



**AFFIDAVIT AND APPLICATION FOR ARREST WARRANT  
AND THE ARREST WARRANT FOR THE PERSON(S) OF:**

Hemphill, Jay Frank (██████████ 1972), a White Male, 6'1", 210 Pounds, Brown Hair, Brown Eyes  
Social Security # ██████████, Colorado Pin # ██████████  
For Menacing, C.R.S. §18-3-206, a Class 5 Felony

I, Sergeant Brian Pacelko, badge 00019, the Affiant, state under oath that the facts known to the Affiant which establish probable cause to believe that a criminal offense was committed, and that the offense was committed by the above named person(s), are the following:

On August 25, 2021, your Affiant (A Police Officer for 21 years and currently assigned to the Denver Police Internal Affairs Bureau), was assigned the follow up investigation of Denver Police Offense Report #2021-488257, completed by Officer Corey Gambone, 16009.

On August 25, 2021, at about 1330 hours, Officer Gambone was advised by dispatch that a female victim would be coming to the District 6 station to make a threats report related to an incident that just occurred in the intersection of E. 14<sup>th</sup> Ave. and N. Sherman St., which is in the City and County of Denver. Upon arrival, Officer Gambone met with the victim, ██████████ who related that she was driving her truck at E. 14<sup>th</sup> Ave. and N. Sherman St. when a male crossed the street in front of her vehicle and pulled a black gun from his waistband and pointed it at the victim while yelling at her.

On August 25, 2021 at 1550 hours your Affiant was notified by Commander Sanchez of Denver Police District 6 of the incident and related that he was just informed by Colorado State Patrol that the suspect in this incident was Trooper Jay Hemphill (██████████/1972). The suspect, Hemphill reported the incident to Sergeant Dan Fiallo of Colorado State Patrol shortly after it occurred and that the incident was captured on video. Your Affiant met with Sergeant Fiallo who related the suspect, Hemphill advised ██████████

██████████ Your Affiant obtained a copy of the video recording and viewed it. The video clearly shows the suspect crossing E. 14<sup>th</sup> Ave southbound just east of N. Sherman St. when the victim starts to make a right turn to go e/b on E. 14<sup>th</sup> Ave. The suspect, Hemphill crosses in front of the victim's vehicle and pulls out a handgun and points it at her.

On August 25, 2021, your Affiant spoke with the victim, ██████████ on the phone who confirmed the information in the report. The victim described the suspect as a white male, medium build, 5-10 to 6 feet tall wearing a light-colored suit. The victim also related that the suspect pulled a gun from his right side. She remembered seeing the gun and freaking out. The victim stated, "I was afraid I was going to get shot".

On August 30, 2021, your Affiant met with suspect Hemphill at the Denver Police Internal Affairs Bureau and a video recorded interview was completed. Hemphill was advised of his Miranda rights

**AFFIDAVIT AND APPLICATION FOR ARREST WARRANT**

and chose to voluntarily answer questions about the incident. During the interview Hemphill

Your Affiant spoke with Assistant District Attorney Zach McCabe of the Denver District Attorney's Office. ADA McCabe tentatively accepted this case for filing and directed your Affiant to apply for a probable cause arrest warrant.

Based on the aforementioned information, your Affiant respectfully requests that a probable cause arrest warrant be approved for the suspect, Hemphill, Jay (01/29/1972), for Menacing, C.R.S. §18-3-206, a Class 5 Felony.

I affirm this information to be true and correct

SGT B. Packer 0019  
Signature of Affiant

Subscribed under oath before me on

09/07/2021 10am  
Date Time

Andrea Eddy  
Judge or Notary Public

My commission expires: \_\_\_\_\_

**ARREST WARRANT**

To all Sheriffs, Peace Officers and Police Officers with the said State:

You are hereby commanded to take the person of the defendant and bring him without unnecessary delay before a Judge of the County Court to be dealt with according to law.

Bail fixed at \$ set at 1st appearance

Andrea Eddy  
Signature of Judge