

# Has the Wyoming Highway Patrol allowed psychotic troopers to patrol our highways?

I saw that a lawsuit had been filed on behalf of the Walmart truck driver who had been kidnapped by a member of the Wyoming Highway Patrol south of Douglas .

Just the fact that a Wyoming Highway Patrol trooper would have the mental instability to conjure up a plan to kidnap and kill a truck driver from a large and wealthy employer for the purpose of staging an accident from which the trooper could gain money from that employer fascinated me.

As I learned more of the specifics to this matter, it disgusted me and made me wonder just how dangerous this stunt and this state trooper might have been. And was this just a bad seed or were there more problems in the WHP?

I accessed the lawsuit filed by the truck driver, and on Friday, April 23, I reviewed the case file - 09-CR-124-1B - in Federal District Court.

What I read in both cases sickened me.

For this bad act was not a spur of the moment display of poor judgment by a single highway patrolman. No, it implicated other members of law enforcement, including other state troopers and this guy. Franklin "Joe" Ryle had a history of lawlessness while employed by the Wyoming Highway Patrol. And the Patrol seemed to be blissfully unaware of just what this trooper was and how potentially dangerous his behavior had become.

Ryle worked for the WHP for a dozen years and for at least the second half of his stint, he conducted himself poorly.

He and others with the WHP, and a former trooper who was defended on these pages when he lost his job with the Highway Patrol, had, based on sworn statements and testimony, discussed a plan to commandeer a truck from a Walmart driver and run it into either the trooper's personal car or his patrol car.

Alternately, the trooper's plan involved killing the Walmart driver and/or his own wife. There are also statements in the file that a former trooper also had, at various times, discussed killing *his* wife.

On January 8, 2009, Joe Ryle pulled around a Walmart truck south of Douglas and put his roof bar lights on. The driver took that to mean the trooper wanted him to follow the SUV into the upcoming rest or turnoff area on the west side of I-25. The area is unlighted, remote and no other vehicles were at the area when he was signaled over. There are no houses or businesses near the area.

When the trooper came to his truck window, the driver was asked for his driver's license, log book and permit book. The truck had an electronic log but the driver handed over to the trooper the other two items he had requested. The Walmart driver assumed the trooper was going to conduct a roadside inspection of his truck.

He had been through many of them in the past and thought it odd the trooper would conduct such an inspection in the dark. But he did not challenge the trooper and did not complain. The trooper came back to the truck and asked the driver to get into the rear of the patrol vehicle. The area was cramped and partitioned off from the passenger compartment by plexiglas. The record also showed that the rear area was divided and the area behind the driver was for a dog. There was no indication in the files that a dog was present that night.

The trooper asked the driver if he'd had other traffic tickets and the driver told him something about one from Colorado years earlier. The driver was then told there was a warrant out for his arrest on a Failure to Appear down there. The driver knew better but again he did nothing beyond utter an expletive about that error. He was asked to get out of the back seat and was told he'd be arrested. He put his hands in front of him and was cuffed. During the time he was exiting the SUV, the trooper had his hand on the butt of his Glock .40 caliber handgun. He did not pull the gun from its holster, he just put his hand on it. At no time was the driver given a Miranda Warning.

The driver had earlier been told to restart the truck. It was still running and he wanted to go back to the cab, or have the trooper return to the truck, to shut off the ignition and retrieve his wallet and cell phone and lock the doors. The trooper refused that, wanting to leave the truck idling with the doors unlocked.

The driver was told he would be taken to the Douglas jail. After going further south on I-25, the trooper cut across the media and returned to Douglas, where he took the first exit into town and went past the Pamida store where he turned into a residential neighborhood. He told the driver his son was ill and he needed to check on him. The driver had checked his watch on a few occasions and noted that the trooper was inside his residence for about 12 minutes.

During the time he spent in the back of the SUV, he did not hear the trooper send or receive any transmissions on the radio up to that time. He could hear him speaking on his cell phone several times. He could not make out the conversations - he just knew the guy made and received calls on the cell phone during the time he had detained the truck driver.

After Ryle returned from inside his residence, he returned the driver to the truck. According to the driver's statement, he had his citation book out and "tapped" on it several times, as though thinking about what he should do. Finally, he made some comments about the driver being "a nice guy" and said he was going to let him go. No inspection. No citation.

As he opened the door from the outside to release the trucker, he apologized and said, "I'm sorry for the inconvenience (or similar), Mr. Schmidt."

Thinking that the trooper had done the radio check on the wrong name - even though he had the trucker's CDL in his hand - he asked the trooper to do another check with the right name and spell it phonetically. When that was done, the response came back, "Current and clear."

It has been reported elsewhere the reason for the release was that Ryle had double-checked the driving record and, the second time, it came back clean. That is untrue. He had released the Walmart driver BEFORE that "second" verification.

The truth was that the trooper had never called in anything up to the "check" asked for by the driver. Never. On this matter. No reports of stopping the truck, no check on his driving record, no report of heading toward the jail with him, no checking out to go home - nothing. The trooper's plan, concocted over a long period of time with his colleagues of the WHP, was to kill the driver and, if he could trick her into accommodating him, also kill his wife and then get a huge settlement from Walmart and he would live happily ever after with no conscience and no remorse.

But, after calling his wife from the truck location and telling her to take their children to her mother's and tell her mother she'd return for them in an hour and a half, the trooper went home. He told his wife what a great opportunity he had come across - that he had been radioed that a Walmart truck was weaving down I-25 and when it came to a stop (how he did not tell her) the driver was dead. He could now fake an accident with this truck by having it run into his patrol car and his self-caused injuries would put him on Easy Street. He and his buddies had discussed how to cause those injuries without sitting in the vehicle while a large semi truck and trailer actually ran into it from the rear. His friends were going to "break limbs" with a sledgehammer.

But, his wife challenged his plan when he went to their home that night. She had a little common sense. She was worried about the truck driver's condition - was he really dead or could he be resuscitated? And, wouldn't an autopsy show he died of a heart attack, not from the collision? Nonetheless, her statement indicated she was prepared to go along with the scheme but her husband never called her back to finally put the plan in motion.

So, what saved the trucker's life that night? Why did the trooper take the scheme almost too far, then pull back? What other criminal behavior had this trooper shown? And what is the current civil lawsuit about? See page 12.

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# A \$46 million budget for FY2011 is still too high

Had spending after Jack Spiker became mayor in January of 2001 increased by double the rate of inflation - **DOUBLE THE RATE OF INFLATION!** - Rick Kaysen would be proposing a budget for the next fiscal year of \$50.5 million.

But, if spending had been held to **THE RATE OF INFLATION**, the FY2011 budget would call for \$39.6 million - not the \$46 million Rick is proposing, which, by the way, would still result in a \$1.4 million shortfall.

So, while residents may be emphathetic with city employees who have lost their jobs, the blame here goes to uncontrolled spending, not a lack of revenue. You will see in the table below, during Leo Pando's second term, a performance, you will remember, that led to his defeat when he sought a third term, the reserves grew by \$11,155,388.

During Jack Spiker's two terms, the result of which led to his election to the city council when he chose not to seek a third term, the reserves dropped by \$7,890,749. That reduction (for spending) does not include the spending of another \$15 million in excess 5th penny sales tax collections that was in the treasury when Jack became mayor.

In addition to the spending levels being manageable, had they been held to the rate of inflation, the City would not have had to terminate the

to where it is today. It was not enough for the Spiker Cabal to spend the ever increasing revenues coming to the City - especially by way of the State which was sharing its energy bounty with lower levels of government, as it should - but also spending down the hard earned savings that was to be used for times just like these. Not during a period of steadily increasing revenues. There was no need - no justification - to squander those savings during the good times. Now we don't have them available during what the City would inappropriately call the bad times.

It is embarrassing that this city of riches has to debate deferring the promised annual payment to the BOPU - a payment that was intended to hold down water rates and also to threaten to cancel or postpone dues to the Wyoming Association of Municipalities - not that they should be sending that much money to that ineffective group anyway - and the Chamber and try to find savings in minimal amounts so the excessive spending of the past can be sustained to the greatest possible level.

The City governing body should have adopted, a decade back, a policy to have on-hand reserves in an amount equal to 120 days of spending. They easily could have done that. In an emergency, they could have spent down the reserves so that there was 90 days of spending available. Now, they have a matter of hours of spending on hand.

# WHP trooper on 'roids

It is obvious from a review of the kidnaping case file and the recent civil lawsuit that the management of the Wyoming Highway Patrol leaves a lot to be desired. Here was a trooper with serious mental problems. He blamed his diagnosis of PTSD on the WHP, the military and his wife. He was deeply medicated and on steroids. He had said to his counselor, "I think I'm going crazy" and that he had had those feelings "every other day for the last year." Ryle described himself as "having a very bad temper, that he can be easily triggered - especially when he's not taking Cymbalta as he is supposed to."

In his turbulent past, he admitted to trying "to shoot a guy in the head but the gun didn't fire." He also threatened to kill a guy in Lakewood, Colorado because of a domestic issue and traveled down there to threaten him - after using the NCIC data base to identify him and get his address. He stole cash bonds (fines) from motorists and converted the cash to his personal use. He misappropriated \$1000 that was to be used to purchase exercise equipment. He smuggled steroids into the country from Mexico, after going to great lengths to hide/disguise the 'roids in a vanilla bottle. Another trooper was involved with him and shared the steroids. In the weeks before the incident with the Walmart driver, he had, on more than one occasion, purchased steroids from a former WHP trooper. His wife feared for her life and at the time of this incident, he threatened to kill the whole family and once ordered her upstairs in their house. She wouldn't go because she thought he was going to kill her. She also said he had wanted to take out large insurance policies on each of them.

Finally, on this portion of the story (more in the next issue), Ryle was so comfortable with having steroids in the presence of WHP troopers that he had vials and syringes in his office desk in Douglas. He had the audacity to bring steroids to work. Did he use them at work? You be the judge. He also had a bottle of vodka in his patrol SUV glove compartment - one of his plans was to have a trucker drink the alcohol until he became unconscious, then Ryle could stage the crash.

Here's what I think happened: Ryle thought his accomplices were "in" - that they were "solid" - because they told him they were but when push came to shove, none would participate. I believe the time on his cell phone and inside his house was spent on trying to convince his wife to participate and sharing his plan with those who had promised to be his accomplices. I believe, without proof, that he had recently used steroids. Steroids can lead one to do things like professional wrestler Chris Benoit did - kill his wife, child and himself.

It is my opinion that the most he could get one of buddies to do on that nearly fatal night was to call him on the Patrol frequency and say the words, "Colorado won't extradite," which gave Ryle his cover to return the driver to his truck. Someone who could transmit on the Patrol frequency had to make that call - there is no indication of whom. The driver described Ryle as being slow, confused and deliberate that night. He was not tracking. That can lead to explosive behavior.

Lastly, I believe that the Walmart driver was one word, one challenge, one provocation, one challenge, one misstep from being a dead man. I believe he is alive today because he was calm, nonconfrontational, nonbelligerent and compliant. I believe that in Ryle's state of mind and confusion that night, something much more drastic could have easily happened. After my review of this matter, I believe that the truck driver is entitled to much more than the WHP quickly paid him in an effort to make the problem go away - quietly and secretly. \$10,000 might cover his emotional distress at the thought he could have lost his job because the trooper forced him to leave his truck abandoned and running. At the time he accepted that payment, he was not told the trooper had planned to kill him. That distress is worth far more.

City of Cheyenne Elements of Financial Statements Compared -- FY1998 through FY2009				
Period ended	Revenue	Spending/Transfers	Surplus/(Deficit)	Fund Balance
FY1998 (June 30, 1998)	\$26,482,543	\$24,694,882	\$1,887,661	\$ 7,244,135
FY1999 (June 30, 1999)	\$26,516,052	\$25,719,299	\$ 796,753	\$ 8,040,888
FY2000 (June 30, 2000)	\$30,012,313	\$26,768,032	\$3,244,281	\$12,472,873
FY2001 (June 30, 2001)	\$34,428,970	\$30,390,031	\$4,038,939	\$16,511,812
FY2002 (June 30, 2002)	\$37,043,160	\$39,629,157	(\$2,997,386)	\$13,514,426 (1)
FY2003 (June 30, 2003)	\$34,708,255 (2)	\$36,350,478 (3)	(\$1,642,229)	\$11,358,059
FY2004 (June 30, 2004)	\$36,166,485	\$39,472,350 (4)	(\$3,305,865)	\$ 8,052,194 (4)
FY2005 (June 30, 2005)	\$41,179,804	\$40,613,311	\$ 566,482	\$ 8,618,676
FY2006 (June 30, 2006)	\$45,227,716	\$45,514,884	( \$287,168)	\$ 8,331,508
FY2007 (June 30, 2007)	\$46,730,307	\$46,186,487	\$ 543,820	
	Add: Prior period adjustment		\$1,254,110	\$10,129,110
FY2008 (June 30, 2008)	\$49,862,052	\$49,501,480	\$ 360,751	\$10,490,189
FY2009 (June 30, 2009)	\$50,171,109	\$52,040,784	(\$1,869,512)	\$ 8,620,677
FY2010 Budget	\$51,663,463 (5)	\$51,663,463 (6)	TBD	TBD

(1) The following year's audit changed this figure to \$13,901,950  
 (2) Revenues showed \$1,128,210 related to the parking garage, which was a bond issue - subtracted here for comparisons  
 (3) Expenditures showed \$9,576,697 related to the parking garage, which was a bond issue - subtracted here for comparisons  
 (4) Mingling of funds for the parking garage created much financial confusion for two years - the fund balance is right  
 (5) FY2010 Budget has pencil adjustments in margin, no corrected copy was run. These numbers are incorrect but how much??  
 (6) Same as (5) plus there are no Transfers out that usually adds \$1,500,000 - \$2,000,000 to need for revenue

**The Spiker Budgets - July 2001 - June 2009**  
 Source: Annual audited financial statements. These audited figures do not agree with the figures used for budgeting purposes.

employment of a number of employees nor beg another group to accept a pittance of a buyout and retire early.

The City of Cheyenne should be rolling in money now, not searching for every payment they can delay and acquiring more and more equipment by way of leases instead of purchase.

Inflation from 2000/2001 through 2009/2010 was 25.2%. Revenue gains in the City almost doubled from FY1998 to FY2010. Yet, the City is on the verge of insolvency. Not there because there is a balance in the reserves, but close. The reserve figure being bandied around is incorrect. It is not reduced by "encumbered" amounts - payments that must be made but haven't been made yet. The true fund balance is only \$4.5 million - a loss of \$12 million since Jack became mayor. That "spend down" of the reserves has brought the City

And, I'm not too sure what I believe of the representations being made now that they're in the embarrassing position of reusing envelopes because they have so little money.

It is personally bothersome to see what they've done to the City's finances. Especially after some of us worked diligently to "balance" the budget in 1997 and promised that the City would "live within its means" and that those elected as "fiscal conservatives" would be the City treasury watchdogs.

Then a surrender was made to those who promised to spend every nickel the City had or would get. They succeeded. And, now ...

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