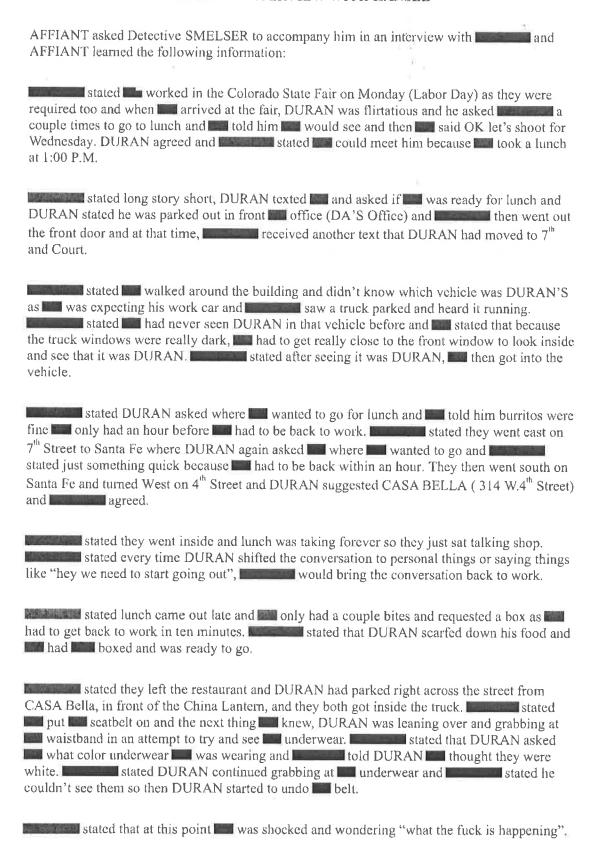
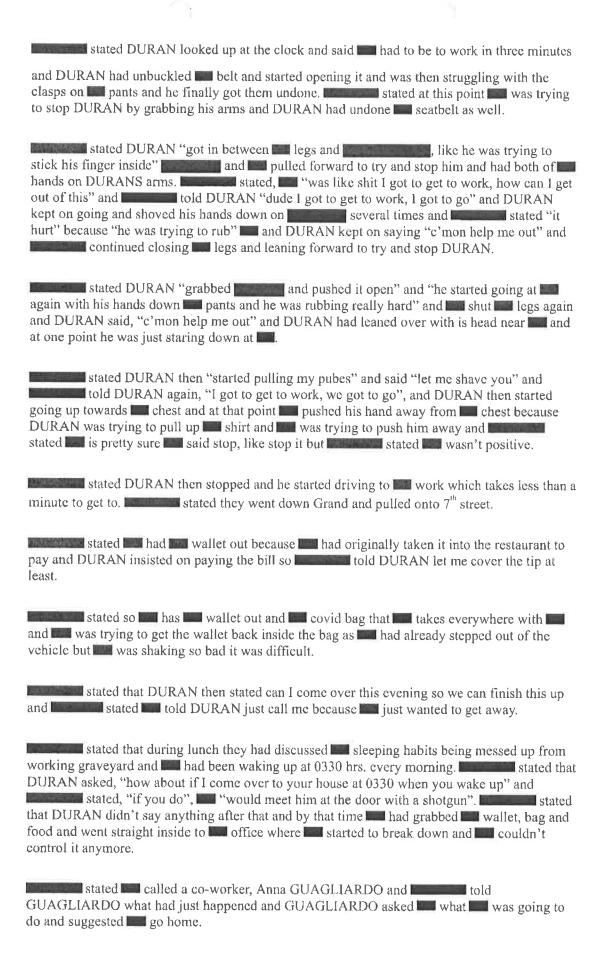
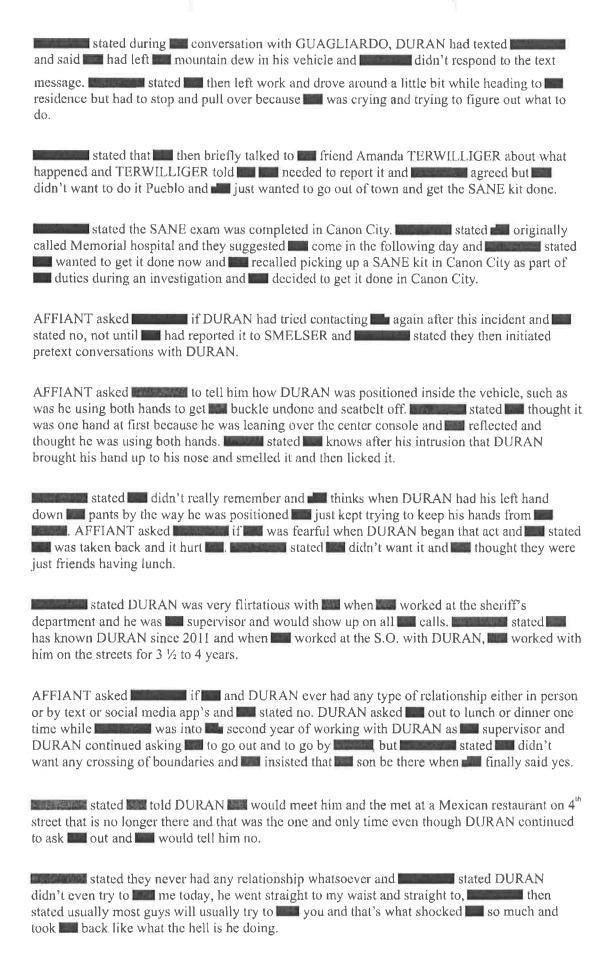
DISTRICT COURT, PUEBLO COUNTY, COLORADO	
, JUDGE	DATE FILED: \$eptember 9, 2022
Pueblo Combined Court 501 N. Elizabeth St. Pueblo, Colorado 81003 Phone: 719-404-8700 THE PEOPLE OF THE STATE OF COLORADO vs. DIEGO GUILLERMO DURAN (DOB: 03-11-1967) Defendant.	COURT USE ONLY Case Number 22 CR 1274 Division
AFFIDAVIT OF PROBABLE CAUSE FOR AR	REST WARRANT
The state of the s	
	Case Number 19-021723 - 22-01781
STATE OF COLORADO) ss.	
COUNTY OF PUEBLO)	
On 09-07-2022, AFFIANT (Detective Ron Gravatt) was to an incident that occurred in the City of Pueblo and the vic Canon City Police Department. Sgt. Flores informed me that sexually assaulted in the City of Pueblo earlier in the day as a Pueblo County Sheriffs Officer Diego DURAN.	had reported the incident to the had reported that was of 09-07-2022 and named the offender
Sgt. Flores requested that I respond to Canon City where	was currently located.
On 09-07-22 at approximately 2227 hrs. I responded to the Detective Annex and met with Detective SMELSER who small SMELSER informed me that a SANE exam had SMELSER had already submitted it into the Canon Coollect the evidence at a later date were made and no finding the time.	had conducted an interview with ad been completed earlier on the last part of the last part
Detective SMELSER provided AFFIANT with a brief backwideotaped interview with second and SMELSER indicates to AFFIANT upon completion.	

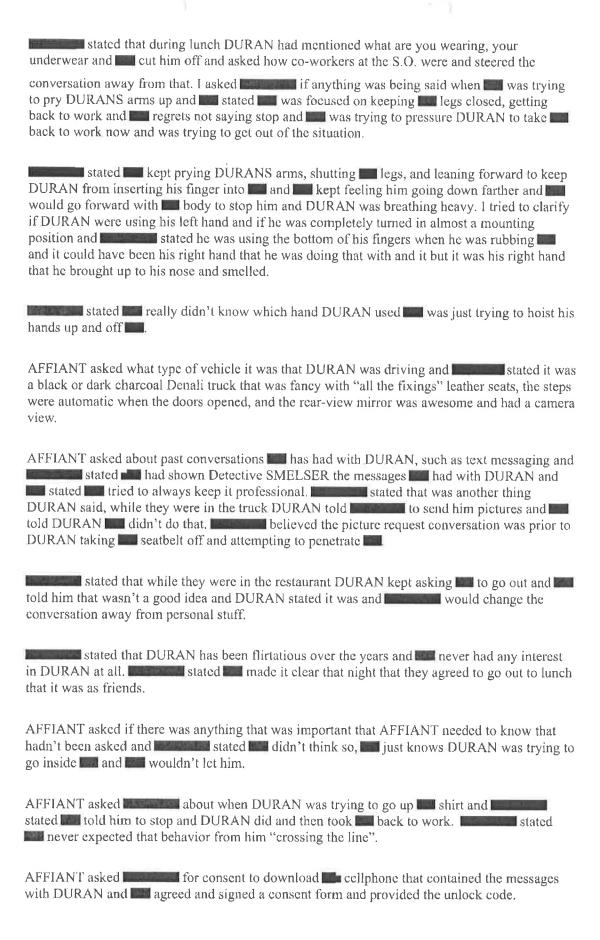
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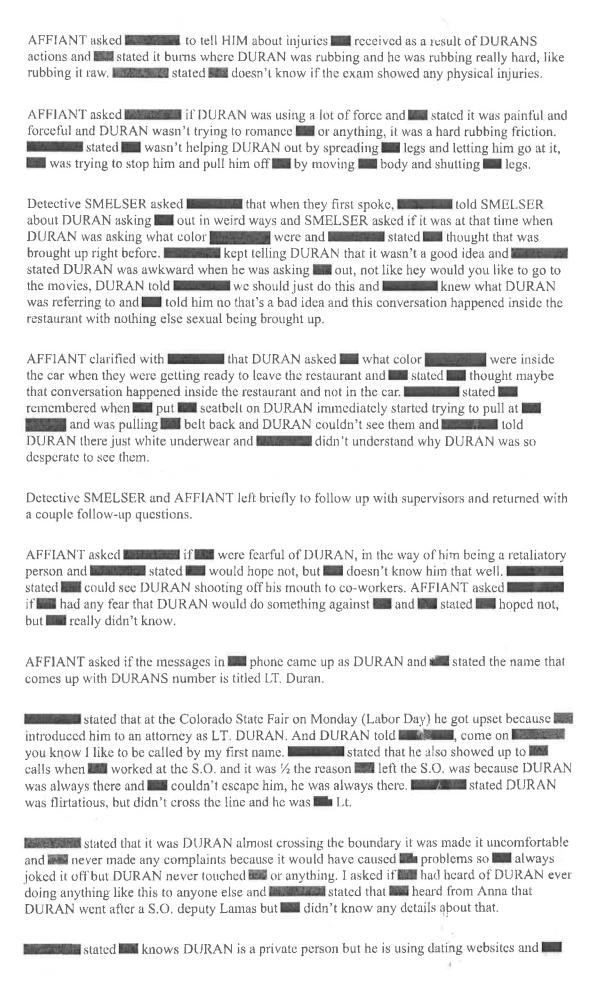
AFFIANT INTERVIEW WITH HANSEL









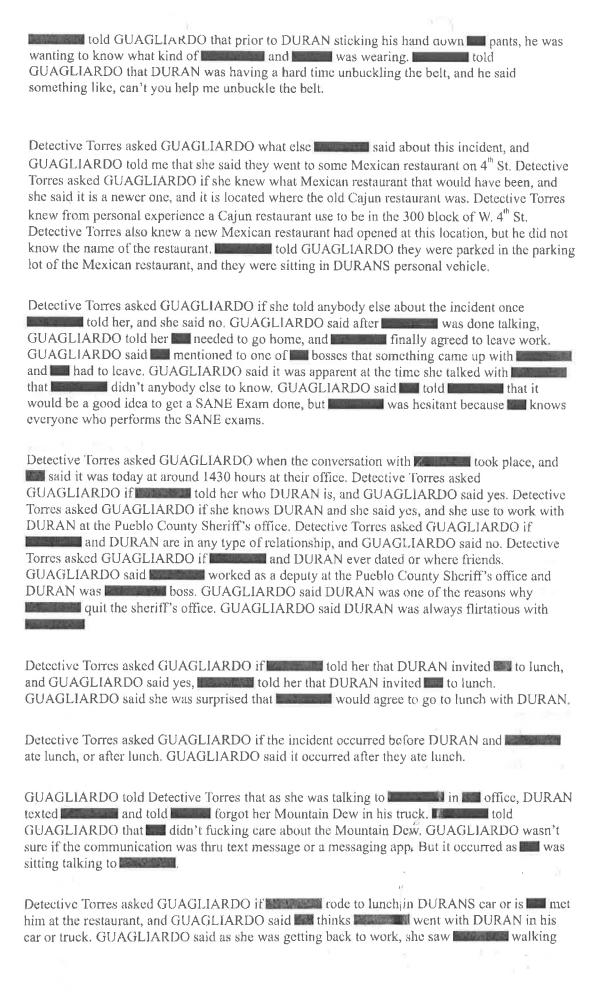


ran across him one time and the site was called plenty of fish. Detective SMELSER asked what wanted to see happen to DURAN and stated never wants to have any contact with and knows that is difficult with the state fair and employment and mever thought he would do something like this. stated never gets picked up by people, always meets them for just that reason, but trusted DURAN and being flirtatious is one thing but never expected DURAN to do something like what he did. stated he didn't try to kiss touch like nothing physical and it was just out of the blue when they got into the truck that he was right on top of and was stunned and shocked. Our contact with was ended. DETECTIVE TORRES INTERVIEW ANNA GUAGLIARDO On 09-07-22 at approximately 2146 hours, Detective Ryan Torres met GUAGLIARDO at the Pueblo Police Department and at approximately 2212 hours, he began an interview with GUAGLIARDO Detective Torres told Anna he knew she worked as an investigator at the Pueblo County District Attorney's Office, and she agreed with this and Detective Torres then obtained her personal information. Detective Torres told GUAGLIARDO that we were investigating a sex assault that she may have information about and he asked GUAGLIARDO to tell him about the information she knows about, and how she came to know about the information. GUAGLIARDO said she got back to her office (Pueblo County District Attorney's Office), and she began to work on a report. GUAGLIARDO told Detective Torres her co-worker, who is also a Pueblo County District Attorney Investigator, called her on the phone and asked her to come to () office. GUAGLIARDO said she went to office and when she entered, she observed that seems is crying and visibly upset. GUAGLIARDO closed the office door and asked what was going on. couldn't speak at the moment, so GUAGLIARDO approached and hugged GUAGLIARDO said she and are co-workers and friends. told GUAGLIARDO that went to lunch today (09-07-22) with Lieutenant Diego DURAN from the Pueblo County Sheriff's Office. DURANS car so he could take back to work. As they were in DURANS car, DURAN began unbuckling belt, and tried sticking his hand down pants. said DURAN was quite forceful putting his hand down pants, and was trying to prevent him from doing so by pushing legs down and smacking his hand away.

told GUAGLIARDO that DURAN was able to get his hand down pants forcefully.

GUAGLIARDO asked fit DURAN penetrated her and said he did not, but he was forceful enough that it caused to be sore in genital area.

DURAN took his hand out and then he smelled his hand.



Detective Torres asked GUAGLIARDO if DURAN when he is trying to take belt off.	said DURAN to s	was leaning ove top. Detective T	r and bending forces asked
GUAGLIARDO if said pants were unzi didn't know. told GUAGLIARDO that Torres asked GUAGLIARDO if told her if I or somewhere el Detective Torres asked GUAGLIARDO if GUAGLIARDO did not know.	was wea DURAN put se, and GUA	ring Land his fingers und AGLIARDO did	Detective er and the control of the
GOAGLIARDO did not know.			
Detective Torres asked GUAGLIARDO what she obset GUAGLIARDO said had on slacks with a beginning was wearing her gun and handcuffs on her beguaGUAGLIARDO if she knows what DURAN was weat was wearing, and GUAGLIARDO said no. Detective vehicle DURAN was in, and GUAGLIARDO thought make, model or color of the truck. GUAGLIARDO sat inted windows. GUAGLIARDO said was I captured the incident, but it wouldn't have got anythin DURANS truck.	belt and a dropelt. Detective ring, or if Torres asked DURAN had been been been been been been been bee	ess shirt. GUAG re Torres asked mention GUAGLIARD as a truck, but sh told her the tru- ome videos that	LIARDO said ned what he O what kind of he did not know ck has very could have
Detective Torres asked GUAGLIARDO if there is sommight be important, and she said she couldn't think of GUAGLIARDO how long she has known a because they worked together at the Pueblo County She Pueblo County District Attorney's Office. Detective To ever seen emotional like she saw today, Torres asked GUAGLIARDO if has ever manybody, and GUAGLIARDO said no. GUAGLIARDO about some advances that DURAN had made on extent. GUAGLIARDO didn't know if ever ever Detective Torres explained to GUAGLIARDO that we	anything lik nd she said i neriff's Offic orres asked (and GUAGI ade these typ O told me the the past, but reported the	this. Detective thas been sever together, as we GUAGLIARDO LIARDO said no bes of allegation hat we they were nev ese advances fro	e Torres asked ral years ell as at the if she has b. Detective s against buld complain er like to this m DURAN.
and he thanked her for coming to the police station to	talk with him	n, GUAGLIARI	OO said
DURAN is. GUAGLIARDO told Detective Torres tha	t Art in i		
balled for telling on another police officer.	1 mg 1		
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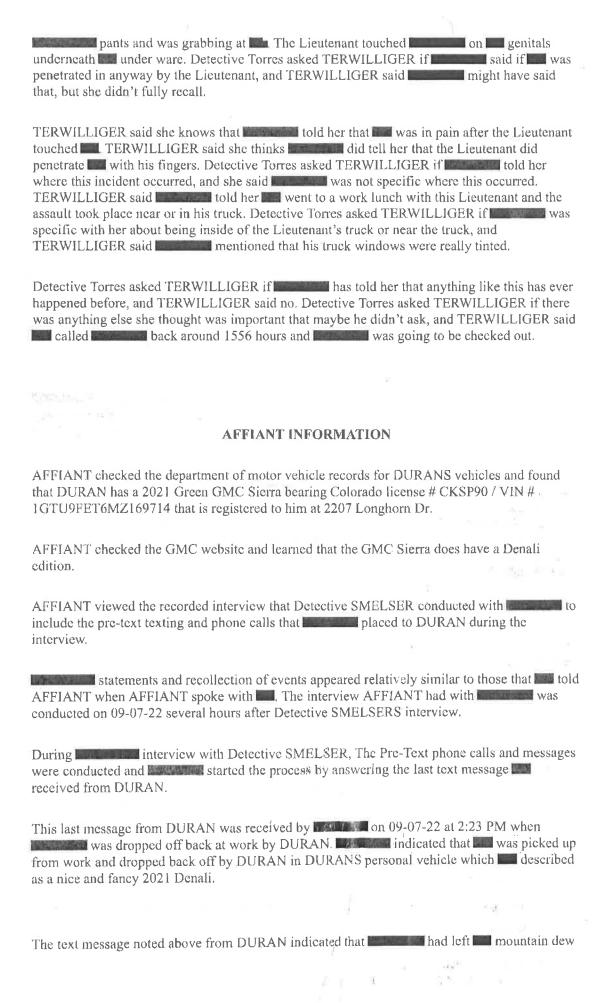
DETECTIVE TORRES INTERVIEW AMANDA TERWILLIGER

On 09-08-22, Detective Ryan Torres spoke with Amanda Terwilliger (DOB: 07-03-78) on the phone. The phone conversation with Amanda was audio recorded. Detective Torres explained to her that we were investigating an incident that occurred on 09-07-out to her by phone on 09-07-22 and gave her a brief statement of what happened. Detective Torres asked TERWILLIGER if she would tell him about the conversation she had and asked her if could call her (TERWILLIGER). TERWILLIGER sent a text message back to saying it was a good time to call her. TERWILLIGER told Detective Torres that then called her on the phone. TERWILLIGER said when she answered phone call, she could tell was upset, voice was shaking, and was crying. It told TERWILLIGER that had been assaulted by a Lieutenant that works at the Pueblo County Sheriff's office. TERWILLIGER told me that did tell her the name of the Lieutenant, but she (TERWILLIGER) could not recall his name at this time. TERWILLIGER said that sold her that went for a "work lunch" with the Lieutenant, and he assaulted in the parking lot. Detective Torres asked TERWILLIGER if told her what meant by assault. TERWILLIGER said told her that the Lieutenant forced his hand down pants, and he was rough. TERWILLIGER said told her that tried to get him to stop because the act was unwelcomed. said pulled away from the Lieutenant and told him had to hurry and get back to work. told TERWILLIGER that had to leave work and then called TERWILLIGER and was crying. Detective Torres asked TERWILLIGER what time called her, and she said it was 1456. TERWILLIGER told Detective Torres they talked on the phone for approximately seven minutes. TERWILLIGER told Detective Torres that she called back at around 1556 hours, and was driving to Canon City, CO to receive a SANE exam. Detective Torres asked TERWILLIGER who was to her, and she said they have been friends for numerous years. TERWILLIGER said she and were also once roommates. TERWILLIGER said she and are close, and they talk all of the time. Detective Torres asked TERWILLIGER if she has ever heard or seen distraught before, and she said maybe one time. TERWILLIGER said it was not as bad as when she talked to yesterday. Detective Torres asked TERWILLIGER if she knew the Lieutenant personally, and she said no. TERWILLIGER said has never talked to her about this person before, and

TERWILLIGER said she knows does not have a romantic relationship with anybody

Detective Torres asked TERWILLIGER if said the Lieutenant forcefully put his hands down pants, and TERWILLIGER said yes. Detective Torres asked TERWILLIGER what said the Lieutenant did next, and TERWILLIGER said that he forced his hand down

right now.



in his vehicle. responded at 7:27 PM with I don't care about the mountain dew. I just don't understand why you kept sticking you hands down my underwear when you knew I had to be to work. DURAN responded at 7:27 PM with Okay, I'm sorry. responded at 7:29 PM Why didn't you stop? I was trying to pull your hands up, out of my DURAN responded at 7:30 PM with I did stop responded at 7:31 PM with After me trying several times, I'm just saying it wasn't okay with me. DURAN responded at 7:32 PM with You were telling me you couldn't be late back to work. I think you made it back in time. Didn't you? DURAN at 7:34 PM continued with I'm sorry. I misrcad the situation. I promise I will keep my hands to myself from now on. responded at 7:35 with I did make it back in time but I don't understand why you were like that! You never did that before. I thought we were just going out to lunch as friends. DURAN responded at 7:36 PM with Again, I'm sorry. After the last message from DURAN, told Detective SMELSER that it would be he said said because nobody was around us and the windows were limousine black. was discussing in ext text and received a telephone call from DURAN. answered with "what's up" and DURAN stated, "so ok, I'm sorry, I apologize". stated "yeah, cuz I didn't expect that", and DURAN stated, "well I'm sorry, is there anything I can do to make it up to you?" stated "no, I just, I was just blown away because it came out of nowhere, like we were eating lunch and then we go to the truck and then you started grabbing at, opening my belt and shit, and I'm like what the fuck is going on, I was shocked". DURAN stated "ok I'm sorry, I apologize, I thought, I misread the situation, I thought you were ok." stated, "How did you think that?" and DURAN stated, "I just did, I guess because it seemed like you were ok with it." stated "I don't understand that. Because I was pulling at your arm trying to get it up" and DURAN stated "I'm sorry again, I don't recall you pulling at my arm, like I said, I will do whatever I can to make it up to you and I promise I will

keep my hands to myself in the future." stated "yeah, because I mean, I just honestly thought we were going out as friends like" and DURAN stated "ok, I'm sorry, you know I'm sorry like I said I misread the situation." DURAN stated, "you ok?" and stated "no, I've been upset, I've been crying all day, my eyes are fucking red right now, and that really got to me, it really pissed me off and I can't believe you did that." DURAN stated "Ok, I'm sorry and again I'm sorry, I misread the situation all together. I honestly thought you were ok with it." stated, "No I wasn't", I just wasn't ok with it, it wasn't cool on your part to do that" and DURAN stated "Ok, I get that now, I'm sorry. I thought, to be quite honest with you I've always been attracted to you and I totally misread the situation," stated, "I don't know, I mean we were just friends like lunch to just out in the car you didn't even try to kiss me, like nothing, you just went straight for my pants I was like what the fuck is going on here." DURAN stated "again I'm sorry I thought you were ok. I really did and I know there are times that I can be very aggressive but I'm sorry, I don't remember you telling me the to stop. I know you were telling me you needed to get back to work and" said "yeah, I did say that but I kept on pulling at your hand, I was leaning forward, like I was trying to stop you" and DURAN stated, "I don't remember you pulling at my hands and I'm sorry." stated, "both my hands were around your arm trying to pull it up and I went into freakout mode because I wanted to just get back to working away" and DURAN stated, "uh huh." DURAN stated, "well like I said I'm sorry." "I will do what I can to make it up to you." "I totally misread the situation." "I thought you were ok with it, like I told you I've been attracted to you for a long time and I've never been able to show it, so, I don't know." stated, "so like I closed my legs and you pushed my thigh open and you were saying come on help me out, I never said like oh yeah baby" and DURAN stated "I understand that. I get that." stated, "I kept on closing my legs for a reason" and DURAN stated I'm sorry. I don't remember you telling me to stop or not do that. I misread the situation." stated "I wasn't like inviting you, I didn't open my legs and slip down in the chair" and DURAN stated "I understand that. I misread the situation and I'm sorry, please tell me how I can make this better" and stated, "you can't make this better." "How can you make this better? it was fucked up."

DURAN stated "I'm sorry from the bottom of my heart. I'm sorry, again like I said I misread the situation." "I guess I crossed a line that I shouldn't have and I'm sorry, I misread the situation." and stated "even when we were talking at lunch I kept going back to work and you were asking me out in a weird way. I told you you're a pain in the ass I'm a pain in the ass, that's just not a good idea" and DURAN stated "Again, I totally misread the whole situation even though we were sitting there I misinterpreted the conversation."

stated, "I mean, I just don't understand what did I do to make you think to do that?" because I don't understand."

BCC+



have more time, so again 1 misread the situation. Obviously, we were on two different pages we were not on the same page, I'm sorry." stated, "I definitely was not on the same page" and DURAN stated, Ok I get that and trust me, I get that now and I understand that our friendship, relationship is it's strictly professional. It was not my intention to do anything to make you uncomfortable, that is not the way I am that is not the way I operate, it's not." "I'm sure if I had that reputation you would have heard about it by now but that's just not me." "Again, I just saying I've been attracted to you for a long time and I thought you were ok." stated, "all right well I'll talk to you later" and DURAN stated, "again, I'm sorry" and the conversation ended. Detective SMELSER then left the interview room and Advocate Lori Jenkins entered to check on who expressed concerns that would be taken off the sex assault case load and assignments because of this incident. AFFIANT then ended watching their conversation as JENKINS was in and out of the room along with other L.E. who advised that they would have to make jurisdiction notifications. Affiant states that He is and was at all times relevant hereto employed as a Police Detective for the Pueblo, Colorado Police Department. Affiant further states that all incidents described herein occurred within the County of Pueblo and State of Colorado. Affiant states that there is probable cause for an arrest warrant for **DIEGO** GUILLERMO DURAN (DOB: 03-11-1967) for the crime(s) of Sexual Assault, (C.R.S. 18-3-402) (as amended) (a class 4 Felony) - due fre in **AFFIANT** Subscribed and sworn to before me this 9th day of September 2022. Judge DISTRICT COURT, PUEBLO COUNTY, COLORADO Pueblo Combined Court 501 N. Elizabeth St. COURT USE ONLY Pueblo, Colorado 81003 Phone: 719-404-8700 Case Number THE PEOPLE OF THE STATE OF COLORADO