanic SEX: M HT: 506 WT: 125 HAIR: BRO EYES: BRO

PROPERTY:	QTY	VALUE
1. Evidence, PICTURES, PICTURES OF "NO ENTRY" SIGNS AT CASTLE ROCK POLICE DEPT.	2	0.00
2. Evidence, Written Statement, FROM DIECK	1	0.00
*** Evidence:		0.00

DETAILS OF INVESTIGATION:

On 05-30-99 at approximately 1730 hours, I was at the Castle Rock Police Department investigating a restraining order violation. (See CR #99-2810).

I contacted an involved party by the name of SIMON JAMES GONZALES via telephone. SIMON JAMES GONZALES was suspected of violating a restraining order between him and his wife. Upon speaking with SIMON JAMES GONZALES, he appeared uncooperative. He initially refused to respond to the Police Department for questioning. I advised SIMON JAMES GONZALES he had the right not to respond. However, I told him if I found that the restraining order was valid and there was proof of service, I would have to take him into custody. SIMON JAMES GONZALES agreed to respond.

At approximately 1745 hours, Ofc. STEMBEL and I were sitting in the patrol room of the Castle Rock Police Department. While awaiting SIMON JAMES GONZALES arrival, I was conducting follow up investigations over the telephone with a process server.

I observed a white male walk down the hallway past the patrol room and enter the restroom on the Westside of the building. I did not recognize the individual and ask Ofc. STEMBEL if he knew who he was. He stated he did not.

I contacted the male as he exited the restroom. He identified himself as SIMON JAMES GONZALES. I asked him why he was in a restricted area. He said he was

using the restroom and needed to speak with Ofc. Varela.

SIMON JAMES GONZALES was escorted back to the lobby by Ofc. STEMBEL and told to wait.

Approximately 5 minutes later, I was contacted by dispatch and told that SIMON JAMES GONZALES had left the building. I exited the rear of the building and observed SIMON JAMES GONZALES driving away in a white Ford pickup.

I spoke with Dispatcher CINDI DIECK with the Castle Rock Police Department. She was on duty at the time SIMON JAMES GONZALES entered the Police Department. She stated that SIMON JAMES GONZALES entered the building and made no attempt to contact someone at the front desk. DIECK advised she had tried to follow him and called out to him, but he did not respond.

I called SIMON JAMES GONZALES and left a message for him to contact me immediately. Several minutes later SIMON JAMES GONZALES called me. I asked him why he left without speaking to me. He stated he had waited, but no one contacted him. I advised SIMON JAMES GONZALES that I had been on the telephone getting information about his restraining order and that I needed him to be patient. SIMON JAMES GONZALES told me he had waited 5 minutes and indicated that was too long to wait. He agreed to respond to the Police Department again.

Upon arrival, I advised SIMON JAMES GONZALES that I had found that the restraining order had not been served and that no violation had occurred. I then took SIMON JAMES GONZALES to the door leading to the restricted area of the Police Department, which he had previously entered. It had a clearly marked sign at head level that stated "Police Department No Entry". I asked SIMON JAMES GONZALES to read the sign to me. He did. I then opened the door and showed him the identical sign clearly posted on the wall. I asked him to read it to me. He again did so. Both signs were conspicuously posted and clearly indicated a restricted area.

Photographs were taken of both signs as they were posted at the time.

SIMON JAMES GONZALES was advised that he would be issued a Municipal Summons for Trespass. When asked to sign the summons, he refused and stated he was asked to come to the Department and indicated that he could not be charged. As I wrote, "refused to sign" in the signature box, SIMON JAMES GONZALES turned and began to walk out of the lobby in an attempt to keep me from serving him the summons. I order SIMON JAMES GONZALES to stop and come back. He did not respond and continued to walk out. He attempted to open the door leading outside.

I approached SIMON JAMES GONZALES. I placed my right hand on the rear of his neck and my left hand on his left elbow. I turned him around and escorted him to a chair where he was told to sit. Ofc. STEMBEL and Ofc. STEVER had responded to the lobby and sat with SIMON JAMES GONZALES while I completed the summons.

ARREST/BOOKING:

SIMON JAMES GONZALES was issued Municipal Summons #24326. He was charged with 9.04.050 Trespass on Private Property and 9.04.130 Obstructing Public Officials.

CASE STATUS:

Closed. Cleared by arrest.

OFFENSE OPEN REPORT

REPORTED: 05/30/99 by S.C. VARELA  
RECORDED: 05/30/99 by CINDI DIECK  
REVIEWED: 05-30-99 by *RLK #323*  
ASSIGNED TO:

*6/1/99*  
*RECORDS*  
*[Signature]*

INCIDENT: 90530080  
SUPPLEMENT: 0