

Robert Mandel  
U.S. Department of Justice

Mr. Mandel,

I am writing to provide a time-line and overview of actions related to the disposal of evidence once held by the Property Bureau of the Denver Police Department. The issue is the destruction of certain audio and video tapes once held under DPD property number 590402.

I am the Commander of the Major Crimes Section of the Denver Police Department, which includes the Homicide Unit. Our evidence and property protocol provides that when we prepare to dispose of evidence held in relation to a death investigation, that all invoices related to that evidence come through me for final sign-off.

In late 2001 (October/November) I received a notice from the Property Bureau requesting a review of evidence held in relation to what was titled a homicide case under property invoice #590402. The invoice date showed September 26, 2000 with a location of recovery as 2900 Federal Blvd. The invoice listed no case number or assigned investigator. The invoice indicated that there were seventeen items maintained under this invoice number. Fifteen of the items were audio tapes while the remaining two were video tapes. Many of the tape entries listed a name (the person interviewed perhaps).

The Homicide Unit of the Denver Police Department investigates all unattended, accidental, suicidal, homicidal, and equivocal deaths occurring in the City and County of Denver, with the exception of traffic fatalities. Because of this, we maintain a list of all deaths occurring in the City and County of Denver that meet this criterion on a computer within the unit.

Upon receipt of this invoice I researched (through our in-house computer and the department case computer) the unknown case by invoice number, location (and surrounding locations), date (and surrounding dates), and names listed with many of the recovered tapes. I found nothing matching. I also reviewed homicide cases occurring near this time and crosschecked the names to seek a match – nothing.

I contacted the Property Bureau and asked if there was any, additional information related to this invoice. They stated that they did not have anything additional.

Occasionally, the investigating detective, or Property Bureau employee, may list 'attempt murder cases' as "homicide" on the invoice. Because of this, I researched this possibility as well, without success.

On January 7, 2002, I signed the request for disposition from the Property Bureau authorizing the disposal of the items under invoice number 590402. The Property Bureau disposed of the items on January 30, 2002.

In early 2003, (January/February) Detective Abe Alonzo contacted me and inquired as to the disposal of these items. I advised him that I received the invoice for a case that I could not locate within the records database of the Denver Police Department and subsequently approved the disposal of the items. Detective Alonzo told me at that time that the items related to an on-going homicide investigation that he was conducting as a detective in the Intelligence Bureau. I was familiar with the case, and had consulted previously, however, always believed that authorities in South Dakota were investigating and that Detective Alonzo was assisting with than endeavor. I never believed that we held physical evidence for the case.

While speaking with Detective Alonzo about the items disposed of, I remembered that we had a box in our records archive labeled "Aquash". The records archive room is in the basement of Denver Police Headquarters. Detective Alonzo and I responded to the file room and looked in the box. There, we observed several audio and video tapes (many with the same names listed on the property invoice). Detective Alonzo related that he would make copies of these tapes and pass them on to Federal prosecutors.

I made notice to the command staff of the Criminal Investigations Division about this incident and heard nothing further until late December 2009. On January 11, 2010, I again went to the archive room of the Denver Police Department and located the box containing files from the Aquash case. Within this box are tapes. I do not know the content of the tapes, however, believe that many could be copies (or originals) of the missing tapes.

There was never intent by myself or the members of the Denver Police Department to dispose of evidence related to an on-going criminal investigation. Prior to disposal, I made reasonable efforts to match the items to cases investigated by the Homicide Unit (due to the evidence title) of the Denver Police Department never realizing another police unit held the items for a Federal agency.

Should you have additional concerns or questions, please do not hesitate to contact me at 720-913-6697, or email at [Jonathyn.priest@denvergov.org](mailto:Jonathyn.priest@denvergov.org).