

Steve Gartin

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Sent: Saturday, April 03, 2004 1:40 PM
Subject: Re: Gartin Final Report.doc Final draft

----- Original Message -----

From: [Frank](#)
To: steve@gartin.net
Cc: chasclements@comcast.net
Sent: Friday, April 02, 2004 12:57 AM
Subject: Gartin Final Report.doc Final draft

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Date: April 2, 2004

To: Jefferson County District Court – The Honorable Leland Anderson

From: Appointed Investigator, Frank Pugliese

REPORT

Subject: Steve Douglas Gartin

A.K.A. STEVE DOUGLAS GARTIN

Case number: 00CR3371

APPOINTMENT

The Investigator, Frank A. Pugliese, a 21 year professional criminal investigator, was appointed to the Steve Gartin Case in January of 2001. Appointment was made until the completion of the above mentioned case. This is the final Investigation Report pertaining to said case as Mr. Gartin's two year probation period concludes on 8 April 2004.

INVESTIGATOR CONCERNS

During this investigation and during Mr. Gartin's probation, I have seen a man who, in my

opinion, has been harassed by law enforcement agencies for allegations that were unfounded, but none-the-less he was arrested and incarcerated for such offences only to find that all charges were dismissed and that all accusations were, in fact, false, frivolous and vexatious in nature.

An investigator, by the name of Walter (Wally) Barret was assigned to further investigate Mr. Gartin's case without authorization by this court and against Mr. Gartin's wishes. This type of behavior concerns me and in my opinion, is at the least questionable. In the report that was forwarded to me were appalling statements made by State Investigator Gary Clyman, in reference to Mr. Gartin's appointed Counsel, Thomas C. "Doc" Miller's abilities to contain his client over the past 22 months of probation. A question arises in my mind as to the purpose of Mr. Clyman's statements, why such a statement was included in the report and the willingness of counsel and his privately chosen investigator to cooperate with the prosecution's investigator to keep Mr. Miller's client contained, over his probation, knowing that Mr. Gartin, is in fear of his safety from this very person and others associated with him.. Additionally, Mr. Clyman and Ms. Langfield are named as Defendants in Mr. Gartin's Federal case # 01-ES-1145. They both could be construed to be interested parties and hostile to Mr. Gartin and would have obvious interest in preventing Mr. Gartin from timely litigation against them and his successful completion of his two year probation, which co-incidentally also defines the statute of limitation in some legal actions.

Having a caption such as Mr. Gartin's on the NCIC/CBI record of an individual carries much the same effect as that of a sexual predator. Informing all law enforcement to be cautious of Mr. Gartin only opens him up to further harassment and unnecessary use of deadly force in the treatment of Mr. Gartin by law enforcement agencies. Such allegations have never been confirmed nor have they ever been demonstrated by the numerous times Mr. Gartin has been arrested at the request of Investigator Gary Clyman, and Investigator Donald Estep, and has never had proof of the validity of such accusations in any other situations. What's more disturbing is the Deputy State Attorney, Marlene Langfield's willingness to allow such conduct by parties under her control.

On March 31, 2004 on or about the hour of, 06:30 p.m., Carlos Bonilla was looking around the Gartin neighborhood, walking around, talking on his cell phone, his car, a silver metallic Chrysler sedan, was parked outside the Gartin residence. Mr. Gartin did not approach, nor did he acknowledge his presence. This concerns me. I am concerned for Mr. Gartin's health and well being. It appears that the closer this case comes to a conclusion, the more events begin to arise that would surely violate Mr. Gartin's probation if he responded to them. I have suggested that Mr. Gartin be placed in a safe house of my choice, without knowledge to anyone except myself and Mr. Gartin. He will be in court to appear on April 8, 2004, for his hearing should he chose to except this offer.

FINAL REPORT

I have had the pleasure in being the appointed investigator of this particular case. It is, in fact, one that I shall remember.

The Defendant, **Steve D. Gartin**, a 55 year old male Caucasian, soft speaking and in good health, is the subject matter of this report.

Mr. Gartin, was placed on probation for a period of 2 years, in which time, I have had the honor to get to know this subject very well. Mr. Gartin is an honorable man, he cares for others as well as other's feelings and all nature in itself and all their needs. During the period of his probation Mr. Gartin has had to endure many obstacles that unfortunately were not of his doing. Mr. Gartin has continually attempted to gain employment but to no avail, his criminal record, as well as the captions have

prevented his ability to work and participate in a normal work environment, as others can, due to the negative comments on his police record and contact information. Mr. Gartin is a meticulous man, who by all standards would be an asset to any company. His first employment with the Naked Edge Cutlery chain as General Manager was cut short by what can only be considered a conspiracy of criminal agents within the company with law enforcement officials to maliciously charge Mr. Gartin with unfounded and patently false charges, which were dismissed due to my immediate investigation of the allegations charged against him. Regardless of the facts I immediately made available to the charging officer, Monique Gilstrap of the Lakewood Police Department, the prosecution of Mr. Gartin continued over a year and cost Mr. Gartin, not only the cost of bond, but also a lucrative position and ultimately the ability to work at all.

Mr. Gartin has devoted his time in the helping of others. I have seen on many occasions that this subject could have handled situations in a completely different manner, as others would, but chose to explain his beliefs in YahSheuah, which is his basic religious belief. Mr. Gartin is a passive man, and as far as I am able to assess, does not have a violent nature in the slightest. Rather just the opposite, he is almost passive to a fault, which seems to provide others with the opportunity to take advantage of his kind nature and willingness to work first and to be paid later.

Mr. Gartin has given attention to the producing and promoting of his Martial Arts Videos and DVDs. He has distributed just enough of his work to keep financially poor at best, but has never complained about his lack of funds, nor has he ever asked for assistance from acquaintances or government agencies as many in his situation would do to possibly live a better life.

I have conducted an extensive background on Mr. Gartin to possibly identify any characteristics that Mr. Gartin may have that could be construed as a violent man, yet I have found no such evidence to support any type of behavior. Mr. Gartin's past reflects charges such as fear of faxing, for reporting child abuse by Tamara Gartin's live-in boyfriend, Marcus Bernard Merrit, and a SWAT deployment stemming from a call to his children just to say hello, this in its self is a frivolous charge. Mr. Gartin has lost the ability to see his children due to such flamboyant and unfounded charges. Yet he shows only hurt for the parties that have made such claims, not retaliation. I have personally witnessed law enforcement waiting outside his home as a harassment to him to the point of being so bold as to say hello to him by name. His internet connection, has a continuous dialing on his server, every 30 minutes. Yet the number is undetectable and appears regardless of what computer or server he uses. His computers were under the control of your Investigator Gary Clyman and Donald L. Estep for a year and a half, one can only imagine what could have been programmed into them. Yet he holds his ground without retaliation.

Mr. Gartin spent approximately 1.5 years working with his counsel, Appointed Attorney, Thomas C. "Doc" Miller, to assist in paralegal assignments, research as well as setting up a data base, accounting programs, and internet communication and a website, so counsel's office and cases could run more efficient, all for little or no financial compensation and without complaint. Mr. Gartin had been unable to be gainfully employed during this time. Mr. Gartin has had to endure frivolous charges filed against him to attempt to violate the probation this court has ordered, without avail. This man has had to endure more than any other person, (outside of a sexual predator), while on his probation, that I have seen in my 21 years as a criminal investigator.

Mr. Gartin follows the code given by all Martial Artists, to harm none, unless he is in imminent danger of harm. Mr. Gartin has attended sparing matches sanctioned by the martial arts competitive society, and although the exhibition never transpired, it was none the less exciting to see the other diverse types of arts at this competition, Mr. Gartin was honored by the commission for his accomplishment and his contributing to this ancient art, I felt honored myself to have been invited,

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since I too am a martial artist. There has never been a correlation between martial arts and violence, other than what we see on the television and in movies. Any martial artist is trained to conduct his self on a passive level and to never use what they have taken years to perfect, unless owing to the potential of loss of life or property, which is sanctioned by the Statues of Colorado, and is, in fact, expectable.

Mr. Gartin has expressed his regret for ever swearing that he committed any wrong doing against the victims of this case, but did so to put to rest his incarceration that would have surely surpassed any sentence that this court would have imposed if he was in fact found guilty in a court of law. As this investigator did then and still contends, that Mr. Gartin was simply exercising his civil right to petition for redress of greivance, as any citizen has, if he felt wronged and the decision would have been left up to the civil court to decide not a criminal court.

Mr. Gartin has been accused of participation in militia groups against the United States, but yet there is no proof of such association. Mr. Gartin has been accused as being a violent man, and a enemy against any and all law enforcement, simply because he has a masters in martial arts, and he files civil suits against the judicial system he feels has wronged him. Mr. Gartin has had to avoid driving his automobile in fear of being stopped and having numerous police swarm on him as they would a person who commits homicide, simply because others believe he could be violent or possibly there is another motive to justify these actions, without any form of documentation to substantiate their accusations or the "jacket" he carries in police databases.

Mr. Gartin has in fact completed his anger management course, for what reason that was required I am not sure. He is, in my opinion, a non-violent man. He also successfully completed drug and alcohol evaluations, although has never been charged with, or proven to be either of the two, nor has it ever appeared to me that such a problem exists. Why his attorney stipulated that Mr. Gartin be constrained from filing legal actions against government servants who may have violated his rights is beyond the understanding of this investigator and was not a part of his probation agreement, but it was included in Mr. Barrett's report of his interview with State Attorney General Investigator Gary Clyman. Any payment of fines required of Mr. Gartin is beyond his ability and has been directly effected by his unfounded prosecution by Jefferson County District Attorneys Office and his unpaid professional service to his attorney and the high cost of traveling to Boulder and maintaining a vehicle to provide that service.

CLOSING

In twenty one years as an investigator in this great State, for prosecution and defense alike, I have yet to see such treatment of any individual. Mr. Gartin has more than lived up to his probationary obligations as prescribed by this Honorable Court and adminstrated by the very Defendants in his Federal Civil Rights action. It is in my opinion, that this once proud man has been perhaps, placed lower than any man I have met, all in the presumption of justice. Any sentence given to an individual is for the purpose of rehabilitation of crimes. Mr. Gartin's probation was to be unsupervised yet, anytime he may be stopped the agency was to notify Investigator Clyman. I have personally witnessed action by other agencies that, in my opinion, are simply in the form of harassment. Watched like prey, with the hunter just waiting for a moment to pounce on him. The charges in this case are now, and have always been, in question by this investigator. I do in fact believe that Mr. Steve Gartin has completed his probation if not more. It is the belief of this investigator, that Mr. Gartin should now be allowed to enter society and live a normal life as others with much more severe charges have been allowed too. I do respect our judicial system, and believe it is a just one, so long as it is used to help others and according to the laws of this state, no one is above the law. I do apologize for some of my statements in this report, but they are none-the-less my assessment of the facts that I see, as a professional criminal investigator. To continue such actions against this party could only be construed

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as unconscionable in my opinion.

Thank you for allowing me to assist in this investigation. Please rest assured that should my services be needed further, I shall honorably offer my services.

END OF REPORT

Frank A Pugliese, Chief Investigator and appointed investigator of this case.

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