

1206538

OFFICE OF THE PROSECUTING ATTORNEY
LATAH COUNTY, IDAHO
Latah County Courthouse
P.O. Box 8068
Moscow, Idaho 83843-0568
(208) 883-2246
FAX (208) 883-2290

RECEIVED
JUN 01 2012

Prosecuting Attorney
WILLIAM W. THOMPSON, JR.
Senior Deputy Prosecuting Attorney
MICHELLE M. EVANS

Deputy Prosecuting Attorneys
MICHAEL G. CAVANAGH
ADRIENNE K. WILLEMS
MIA M. VOWELS

May 31, 2012

Barry McHugh
Kootenai County Prosecuting Attorney
P.O. Box 9000
Coeur D' Alene, ID 83816-9000

Re: Chadderdon


Dear Barry,

I was asked to review the investigation regarding Julie Chadderdon's alleged forgery. I have reviewed all the materials provided which included police reports and audio recordings of interviews. I have also had direct communication with John Cross regarding Ms. Chadderdon. After taking all of that information into consideration I have reached the conclusion that there is insufficient evidence to warrant filing any criminal charge.

As you know, the forgery statute under I.C. 18-3601 requires an "intent to defraud another" when forging a document. The evidence in this case does not prove Ms. Chadderdon had the necessary criminal intent to defraud another when she signed Kelly Chadderdon's name to the proxy. Kelly Chadderdon stated he gave Julie an open ended proxy and although he did not sign his name or give her permission to sign his name to this particular proxy, he said he would have signed it had she asked him to. The outcome of the vote, therefore, would have turned out the same. Kelly also said that he is ok with Julie voting in his stead.

I recognize Ms. Chadderdon should have handled this proxy differently, but her actions do not rise to the level to justify criminal charges.

If you have any questions or concerns please feel free to contact me.

Sincerely,

Mia Vowels
Latah County Deputy Prosecutor



Coeur d'Alene Police

Report for CDA Incident 12C06538

Nature: FORGERY

Address: 324 W GARDEN AVE;
KOOTENAI CO DIST COURT
COEUR D'ALENE ID 83814

Location: 81

Offense Codes: FORG

Received By: C.NYE

How Received: T

Agency: CDA

Responding Officers:

Responsible Officers: M.KNAPP

Disposition: ACT 03/08/12

When Reported: 16:44:19 03/08/12

Occurred Between: 17:00:00 02/28/12 and 17:30:00 02/28/12

Assigned To: B.McCormick

Detail: FOCO

Date Assigned: **/**/**

Status: AP

Status Date: 03/29/12

Due Date: **/**/**

Complainant: 205032

Last: CROSS

First: JOHN

Mid: NORMAN

Race: W

Sex: M

City: POST FALLS, ID 83854

Offense Codes

Reported: NC Not Classified

Observed: FORG Forgery

Additional Offense: FORG Forgery

Circumstances

Responding Officers:

M.KNAPP

Unit :

K18

Responsible Officer: M.KNAPP

Agency: CDA

Received By: C.NYE

Last Radio Log: **/**/** **/**/**

How Received: T Telephone

Clearance: 6 REPORT TAKEN

When Reported: 16:44:19 03/08/12

Disposition: ACT Date: 03/08/12

Judicial Status:

Occurred between: 17:00:00 02/28/12

Misc Entry:

and: 17:30:00 02/28/12

Modus Operandi:

LT

Description :

LOCATION TYPE

Method :

LT11 GOVT/PUB

BLDG

Involvements

Date

Type

Description

03/29/12

Name

CHADDERDON, JULIE ANN

SUSPECT

03/08/12	Name	CHADDERDON, KELLY JAMES	VICTIM
03/08/12	Name	JENKINS, ERIN ROSS	MENTIONED
03/08/12	Name	CROSS, JOHN NORMAN	Complainant
03/08/12	Name	RASMUSSEN, DUANE NORMAN	MENTIONED
04/03/12		[No description]	Related Case
03/08/12	Cad Call	16:44:19 03/08/12 FRAUD	Initiating Call
03/08/12	Property	CD CHADDERDON K 2	EVIDENCE
03/09/12	Evidence	CD W INTERVIEW	Evidence Incident

Narrative

OFFICER: M. KNAPP K-18

FELONY: XX

CRIME: FORGERY

CODE: 18-3601

NARRATIVE:

I met with John Cross at the PD. John explained that he's a representative for the Republican Party (KCRC) here in Kootenai County. On 02/28/12 members of the KCRC committee were voting on an issue and accepted ballots by proxy. One of these proxy ballots was brought in by a member named Duane Rasmussen. The ballot was representing another member by the name of Kelly Chadderdon. John was suspicious that the ballot wasn't actually signed by Kelly, so he hired Erin Jenkins with Confidential Investigations to investigate.

John provided me with Erin's findings. It was determined that Kelly stated he never signed the ballot. Erin claims he's a Forensic Document Examiner and arrived at the conclusion that the document wasn't Kelly's signature. Erin also tried to contact Duane, but was unsuccessful.

John said that there was only a handful of people, 5-10, that would have had an interest in swaying the vote. John didn't want to say who he suspected, but the proxy vote was brought in by Duane Rasmussen.

John provided me with a CD recording of Erin speaking with Kelly. He also provided me with a copy of Erin's findings, the suspected forged document and a document actually signed by Kelly. I booked these items into evidence. John said he would provide the originals upon request.

Approved By

Date

Supplement

Incident Number: 12C06538 Nature: FORGERY Incident Date: 15:39:53 03/29/2012

Name: B.McCormick Date: 13:44:23 03/13/2012

CDAPD Investigation Narrative

FELONY:XX

Date :03/13/12

Incident #:12C06538

Crime :Forgery

Victim : Chadderdon, Kelly

Suspect : Chadderdon, Julie

Supp By :Sgt. B. McCormick K-47

Property
Status : HOLD

Mentioned :Rasmussen, Duane

On 03/13/12 I received and reviewed this report.

I called and spoke with Julie Chadderdon. I asked Julie is she knew why I was calling. She told me "because I cause trouble". I asked Julie to explain to me what happened from her point of view. She explained that her cousin Kelly gave her his proxy. The proxy had her name on it, and she can transfer that proxy according to the rules. Julie said she signed his name(Kelly's)and put Duane's name on it. Julie said she knew she could sign the proxy over to Duane, so she did it. I asked Julie to explain a proxy to me. She said it is a piece of paper signed by the person who the proxy belongs to giving another person the right to vote in their absence. Julie went on to tell me when she talked Kelly into running for this office, he said "I will as long as I never have to go". She said 3-4 years ago, maybe six she was not sure, Kelly agreed to do this. He then had signed some proxy's for Julie. She had told everyone that she had Kelly's proxy, and when she went to look at them they had her name on them. She then filled out another putting Duane's name on it, and signed Kelly's name. I asked her if what she was telling me was as follows. By Kelly giving her his proxy, she then in turn can give it to Duane. She said that was right. I asked her if that is what she did, and she said it was exactly what she did. She said Duane was going to make the vote, so that was the reason she put the proxy in his name. Julie was surprised by how big of a deal (they) were making this. She said if (they) knew parliamentary procedure (they) would know no one broke the law. I asked Julie if Kelly was aware of all of this, and she said "oh yeah".

I spoke with Julie bout the complainant in this case had hired a private investigator to contact Kelly. She said it surprised her that they would not even call Duane to ask where he got the votes from. Julie said when she realized there was a problem she called Sgt. Christie Wood, and told her she did this (prior to Julie saying she signed the proxy it was unknown who had signed it). I explained some of the information I had was the private investigator had

Report for CDA Incident 12C06538

contacted Kelly. The private investigator was told by Kelly he never signed the ballot. Julie said she talked to Kelly about the private investigator coming and talking to him. She said the investigator showed Kelly a small piece of paper showing just a signature. Kelly told the investigator the signature was not his. She explained Kelly works at the food bank, and has people doing community service. According to Julie Kelly thought maybe one of them had forged his signature. The investigator eventually showed the forged proxy, and Kelly realized what it was. Julie said she would have sent the proxy signed by Kelly with her name on it, but the Chairman would have "freaked out about it". She said so she just signed a new one over to Duane, which she says she has the right to do because she already had Kelly's proxy.

I called and spoke with Duane Rassmusen. Duane said he went to Julie's residence to pick up a few proxy's to vote them at the meeting. He did not have any idea about who signed the proxy. His understanding was the proxy vote was OK and he voted it at the meeting. He did not sign anything and only received the proxy from Julie to vote it. Duane later learned the proxy had been signed by Julie, not Kelly. Julie assured him she had Kelly's proxy (power of attorney) and was well within her rights to sign Kelly's name and make the proxy out to Duane. Julie even showed Duane some proxy's signed by Kelly which where made out to her. Duane told me he had photographs of the proxy's Julie showed him. I asked Duane if he would forward those pictures to me for this case. I received the photos from Duane at my CDA P.D. e-mail on 03/13/12 @ 1315 hrs. These photos were later uploaded into the Viper system. In looking at the photos the document appears to a proxy signed by Kelly Chadderdon, giving Julie Chadderdon his proxy. There were no dates filled out on the proxy's in the pictures.

I called and spoke with Kelly Chadderdon. I explained to Kelly why I was calling. Kelly understood and I asked him to tell me what he knew. Kelly said his cousin Julie talked him into running for this office. He agreed to do it, but did not want to have to go to meetings or really get involved. Kelly said he has signed some proxy for Julie to vote on different things in his absence. He did not know if Julie signing his name was ok. He seemed more concern about Julie having the right to sign his name to other things. I explained to Kelly by giving her his proxy it did not allow her to for example: open a bank account in his name. Kelly told me if Julie had come and asked him to sign the proxy basically the way she had done it (signed over to Duane, and voted) he would have signed it and had the vote cast the same way. Kelly did not seem overly concerned about Julie having his proxy's and acknowledged he had signed several for her in the past. I asked Kelly if he was wanting to pursue charges against Julie for signing his name, which he told me no. I told Kelly so far if anyone is a victim of anything it would be him. However based on Julie having his proxy's and him acknowledging Julie had his proxy's I was not seeing how this would be considered a crime.

I called and spoke with RP John Cross. John requested he come in and speak with me prior to me sending this case to the prosecutors office. John also requested I listen to the CD he provided of the private investigator speaking with Kelly Chadderdon. I told him I would listen to the CD. We spoke about if Kelly had given permission to Julie to sign the proxy, and I told him Kelly had given Julie permission. I also told him Kelly said if Julie would have brought the proxy to him he would have signed it and had the vote cast the same way.

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On 03/15/12 I listened to the CD provided by Erin Jenkins that was logged into evidence by Officer Knapp. In the audio recording I here male identify himself as Erin Jenkins speaking to male who identified himself as Kelly Chadderdon. Erin asks Kelly "is that your signature"? Kelly replies "No". Erin states he knew the signature was not Kelly, because he is a forensic document examiner. Kelly confirms to Erin the signature he was shown was not his. Erin then asks Kelly have you ever seen this document? Kelly's response was "no, you know what I can't say that I have or have not". Erin then asked if Kelly knew who Duane Rasmussen was, and Kelly replies "no". Kelly goes on to explain to Erin that his Aunt is a state representative, and then asks Erin if this has something to do with voting? Erin tells him "yeah it a precinct committeeman". Erin goes onto to say if Kelly did not sign the document It is not good, and it is pretty apparent you did not sign it". Kelly again states his Aunt is a state representative and her daughter Julie Chadderdon tries to get him "into theses things". Kelly states he just wanted to be able to vote for and support his Aunt, but did not want anything to do with nothing else. Kelly says he told this to Julie, but some how he got elected to something. He states he gets things in the mail that he just shreds. Kelly says he has never been to a meeting.

Kelly asks Erin if this (documents) was allowing him (Duane Rasmussen) to vote on his behalf. Erin says it is, and Duane had cast the vote. Erin again asks if he(Kelly) had ever seen this document. Kelly does not answer, and says he gets stuff from the Kootenai County Republican Committee all of time, and he does not even open. He stated he even feels guilty for shredding it because "I told my cousin I don't want nothing to do with this".

Erin asked Kelly if he recognized the handwriting at all and he stated it appears to be female handwriting, which Erin agrees with. Erin asks who Kelly's cousin is, and he tells Erin is Aunt is Marge Chadderdon district 4 Representative. They both agreed that Marge would not have signed this document. Erin asks Kelly if his cousin would do it? Kelly again says Marge is his Aunt, and her daughter is Julie. He went on to say Julie is really big into politics and that was all he was going to say about the signature. Kelly did say Julie had even come into here (The Food Bank) to sign things. Erin again asks if he knows Duane. Kelly says he has heard the name, but can't say if he has met him.

All audio recordings were uploaded into the Viper system. In reviewing these audio files it appears the phone conversation with Kelly Chadderdon is not audible.

On 03/29/12 I called and left Kelly Chadderdon a message to call me. I wanted ask him a few more questions in regard to this case. Kelly returned my call and left me a message a short time later. He stated he would call me again, but was in meeting for most of the day.

On 03/29/12 I called and spoke with John Cross. John wanted to come into the CdA P.D. before I sent this case to the prosecutors office. John will meet me at the P.D. at 0830 hrs. John came into the P.D. and I spoke with him in interview room #1. John wanted to make sure his feelings on this issue were addressed in this report. John does not believe that Julie Chadderdon had the authority to sign Kelly Chadderdon's name to a proxy. He believe's Julie is guilty of Idaho Code 18-2602. I explained to John if anything I felt this case fell under Idaho Code 30-3-58. He feels like they cheated to make the vote go there way. John does not believe Julie had attorney in fact rights given to her by Kelly. John and I spoke of a few more things he would like to see done, before this case gets sent

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to the prosecutors office. John provided a copy of "State Rules of Idaho Republican Party section 12". This was turned into records to be scanned into viper. John called a short time later and told me he was reading more on the Idaho Code (30-3-58) I had provided to him. He felt the K.C.R.C.C. did not fall under this code because they have never been granted non-profit status. My conversation with John was video recorded and uploaded into the Viper system.

After my meeting with John I had a phone message from Julie Chadderdon. I called her back and left a message for Julie on her voicemail. I finally spoke with Julie, she just wanted to know how the case was going. I told her I was getting ready to send the case to the prosecutors office. I asked her again about her understanding with Kelly about his proxy votes. She said Kelly had signed 4 proxy's for her to use in his stead how she wanted. Julie feels she had the right to sign Kelly's name to a proxy giving Duane the proxy to cast the vote. She only used this vote, because she knew the vote would be close.

I called Kelly Chadderdon again and was able to speak with him. I audio recorded this conversation (uploaded into Viper, refer to recording for more detail). Kelly acknowledges he gave several signed proxy's to Julie to vote in his stead. Julie and Kelly did not talk about this particular vote. Julie told him she was not able to track him down. Kelly did say if Julie would have brought him the proxy he would have signed it and the vote would have been cast the same way it had been. Kelly said he did not have any problems with what Julie did, however he did not like the fact she signed his signature. He told me if he was the victim by her signing his name he would not be willing to pursue charges against her. He did not know if by giving Julie his proxy's if he in turn gave her the right to sign his name. I told Kelly I was not clear on this point either, and this case would be sent to the K.C. county prosecutors office for their review. I also told him this case would more than likely not be reviewed by K.C. prosecutors office because of Mr. McHugh's interest in this Republican committee. I told him once the case was sent out to another prosecutors office they would decide if a crime was committed.

This case is being submitted this case to the K.C. Prosecutors office for their review or referral to another prosecutors office for their review.

Status Code: AP

Property

Property Number: 12-03295

Item: CD

Brand:

Year: 0

Meas:

Total Value: \$2.00

Owner: CDAPD 9301

Agency: CDA COEUR D'ALENE POLICE

DEPT

Owner Applied Nmbr:

Model: CHADDERDON K

Quantity:

Serial Nmbr:

Color:

Tag Number: