



# JAMESTOWN POLICE DEPARTMENT

205 Sixth Street Southeast  
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**SCOTT EDINGER**  
Chief of Police

March 8, 2016

Jeff Fuchs  
Jamestown City Administrator  
102 3<sup>rd</sup> Ave SE  
Jamestown, ND 58401

RE: KVLV Whistle Blower Investigation

Mr. Fuchs,

This letter is to inform you of my findings and recommendation of the internal investigation into the KVLV Whistle Blower broadcast of November 4, 2016. Both a criminal investigation and an internal/parallel investigation occurred relative to the Whistle Blower broadcast. The purpose of the criminal investigation was to determine if anyone involved committed any crimes related to the broadcast. The internal/parallel investigation with the Stutsman County Sheriff's office and Jamestown Police Department was to determine what if any officers of either agency participated in the events that lead to the false allegations related to the broadcast, and if those officers violated any Sheriff's office or police department policies as a result of that involvement.

After the internal investigation was completed, a disciplinary review board was convened and met beginning February 28, 2016. They were to determine if any officers of the Jamestown Police Department violated policy relative to the Whistle Blower broadcast. If so, they were to make a recommendation for discipline for each officer they found in violation of policy. That review board consisted of Lt. Justin Blinsky, Sgt. Sidney Mann, Sgt. Tyler Loven, Officer Ryan Goff, and Patrick Zimmerman, a private citizen. The review board determined Sgt. Nagel violated 19 policies. Their recommendation was to terminate Sgt. Nagel's employment.

Investigators interviewed nearly 40 people during the investigation. Of those people, most knew little or nothing about the incident. Sgt. Nagel insinuated in his interview with KVLV that he knew some detail about the incident. Several witnesses heard Sgt. Nagel talk about knowledge of the incident, which contradicted his internal interview. Because Sgt. Nagel was aware of an alleged felony violation of misuse of government property and did not report it as required, he is in violation of the North Dakota Peace Officer's Code of Conduct. *See NDCC 109-02-05-01 (4) (e) (h) and 109-02-05-02(2)*. His untruthful internal interview likely makes him a "Giglio impaired law enforcement officer." *See Giglio v. United States, 405 U.S. 150 (1972) and Brady v. Maryland, 373 U.S. 83 (1963)*.



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Sgt. Nagel eroded the public trust in local law enforcement to a severe degree. Combined with his impairment under Giglio, he is no longer a viable law enforcement officer. As determined by the review board, he violated numerous policies and procedures, and violated the North Dakota Peace Officer's Code of Conduct. I must agree with the review board's recommendation for termination.

Sincerely,

Scott Edinger  
Chief of Police