

**"ANYTHING TWO PEOPLE KNOW IS NOT A SECRET."**

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## Is there a cover-up in the sheriff's department?

*Why was the chase report and subsequent investigation report of a lengthy pursuit that ended in a rollover accident withheld from the Cheyenne Herald?*

by **Dave Featherly**

*Note: I have what I consider to be an excellent working relationship with the Laramie County Sheriff's Department. I have great respect for Danny Glick and those of his staff that I have come in contact with. The Department has done no favors for me but they are available and respond to questions with what I believe are honest answers. Unfortunately, some of the simple requests for public records made of county officials are answered by an incompetent county attorney. In this case, his denial of a request which had been approved by Sheriff Danny Glick, leaves me no choice but to disclose this story to Cheyenne Herald readers without all of the documentation that exists and are public records. Beginning with the premise that no capable, high-income-potential attorney with options would choose to be either county or city attorney, decisions like this one to deny access to public records can, and will, have costly repercussions at some point. I have neither the time nor interest in litigating every mistake made by these hired dopes. The case files, citations and other information available to me without the blessing of an intelligence-challenged county attorney who lives in Albany County and, I've been told, violates the same ordinances he prosecutes in Laramie County, are adequate to provide the elements of this important story:*

A message was left on my machine that there had been an incident on Cheyenne's southside that was serious in the mind of the caller, yet there had been absolutely no media coverage.

When I called her back, she filled me in on the details. She told me that at about 9:30 pm on Friday night, June 13th, she was listening to her scanner and heard the "chatter" of a pursuit of a motorist by law enforcement. The chase began with a single car and escalated to more, likely at least three vehicles, she said.

Hearing that the pursuit had begun at 5th St. and I-180 on the southside, she couldn't tell the exact route it had taken but within a very short time, she could hear

more from the "screaming" sirens than from continued communications on the scanner. As the pursuit came very near to her house and then diverted away, she heard a request for assistance from other agencies until she ultimately heard, "he's losing it, he's going over the bank toward the creek, he's been ejected, send AMR," or words to that effect.

Her call to me wasn't to report that she had heard such an incident in progress - I guess if you listen to scanner traffic, it is not uncommon to hear of similar incidents, particularly on Friday and Saturday nights.

After the report that the driver had gone over the bank into, or near, Crow Creek (it turned out to be near the Ames Underpass), the scanner went virtually silent in regard to this incident. The usual chatter after such an accident, such as AMR reporting blood pressure, calling the hospital to say they were on the way with a seriously injured patient, tow truck chatter, etc. - there was none of that this night, according to the otherwise reliable caller.

Also, it concerned her that there was no media coverage of a pursuit which led to a rollover and the probable serious injury to the driver of the fleeing car.

She remains adamant about the time of the event because she said she watched the Channel 5 news right after the commotion and there was no TV coverage. She believes Channel 5 monitors a scanner and respond to events such as this one. The next morning, she was surprised to see that the WT-E also had no coverage of such a life-threatening chase.

My first thought was to take a pass on the story but I thought it strange that the details she had provided me made it seem that a newsworthy story, even for Channel 5 and the WT-E, which have a hard time distinguishing fluff from serious local news, had been ignored.

So, after a couple days, I called Laramie County Sheriff Danny Glick. I asked him if his deputies had been involved in a pursuit that Friday night. At that point, I didn't know for certain that it was the

LCSD as opposed to CPD which had been involved. He said such a chase had been made by a sheriff's deputy and provided some of the details, based on his recollection of a briefing he had received.

As we spoke, I ascertained that the chase had been brief and had ended with the driver leaving Deming Blvd. and rolling toward the creek. Danny said he recalled that the report said the driver was "partially" ejected and that the pursuit distance was .6 of a mile.

I asked if the driver had been arrested and Danny told me he had not been. I understand it is common that an offender would not be arrested if he is admitted to the hospital because the arresting agency would be responsible for the hospital charges and has to maintain security on the patient. But he went on to tell me that the young man, by this time I knew who the driver was, was not charged with a felony but rather had been "cited."

We talked about rules of engagement in pursuit - I didn't ask for specifics, just that the department had such rules - and he mentioned a "chase report." He also told me that a third party is brought in to do an independent investigation when there is a pursuit - I'm not sure if this is for all pursuits or just those with injury, which this one was - and I asked him for copies of both reports. He said he hadn't seen the investigation report, which he thought was conducted by the Wyoming Highway Patrol because CPD was also involved in the chase, and that he would get copies of both reports for me.

I called the Sheriff's office on Thursday, June 26th to see if the copies were ready. The Sheriff was not in the office and would not be back for several days. After I discussed with the receptionist who the next best person to speak with might be, she suggested Capt. Rich Hillegas and connected me to him. I told Rich the situation, about Danny's commitment to me to provide those report copies, and asked if he could do so in the Sheriff's absence. I told him there was urgency because I would be doing a story about the chase for this issue of the Cheyenne Herald.

He told me he'd see what he could do. Our next conversation was his telling me that county attorney Mark Voss had advised him that the reports were "criminal history" records and could be withheld and they would not be provided to me.

As so often happens with Mark Voss, he didn't know what the hell he was doing.

What I had requested were reports involving the summary of the action taken by a **SHERIFF'S DEPUTY**. Unless Voss was accusing the deputy of having a criminal history, such a defense to providing public records would not stand up if litigated.

The other report I requested was completed by a **TROOPER** of the **HIGHWAY PATROL**. Again, unless the starkly incompetent county attorney is accusing that trooper of having a criminal history which must be hidden from the prying eyes of the Cheyenne Herald, he is as wrong as he was when he advised the county commissioners that an interim coroner could not be appointed until he had completed certain training which would only be required of him **AFTER** he assumed office.

The two reports I sought could have been provided without even the name of the accused. Unfortunately for our local Hamilton Berger, the seven citations written to the guy who fled law enforcement that night provide far more information than these two reports probably show.

A Wyoming Supreme Court ruling a few years back allows insiders to redact certain information from such reports but not to withhold reports in their entirety. If Voss could read, he might find perusal of that decision most enlightening.

No, the issue here is that a county or city attorney in local government can act illegally and he has no bosses with the courage or knowledge to remove him from office. He is a hired fourth-tier attorney and probably could not find employment in private practice. Instead, he provides erroneous advice which diminish a sheriff's department that is known to do the right thing. *Continues on page 3.*

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