

COMBINED COURTS, ARAPAHOE COUNTY, COLORADO

DATE FILED: February 28, 2019 9:23 AM

AFFIDAVIT OF PROBABLE CAUSE FOR ARREST WARRANT

I, Investigator Joni Tangeman, of lawful age and being first sworn upon oath, state that I have probable cause for believing that:

ALBERT, ROLAND THOMAS
DOB: 03/21/80

did commit the crime(s) of:

18-4-401 Theft (\$20,000 < \$100,000) F4

on/or between 05/15/17 and 08/29/18, within Arapahoe County, Colorado, and as grounds therefore state as follows:

That this Affiant is an Investigator with the Arapahoe County Sheriff's Office, and that the following information was obtained by me personally and from the official records of the aforementioned office.

This Affiant is aware of the following information as it is contained in Arapahoe County Sheriff's Office Offense Report #AC18-16559, which was written by this Affiant. Information taken from this report has been paraphrased as follows.

On 08/27/18 at about 0730 hours, Arapahoe County Sheriff's Office Captain JARED ROWLISON asked this Affiant to contact Aurora Police Sergeant BRANDON SAMUELS in regards to a theft investigation involving the Aurora Police Orphan Fund. Captain ROWLISON explained that the suspect is identified as:

ALBERT, ROLAND THOMAS
DOB: 03/21/80

who is the Treasurer for the Aurora Police Orphan Fund.

This Affiant also spoke with Arapahoe County Sheriff's Office Sergeant NICK RODRIGUEZ, who explained that Arapahoe County Sheriff's Office Investigator JEFF HIMES and Sergeant RODRIGUEZ were investigating ALBERT in regards to an unrelated case, AC18-15993. In the course of that investigation, concerns developed regarding the funds with the Aurora Police Orphan Fund.

On 08/27/18 at about 0753 hours, this Affiant spoke with Sergeant SAMUELS, who stated the following:

ALBERT has been the Treasurer for the Aurora Police Orphan Fund since December of 2015.

On 08/23/18, Sergeant SAMUELS was notified that ALBERT may be charged with an unrelated case.

On 08/24/18, Sergeant SAMUELS contacted the Aurora Police Orphan Fund Financial Advisor PETE FIELDS and notified him of the situation.

PETE FIELDS told Sergeant SAMUELS that the money market account and checking account did have an unusual reduction of funds and suggested a closer look at the accounts.

Sergeant SAMUELS explained that the Aurora Police Orphan Fund banks with the Rocky Mountain Law Enforcement Federal Credit Union; the money market account is [REDACTED] the checking account number is [REDACTED] and the savings account is [REDACTED]

The board did have an emergency meeting and voted to remove ALBERT from the Board and the accounts.

On 08/24/18 ALBERT was taken off of all of the accounts as an authorized user.

All board members have access to all of the accounts; however, based on the information available at that time, it appeared that some money transfers have been made from the Aurora Police Orphan fund account into ALBERT's personal account at the Rocky Mounty Law Enforcement Federal Credit Union.

Sergeant SAMUELS responded to the Rocky Mountain Law Enforcement Federal Credit Union and did see withdrawals that were transferred out of the Money Market account that he could not explain.

Sergeant SAMUELS stated that there is a President, Vice President, Secretary, and Treasurer as the board of the Aurora Police Orphan Fund.

There is an annual meeting that must take place per the bylaws and all other communication is done through email.

The meetings are very irregular depending on what may happen in the law enforcement community.

Most of the correspondence regarding the Association is done through email.

Whenever a law enforcement officer is hurt or a situation arises where an officer's family may need money, there is a group email to approve the movement of funds.

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The Treasurer will go to the Credit Union and release the funds, at which time one of the Board Members will deliver a check to the family in need.

All movement of funds requires a motion, a second to the motion, and a majority vote prior to any funds being moved.

The Secretary keeps written records of all of the approved transactions.

When Sergeant SAMUELS reviewed the money market statements from 01/02/18 through 08/02/18, he found several donations in names that he did not recognize.

The Rocky Mountain Law Enforcement Federal Credit Union would not provide any additional information on the accounts in which the unauthorized money was transferred into.

At that time, he was unable to create an accurate statement of loss.

He explained that about 95% of the employees with the Aurora Police Department donates money to the Aurora Police Orphan Fund, which is an automatic withdrawal from their paycheck directly to the Orphan account.

There are some automatic deductions that are sent on anniversary dates of death to families.

The previous Treasurer is former Aurora Police Captain BOB STEF who retired in December of 2015, at which time ALBERT was elected in. (As of 01/08/19, STEF is a Chief with the Arapahoe County Sheriff's Office)

Sergeant SAMUELS and the Aurora Police Orphan Fund Vice-President and Aurora Police Sergeant SHANE ELLISON, responded to the Arapahoe County Sheriff's Office and provided four pages of bank statements from the Rocky Mountain Law Enforcement Federal Credit Union.

Sergeant SAMUELS stated the following transactions are suspicious from the money market account:

- On 01/03/18 there is a \$5000.00 check, number [REDACTED]
- On 01/04/18 there is a \$700.00 transfer to a cross member.
- On 01/09/18 there is a \$300.00 transfer to a cross member.
- On 01/22/18 there is a \$1,623.00 tuition assistance transfer to a cross member.
- On 01/23/18 there is check written for \$2000.00.
- On 05/01/18 there is a \$620.00 memorial donation.
- On 05/21/18 there is a \$1,810.00 tuition transfer to a cross member.
- On 05/31/18 there was a \$1,800.00 tuition payment to a cross member.

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- On 06/04/18 there was a \$1,850.00 transfer for tuition reimbursement to a cross member.
- On 06/07/18 there is a \$3,300.00 donation made to ALLAN WADE listed as a cross member.
- On 06/08/18 there is a \$560.00 transfer made to CLEM to a cross member.
- On 06/08/18 there is a \$500.00 transfer made to a cross member for a donation listed to ODMF.
- On 06/22/18 there is a \$600.00 cross member transfer listed only as donation.
- On 06/22/18 there was a \$500.00 cross member transfer listed to ABIGAIL HUTCHINGS' tuition.
- On 07/09/18 there was a \$400.00 donation listed as LOGAN donation for cross member.
- On 07/23/18 there was a \$2,000.00 donation to TERRY FRANKLIN who is a cross member.
- On 07/23/18 there was a \$1,000.00 cross member donation listed to BUTLER.
- On 07/31/18 there is a \$1,000.00 transfer listed as cross member.
- On 08/01/18 there is a \$50.00 transfer listed to account number [REDACTED] loan number [REDACTED]

Sergeant SAMUELS indicated he has been corresponding with Rocky Mountain Law Enforcement Federal Credit Union employee ANGEL DIAZ who explained that ALBERT does have personal accounts with the Rocky Mountain Law Enforcement Federal Credit Union. ANGEL stated that if a note is listed as a cross member on the statement, it means that money was sent to an account within the Rocky Mountain Law Enforcement Federal Credit Union.

Sergeant SAMUELS also said that Aurora Police Orphan Fund Secretary and Aurora Police Detective ROBIN THOMPSON would provide a list of transactions from the Orphan fund that are believed to be unauthorized once a review of the bank records had been completed.

On 08/29/18 at 0935 hours, this Affiant spoke with Aurora Police Officer CRYSTAL MCCOY, who stated that she is the Vice President on a Board for an Association called The Brotherhood for the Fallen Aurora, Incorporated. Officer MCCOY explained that ALBERT is the Treasurer for that association and she was notified that the association should do a close check of the association accounts due to suspicion of ALBERT being charged with another unrelated crime. Officer MCCOY indicated that she would review the bank records and contact this Affiant.

On 09/13/2018 at about 1322 hours, Officer MCCOY and Aurora Police Officer TIM JEFFREY responded to the Arapahoe County Sheriff's Office, located at 13101 East Broncos Parkway, and stated the following, that:

The Brotherhood for the Fallen Aurora, Incorporated has been an association since 07/06/15.

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In March of 2016, ALBERT took the position as a Treasurer for the association.

The association has three accounts with the Rocky Mountain Law Enforcement Federal Credit Union.

There is a checking account number [REDACTED], a savings account [REDACTED] and a money market account [REDACTED]

The money market account was opened in October of 2016 at the direction of ALBERT.

When the account was opened, a transfer was made on 10/19/16 in the amount of \$32,595.05.

Officer MCCOY indicated that ALBERT asked to be the Treasurer for The Brotherhood for the Fallen Aurora, Incorporated and the Aurora Police Orphan Fund at about the same time.

Officer MCCOY explained that there are currently 188 members in the Brotherhood for the Fallen Aurora association.

Membership dues are \$100.00 annually for sworn Peace Officers and \$25.00 annually for civilians.

All of the other money that the association receives is donations.

There are several different ways that donations are received through the associations.

One of the ways is that employees for the Aurora Police Department can have donations taken directly from their paycheck.

All of the money allocated for the Brotherhood for the Fallen Aurora association is collected bi-weekly by the City of Aurora's Human Resources Department and checks are printed, which can be picked up by any Officer on the Board for the association.

Officer MCCOY explained that most of the time, ALBERT picked up the checks.

All of the money that the association has is used for travel to send two Peace Officers to funerals of Peace Officers who have died feloniously in the line of duty in the United States.

The fees cover airfare, lodging and ground transportation.

If the funeral is located within a 13 hour drive or less, the Officers drive to the funeral.

While the Officers are at the funeral, the Officers meet with the victim's family and donate \$100.00.

Since the organization has started, they have always been able to send a member to attend every funeral that qualifies and believe the association has gone to over 140 funerals.

The association bylaws indicate that they need to meet annually for elections in November; however, they do meet every three or four months depending on the needs of the association.

Most of the time, communication is through group text messages or emails.

The current Board consists of TIM JEFFREY as the President, CRYSTAL MCCOY as the Vice President, Aurora Police Officer EUGENE VANDYK as the Treasurer, Aurora Police Officer MATTHEW LONGSHORE as the Secretary, Aurora Police Officer EMILY HITCHINGS as the Travel Secretary, and Aurora Police Sergeant DIANA COOLY as an Assistant Travel Secretary.

Officer HITCHINGS manages the receipts for all of the travel and there are some meeting minutes kept.

The association paid for ALBERT to get Quicken and ALBERT was in charge of QuickBooks.

They believe the QuickBooks were kept on ALBERT's personal computer, but they are unsure.

As a fairly new association, one task that was set for the future was to hire a CPA.

Officer MCCOY had found a CPA and asked ALBERT to provide all of the documents to the potential CPA, which was not done.

Officer MCCOY explained that she is friends with ALBERT on Facebook and in May or June of 2018, she saw a post on ALBERT's Facebook page that said something to the effect of 'I'm in Oklahoma cheating on my family right now.'

A short time later, Officer MCCOY received a telephone call from an Officer, who she feels is protected by peer counseling guidelines, indicating that ALBERT's wife, later identified as:

PASQUALE-ALBERT, BREE NICHOLE
DOB: 12/31/81

may have cut off all of ALBERT's access to money and that Officer MCCOY should check The Brotherhood for the Fallen Aurora, Incorporated funds.

Officer MCCOY checked the checking and savings account online on her cellular phone.

At that time, she did not check the money market account because it does not automatically generate on her phone for online banking.

Officer MCCOY also indicated that there is never any movement in the money market account other than a small dividend posting.

The money market account is not supposed to be used and was set up as a buffer account due to a large donation that was received after the Dallas five Officer shooting.

Shortly after that, ALBERT returned back to work and there appeared to be no problems.

Officer MCCOY was notified by Officer HITCHINGS that there were rumors going through the Aurora Police Department that ALBERT had gone to Las Vegas and gotten married, while still being married in Colorado.

Then there was a rumor that ALBERT had done a commitment ceremony and not a legal marriage ceremony.

A few days later, Officer MCCOY got on the Clark County marriage license website and confirmed that ALBERT was married in Las Vegas.

Officer MCCOY immediately called her Fraternal Order of Police representative and asked about her duty to report an Officer committing a felony.

Simultaneously, Officer MCCOY was having conversations with Officer HITCHINGS and ultimately learned that appropriate reporting was done as to a possible criminal charge against ALBERT and an investigation was under way.

On 08/19/18, Officer JEFFREY spoke with ALBERT and said that the Brotherhood for the Fallen Board decided to have ALBERT removed as Treasurer.

Officer JEFFREY stated he had no idea that money would be missing and indicated that once ALBERT got his personal affairs in line, he may be able to join the Board again.

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Officer MCCOY reviewed the money market account and saw the following transactions that were suspicious:

- On 05/18/17 at 13:26:41 hours, withdrawal in the amount of \$2,000.00, transactions details show "FOR ROLAND T ALBERT"

The following three transactions all have a note indicating "CODL [REDACTED]
SSN [REDACTED]"

- On 06/19/17 at 09:23:46 hours, withdrawal in the amount of \$2,000.00
- On 11/13/17 at 10:15:08 hours, withdrawal in the amount of \$921.23
- On 11/27/17 at 13:37:57 hours, withdrawal in the amount of \$1,274.00

After the aforementioned transactions were discovered, the Board held an emergency meeting on 08/31/18 and decided to remove ALBERT formally as the Treasurer for the association.

Officer MCCOY reiterated that there is no need for ALBERT to have withdrawn money from the money market account, and the board was not aware of the withdrawals. The Board is in the process of gathering all of the legitimate expenses that were paid for travel from the checking account.

This Affiant conducted a law enforcement check through the Colorado Department of Motor Vehicles and determined that ALBERT's driver's license number is [REDACTED] and his social security number is [REDACTED]

This Affiant received a signed Production of Records and obtained certified bank records for Rocky Mountain Law Enforcement Federal Credit Union accounts belonging to ALBERT, the money market, checking and saving account records belonging to the Aurora Police Orphan Fund from 12/01/15 through 09/30/18 and all accounts associated with the Brotherhood for the Fallen, Incorporated Fund from 07/01/15 through 09/30/18.

This Affiant corresponded with Detective THOMPSON who stated that the following transactions are suspicious and were not authorized to be taken from the Aurora Police Orphan Fund:

Date	Account	Amount	Transaction	Note
12/7/2017	[REDACTED]	\$3,000.00	transfer from [REDACTED]	no note
12/7/2017	[REDACTED]	\$3,000.00	transfer to SBI [REDACTED]	Partner CU
12/18/2017	[REDACTED]	\$5,000.00	transfer from [REDACTED]	no note
12/18/2017	[REDACTED]	\$5,000.00	withdrawal to [REDACTED]	no note
12/22/2017	[REDACTED]	\$1,500.00	transfer to SBI [REDACTED]	Fitzsimmons CU
12/26/2017	[REDACTED]	\$1,500.00	[REDACTED]	no note

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1/2/2018		\$800.00		no note
1/4/2018		\$700.00		no note
1/9/2018		\$300.00		no note
1/16/2018		\$5,534.06	transfer to [REDACTED] APOF Visa	no note
1/22/2018		\$1,623.00		"tuition assistance"
1/25/2018		\$1,700.00		"donation"
2/1/2018		\$1,000.00		"donation"
2/9/2018		\$1,000.00		"school contribution"
2/20/2018		\$1,800.00		"tuition assistance"
3/1/2018		\$1,300.00		"tuition assistance"
3/5/2018		\$1,200.00		"tuition"
3/19/2018		\$2,000.00		"tuition assistance"
3/28/2018		\$2,200.00		"donation"
4/2/2018		\$1,500.00		"Tuition donation"
4/2/2018		\$1,700.00		"donation"
4/16/2018		\$2,500.00		"tuition"
5/1/2018		\$620.00		"memorial donation"
5/21/2018		\$1,810.00		"tuition"
5/25/2018		\$300.00		"licensing"
5/31/2018		\$1,800.00		"tuition payment"
6/4/2018		\$1,850.00		"tuition reimbursement"
6/7/2018		\$3,300.00		"allan Wade donation"
6/8/2018		\$500.00		"ODMP donation"
6/8/2018		\$560.00		"CLEM donation"
6/22/2018		\$500.00		"Abigail Hutchings tuition"
6/22/2018		\$600.00		"Donation"
6/25/2018		\$1,000.00		"Ronolfo Moldonado Tuition"
7/2/2018		\$500.00		"Tuition"
7/5/2018		\$500.00		"Donation"
7/9/2018		\$450.00		"Logan Donation"
7/16/2018		\$7,000.00		tuition UNC Abigal
7/23/2018		\$1,000.00		"Butler donation"
7/23/2018		\$2,000.00		"Terry Franklin Donation"
7/31/2018		\$1,000.00		no note
Total		\$71,147.06		

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While reviewing the records, this Affiant confirmed that ALBERT's personal account with the Rocky Mountain Law Enforcement Federal Credit Union is [REDACTED]. This Affiant also confirmed a \$1,500.00 transfer was made from the Aurora Police Orphan Fund account number [REDACTED] to the Fitzsimons Credit Union on 12/22/17 and information on that transaction would need to be obtained from the Fitzsimons Credit Union. The statement indicates it was a shared branching institute transaction.

On 11/05/18 this Affiant spoke with ANGEL DIAZ who stated that any additional details for the account the money was transferred into would need to be obtained from Partner Credit Union.

On 11/07/18 this Affiant contacted the Fitzsimons Credit union who stated that a court order will be needed to provide any account information.

On 11/28/18 this Affiant received a court order for Partner Credit Union and Fitzsimons Credit Union and asked Arapahoe County Sheriff's Office Investigations Technician DOMINIC CONTA to serve them.

On 12/03/18 this Affiant corresponded with BRENDA GEISTER from Partner Credit Union and she stated that ALBERT does not have any accounts with that financial institution. BRENDA was able to provide a copy of a transaction request form with a handwritten date of 12/07/17 requesting a withdrawal from "RMLE" account ending in [REDACTED]. The initials are difficult to read; however, the receipt requires the last four digits of a social security number, which shows [REDACTED]. BRENDA also provided a shared branching printed receipt showing a shared withdrawal on 12/07/17 at 1358 hours for \$3,000.00. The receipt also recorded a driver's license number of [REDACTED] at the time of the withdrawal.

On 12/31/18 this Affiant corresponded with ELIZABETH RETTIG from Fitzsimons Credit Union who provided a shared branch transaction printed withdrawal receipt dated 12/22/17 at 1250 hours in the amount of \$1,500.00 from Rocky Mountain Law Enforcement Federal Credit Union account number [REDACTED], requested from "ROLAND ALBERT" note indicates [REDACTED].

This Affiant received a list of suspicious transaction from Officer JEFFREY in regards to the Brotherhood of the Fallen account. After corresponding with ANGEL and ELIZABETH, the following is a list of transactions from the Brotherhood of the Fallen account that were not authorized by the board members and confirmed to be on the bank records:

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Date	Account	Amount	Note	Document
5/15/2017		\$500.00	withdrawal	RMLEFCU
5/18/2017		\$2,000.00	withdrawal	RMLEFCU
6/19/2017		\$2,000.00	withdrawal	Fitzsimons CU
11/13/2017		\$921.23	withdrawal	Fitzsimons CU
11/27/2017		\$1,274.00	withdrawal	Both
5/11/2018		\$289.26	withdrawal	Fitzsimons CU
5/24/2018		\$240.00	ATM	RMLEFCU
8/11/2018		\$180.00	ATM	RMLEFCU
8/15/2018		\$200.00	ATM	RMLEFCU
8/29/2018		\$149.16	Enterprise	RMLEFCU
Total		\$7,753.65		

ANGEL provided documentation for the aforementioned transactions with documents from the Rocky Mountain Law Enforcement Federal Credit Union, which showed that ALBERT's driver's license was recorded during the withdrawals. ANGEL was also able to confirm that debit card number [REDACTED] and card number [REDACTED] which were both issued to ALBERT were used during the ATM transactions and the Enterprise rental car transaction. When this Affiant asked why ALBERT had two different card numbers, ANGEL explained that ALBERT may have been issued a new card if his card expired, lost or was worn out. ANGEL confirmed that only ALBERT had access to the aforementioned card numbers and the card numbers are different for other board members.

ELIZABETH provided documents from the Fitzsimons Credit Union and each transaction lists ALBERT's Colorado Driver's license number and last 4 digits of his social security number, except the transaction dated 05/11/18. The receipt for 05/11/18 has "Roland T Albert" printed on it.

This Affiant attempted to interview ALBERT and was notified that he declined to speak with investigators. The reported loss from the Aurora Police Orphan Fund account is \$71,147.06 and the reported loss from the Brotherhood of the Fallen account is \$7,753.65. The total amount of loss is 78,900.71.

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Therefore, this Affiant respectfully requests that an arrest warrant be issued for:

ALBERT, ROLAND THOMAS
DOB: 03/21/80

for the charge (s) of:

18-4-401 Theft (\$20,000 < \$100,000) F4

This Affiant has read the foregoing statement and the matters stated therein are true to the best of my knowledge and belief.

Joni Tangeman
Joni Tangeman, Affiant

SUBSCRIBED AND SWORN TO before me on Tuesday, January 15, 2019.

[Signature]
Notary Public

My Commission Expires: 10/22/19

