COUNTY COURT	
Saguache County, STATE OF COLORADO	
Court Address: 4TH Christy, P.O. Box 197, Saguache, CO 81149	
<i>,</i> , , , , , , , , , , , , , , , , , ,	
THE PEOPLE OF THE STATE OF COLORADO	
Plaintiff:	
17.	
Vs.	
Wayne Clark DOB: 05/22/1967	
Defendant:	
HT: 6'3", WT: 250,EYES: GRN, HAIR: BLK	
RACE: W, GENDER: M	
	COURT USE ONLY
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ROBERT WILLETT, District Attorney 12th Judicial District	Case Number:
Robert Willett, District Attorney	20 M & C
426 San Juan Ave.	Div.: Ctrm:
Alamosa, CO 81101	
Phone: (719) 589-3691 Fax: (719) 589-2734	
Attorney Reg.#	
AFFIDAVIT AND APPLICATION FOR ARREST WARR	ANT

Chief Dale E. Meek, the Affiant, being duly sworn, upon oath deposes and says:

- 1. That the Affiant is a peace officer employed by the Center Police Department, cross commissioned as a Saguache Deputy Sheriff, Town of Center County of Saguache, State of Colorado. That in the course of the Affiant's duties as a peace officer, the Affiant had occasion to investigate a complaint of CRS 18-8-404(1)(a) Official Misconduct (2M), alleged to have occurred within the City of Moffatt, County of Saguache, State of Colorado. The Affiant conducted an investigation, including questioning witnesses. Based on the Affiant's investigation, the Affiant believes to the best of his/her knowledge, information and belief, that there is probable cause to believe the above named defendant has committed the crime(s) of; Official Misconduct
- 2. That the facts known to the Affiant which establish probable cause to believe (1) that said criminal offense was committed, and (2) that said offense was committed by the above-named defendant, are the following:

See Appendix "A" ATTACHED HERETO AND INCORPORATED HEREIN



## **Affiant**

## APPENDIX "A"

- Your affiant has been duly employed as a law enforcement officer for 26 years, and is currently employed
  with the Center Police Department, cross commissioned as a Saguache Deputy Sheriff, and was so
  employed at all times relevant to this affidavit. Your affiant compiled the information in this affidavit
  during the course of a criminal investigation. All locations in this affidavit are within Saguache County,
  Colorado unless specifically noted otherwise.
- 2. Affiant states the following, which establishes probable cause: Center Police Case #20-c00158, Aid to Other Agency

On Tuesday, May 26, 2020 at approximately 1530 hours, I was contacted by Sheriff Dan Warwick of the Saguache County Sheriff's Office. Sheriff Warwick was requesting an outside investigation into the activities of a Saguache County Deputy. The Deputy, Wayne Clark, was involved in the selling of a firearm in which the other party, identified a Springfield .45 XD. Clark agreed to sell the weapon but after receiving the money, backed out of the deal. Clark retained possession of the firearm and only returned \$100 to the suspected that Deputy Clark may be engaged in some type of criminal activity. I agreed to assist Sheriff Warwick.

On Thursday, May 28, 2020, at 0800 hours, I made contact with near his residence at obtain his statement. Stated that Clark was trying to gather money for a restaurant deal that his daughter (Clark's) was trying to start at the end of February or the beginning of March Clark has many firearms and was wanting to purchase a weapon. Clark showed a .45 caliber Springfield XD. and Clark agree two sum of \$600 for the sale of the gun. Sinitially had the \$400. Both parties agreed that Clark would hold the weapon until it could be paid in full.

On May 10, 2020, Clark drove to Pueblo to pick up Mother who had been hospitalized with a heart attack. Paid the remainder of the money owed on the gun. was going to pick up the gun in a couple day after his mother was settled back into the residence. About a day and a half later (approximately May 12), Clark sent a text to stating "we have to have a chat, I need to give you your money back". Clark advised by phone call that was under investigation and Clark could not sell the weapon. was not upset about the deal but wanted to get the investigation squashed because he had not done anything wrong.

made contact with Clark afterward via text on or about the 13th of May. He asked if he needed to get with Dan (Sheriff Warwick) to get the investigation going was still wanting the gun and believed if the investigation was concluded, he could still get the gun. Clark replied by text that name got put down on paper. "It was always rumors before but now putting stuff down". Clark did not specify what the investigation was or why a report was being completed. Clark did advise by text that he had not "turned it over yet" indicating the report had not been sent through the report writing process.

Around May 14th, began texting Clark about getting his money back. Clark stated that he would not be able to get the money until the 17th of May. understood that Clark would not have all the money and waited until the 17th to contact Clark again. Clark initially stated that he only had \$200 but changed that to \$100. Clark had told that he would drop the money off but later changed the arrangement. went to Clark's residence on May 18, where Clark had pinned \$100 his residence's door. This was because Clark was teaching some weapon's classes in Alamosa.

When contacted Clark again over the money, Clark replied in a text to contacted Clark again over the money, Clark replied in a text to contact the contact of the contact with led contact to believe that the friends were related to someone snitching. This assumption was based upon a report being completed on an investigation and the friends may be the reporting party. This assumption was based upon a report being completed on an investigation and the friends may be the reporting party. This assumption was based upon a report being completed on an investigation and the friends may be the reporting party. This assumption was based upon a report being completed on an investigation and the friends may be the reporting party.

stated that he has known Clark for two years. Considers them as friends or close acquaintances. This is substantiated by Clark driving to Pueblo to help with mother, whas house-sitted for Clark on a several occasions and the two text daily. Stated that it was weird that Clark would not speak to him any longer.

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I made contact with Sheriff Warwick following the initial interview with 1 requested information as to Saguache County Sheriff's Office policy which specifies a time frame within which deputy reports are to be submitted and if there was any procedure limiting investigations on friends and family. Sheriff Warwick advised that it is unwritten but deputies should turn in reports within 24 hours of the report being assigned. Sheriff Warwick additionally advised that while there is no set policy, he always expects Deputies to conflict out (remove themselves because a conflict of interest) when they have some relationship with possible suspects. This information is important as Deputy Clark has not filed any report involving since the time Clark was to pay back the money to Based upon the statements of Clark is a friend but Clark has not removed himself from any investigation of possible incidents.

Deputy Clark has not advised his dispatch or the Sheriff in reference to any ongoing or recent investigation. There are no report numbers assigned to the incident of an investigation that Deputy Clark claims to that he is conducting. A final check was made with Sheriff Warwick on June 1, 2020 at 1115 hours to ensure that no investigations had been started or reports made by Deputy Clark. There were no initiated reports, calls for service or investigations documented by the Saguache County Sheriff's or to the knowledge of Sheriff Warwick.

On June 1, 2020, at approximately 0850 hours, I received an email from which included 15 screen shots of his phone starting at May 5th and ending on May 17th of the text conversations with Clark which substantiates the information that gave me during his interview. The dates and timeline provided by were slightly off but the information in the text messages confirmed the statement provided by on May 28th.

Deputy Clark, a public servant, with the intent to obtain benefit in the form of eash for a weapon maliciously caused harm to by withholding the money and the agreed upon purchased firearm. The statement of with the related text messages provide a solid belief that Deputy Clark is engaged in a form of official misconduct. Deputy Clark, without legal authority and with the intent to induce not to ask Deputy Clark for further funds to be returned in the attempted purchase of a .45 Springfield XD, fabricated an investigation on The investigation that Clark invented and is unsubstantiated in any Saguache County Sherift's Office report or notification through the chain of command has stopped the private sale of a firearm to and additionally stopped the return of monies paid to Clark for the gun. This fabricated investigation has stopped to the firearm and creates probable cause for Official Misconduct.

An attempt to summons Wayne Clark to court for the violation was attempted several times by the Saguache County Sheriff's Office. However, Clark is either avoiding law enforcement or has moved out of the area after being terminated from his employment as a Saguache Deputy Sheriff.

- 3. That your Affiant believes that probable cause exists to believe that Wayne Clark, DOB: 05/22/1967 committed the crimes of Offical Misconduct, C.R.S. § 18-8-404(1)(a).
- 4. That your Affiant requests that your honorable judge grant the requested warrant for Wayne Clark, DOB: 05/22/1967 for the listed charges.

Respectfully submitted this 23rd day of July, 2020.

	( & 2)	MEEK	
Signature o	f Affiant	6.000 AND 11 12 12 12 12 12 12 12 12 12 12 12 12	
Sworn to this	& XXX day of	JULY	, 2020
	200		
Before Judge _			

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## MOTION

Robert Willett, District Attorney, within and for the Twelfth Judicial District, State of Colorado, hereby moves that a warrant issue for the arrest of the defendant above named.

By:

Robert Willett, District Attorney Attorney Reg. #45757

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	COURT COUNTY COURT	
Saguache		
Court Address.	POB 197 - 4th & Christy Saguache, CO 81 719-655-2522	14!
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-	HE STATE OF COLORADO	
v. Defenda	ant: In the Interest of: Juvenil	
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		SID No.
		Division:
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	WARRAN	
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GREETINGS:	WEDERN ORREDER A	
		be issued for the arrest and detention of accused of an offense or violation based upon the
	nt filed with this court:	needed of all offense of violation based upon the
	for Arrest Complaint for Arrest Proba	tion Violation Complaint
	t Other:	<b>,</b>
This document w	vas filed by Chief Dale E. Meek, Cent	er PD and was filed on
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WE TH	EREFORE COMMAND YOU forth	with to arrest and bring this person without
		Judge's absence, before any other Judge, to be
dealt with accord		
GIVEN U	JNDER MY HAND AND SEAL this	
Bail set at S per	schedule	
	BY T	HE COURT:
	فتتر	2/34
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Hajohe 6'2"	FRI No. :	
Height: 6'3" Weight: 250	FBI No. SID No	
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Hair Color: BLK	P.O.B.:	
Eye Color: GRN	MIS:	
DOB: 05/22/1967		
Race: w		
Sex: M	Receding Hair	
Distinguishing Fo	catures:	
Last Known Add Social Security No	rcss: 30 Denver Ave, Saguache, C) 81149	LSW
Social Security 190	··· ハハハ"ハハ" ひりひり	· · · · · · · · · · · · · · · · · · ·

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