

DATE FILED: March 20, 2018

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COMBINED COURTS, FREMONT COUNTY STATE OF COLORADO 136 Justice Center Road Canon City, Colorado 81212	
PLAINTIFF: THE PEOPLE OF THE STATE OF COLORADO	
DEFENDANT: Katie Barr (D.O.B 03/04/1981) 3524 El Dorado, Canon City, Fremont County Colorado 81212	COURT USE ONLY
Detective Athena Garcia Canon City Police Department 161 Justice Center Road Canon City, Colorado 81212	CCPD Case #:2017-05054
719-276-5245 719-276-5607 (Fax)	Division:
COURT ORDER FOR ARREST	

THERE HAVING BEEN FILED HEREIN AN AFFIDAVIT WHEREIN THE ARREST OF THE DEFENDANT IS SOUGHT, THE COURT HAVING REVIEWED THE SAME, FINDS THERE IS PROBABLE CAUSE SET FORTH WITHIN THE AFFIDAVIT AND THAT AN ARREST WARRANT SHOULD BE ISSUED, AND THE CLERK OF THE COURT, OR HIS/HER DEPUTY, SHALL ISSUE THE SAME.

THE BOND FOR THIS WARRANT SHALL BE \$ no bond . This bond is returnable the following WEDNESDAY at 1:30 PM in Fremont County District Court DIVISION I. (For County Court Warrants, use return of TUESDAY at 1:30PM in County Court of Fremont County) Pursuant to CJD15-03 no bond is set pending advisement.

Done this 20th day of March, 2018.

BY THE COURT,

/s/Ramsey Lama

Honorable Judge
11th Judicial District

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ARREST AFFIDAVIT	

The undersigned, being duly sworn, deposes and swears that this Affidavit is made in support of an application for an Arrest Warrant for Katie Barr (D.O.B. 03/04/1981), that the Affiant has knowledge of the following facts from which there is probable cause to believe that the offense(s) hereinafter described were committed by the Defendant as charged in the attached information in or about the City of Canon City, or surrounding towns or townships, in the County of Fremont, State of Colorado, to wit:

- 18-8-407 (1) (F5)- Embezzlement of public property**
- 18-9-111 (1) (e) (M3)-Harassment**
- 18-8-704 (F5)-Intimidation of a Witness**
- 18-5-205 (3) (d) (F6) Fraud by Check**

Your Affiant informs this Court that he is Detective Athena Garcia, a Police Officer for the Canon City Police Department and who has been deputized by the Fremont County Sheriff's Office. Your Affiant has determined the following facts from personal investigation.

On September 29, 2017, at approximately 1300 hours, a meeting was conducted with County Attorney Brenda Jackson notified the Canon City Police Department of possible misappropriation of funds regarding Katie BARR and the Clerk and Recorder's Office.

It was established through multiple interviews that the employees were afraid to talk about the insufficient checks that were being written by elected official Katie BARR. On September 26, 2017, at 1640 hours, BARR asked the County Attorney Brenda Jackson not to tell anyone because of her embarrassment. On September 28, 2017, at 1629 BARR emailed the staff within the Clerk and Recorders along with Department of Motor Vehicle that they would be terminated and could face a lawsuit if they talk about the NSF checks outside the department. On October 2, 2017, upon interviewing many individuals they were hesitant and expressed fear of retaliation of Katie BARR found out about them talking. In addition, Katie BARR through interviews and content within emails shows the environment where the staff has to work.

Katie BARR has written numerous checks to various financial establishments of where Chad BARR and have accounts with insufficient funds. Katie BARR proceeded to written numerous checks defrauding the Fremont County Clerk's Office by obtaining cash and depositing it into an account to cover previous checks written. Katie BARR wrote checks not only her account, but joint accounts with Chad BARR and Rocky Mountain Diesel in the amount of \$220,808.51. Katie BARR as stated before is an elected official who is a "public servant" that has knowingly converted public moneys to her own use for personal gain.

There was a written note seized from Katie BARR and Chad BARR's residence that stated, *"Chad health, I'm sorry-I'll pay interest do what I need to do to make things right. Those checks aren't part of the request. I'm not an unethical person. I had no idea it was wrong. Until I did know & then I stopped it. Chad's bank told me & I stopped immediately. This has been an acceptable thing (maybe not to the extent) I did since before I was a clerk."* In addition, to working as Clerk and Recorder of Fremont County as an Elected Office since 2010, Katie BARR was employed in various positions with the Motor Vehicles and Elections. Previous to her employment she worked at Rocky Mountain Bank and Trust and Sunflower Bank as a teller and customer service representative.

Katie BARR began writing checks back in 2011 to the County Clerk to May 25, 2017. Through the duration of time she has used the following accounts to write checks to the Fremont County Clerk's Office:

- US Bank Account # [REDACTED]
- US Bank Account # [REDACTED]
- US Bank Account # [REDACTED]
- US Bank Account # [REDACTED]
- Wells Fargo Account # [REDACTED]

- Wells Fargo Account [REDACTED]
- Wells Fargo Account [REDACTED]


The names on the accounts were Katie BARR; Katie BARR & Chad BARR; Rocky Mountain Auto & Diesel (of which both Katie BARR & Chad BARR) have access to as the owners of the LLC. Based off the facts of the investigation Katie BARR was "Check kiting" where she would take advantage of the float to make use of non-existent funds in a checking or other bank account. Katie BARR had drawn against uncollected or insufficient funds, as for redepositing, with intent of creating a false balance in the account by taking advantage of the time lapse required for collection. This scheme in effect, is like an interest free and unauthorized loan, with careful timing of deposits and withdrawals, can be turned into a large sum. In addition, a large portion of the checks were returned as insufficient funds and redeposited at a later date and/or never taken care of until the County Attorney directed Katie BARR to do so.

There was total of 254 checks written to the Fremont County Clerk's Office from January 24, 2011- May 25, 2017, by Katie BARR totaling approximately \$231,804.07. The insufficient (NSF) checks total approximately \$11,090.00, which doesn't include the checks that the bank honored without funds being within the account. The total amount used to "kite checks" is approximately \$209,565.00. The remaining amount approximately \$22,239.07 are checks written to the Fremont County Clerk's Office for various unknown reasons.

The spreadsheet with the "BARR statement summaries" shows the obvious behavior of "kiting checks." In addition, while going through the statements it was apparent that there were colossal amounts of check fees given by the banks for insufficient funds within the bank accounts ranging from \$10.00-35.00 per transaction. The statements showed a habitual negative amount within the banks with a couple of exceptions when large amounts were deposited into the account presumably a loan from Katie BARR's retirement, bank loans, and an account where she was partial grantor for her deceased father's estate.

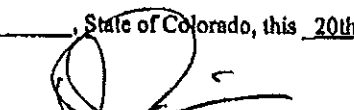
As of March 20, 2018, the FBI is still currently analyzing the data.

Further Your Affiant sayeth naught.


/s/ Detective Athena Garcia / Affiant

Subscribed and sworn before me in the county of Fremont, State of Colorado, this 20th day of March, 2018.

DEREK IRVINE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20154028095
MY COMMISSION EXPIRES JULY 17, 2019


Notary Signature