

DISTRICT COURT, PUEBLO COUNTY, COLORADO
Pueblo County Judicial Building
320 W. Tenth Street
Pueblo, CO 81003
(719) 583-7000

THE PEOPLE OF THE STATE OF COLORADO

vs.

JANELLE GONZALES, Defendant.

BILL THIEBAUT
DISTRICT ATTORNEY
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MAY 18 2010

PUEBLO COUNTY, COLORADO

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Case Number

10CR654

Division D

INDICTMENT

Of the 2010 term of the Pueblo County Statutory Grand Jury, the Grand Jurors chosen, selected and sworn in and for the Tenth Judicial District, in the name and by the authority of the People of the State of Colorado, upon their oaths, present:

COUNT NO. ONE
THEFT - \$1,000-\$20,000 - SERIES
C.R.S. 18-4-401(1)(a)(4), (A Class Four Felony)

On or between July 1, 2008 and December 31, 2008, in the State of Colorado, JANELLE GONZALES unlawfully, feloniously and knowingly obtained or exercised control over things of value, namely: US Currency, of the Department of Agriculture, an agency of the State of Colorado, twice or more times within a period of six (6) months, with an aggregate value of one thousand dollars (\$1,000) or more but less than twenty thousand dollars (\$20,000), without authorization, or by threat or deception and intended to deprive permanently of its use or benefit; in violation of Section 18-4-401(1)(a)(4), C.R.S.

COUNT NO. TWO
THEFT - \$1,000-\$20,000 - SERIES
C.R.S. 18-4-401(1)(a)(4), (A Class Four Felony)

On or between January 1, 2009 and June 30, 2009, in the State of Colorado, JANELLE GONZALES unlawfully, feloniously and knowingly obtained or exercised control over things of value, namely: US Currency, of the Department of Agriculture, an agency of the State of Colorado, twice or more times within a period of six (6) months, with an aggregate value of one thousand dollars (\$1,000) or more but less than twenty thousand dollars (\$20,000), without authorization, or by threat or deception and intended to deprive permanently of its use or benefit; in violation of Section 18-4-401(1)(a)(4), C.R.S.

COUNT NO. THREE
THEFT - \$1,000-\$20,000 - SERIES
C.R.S. 18-4-401(1)(a)(4), (A Class Four Felony)

On or between July 1, 2009 and December 31, 2009, in the State of Colorado, JANELLE GONZALES unlawfully, feloniously and knowingly obtained or exercised control over things of value, namely: US Currency, of the Department of Agriculture, an agency of the State of Colorado, twice or more times within a period of six (6) months, with an aggregate value of one thousand dollars (\$1,000) or more but less than twenty thousand dollars (\$20,000), without authorization, or by threat or deception and intended to deprive permanently of its use or benefit; in violation of Section 18-4-401(1)(a)(4), C.R.S.

COUNT NO. FOUR
UNAUTHORIZED USE OF A FINANCIAL TRANSACTION DEVICE - \$1,000-\$20,000
C.R.S. 18-5-702(1),(3)(c), (a Class Five Felony)

On or between March 1, 2009 and January 15, 2010, in the State of Colorado, JANELLE GONZALES unlawfully, feloniously used a financial transaction device, namely: a Colorado Procurement Credit Card a/k/a/ a P-Card, for the purpose of obtaining cash, credit, property, or services or for making financial payment, with intent to defraud, and with knowledge that the use of the financial transaction device was unauthorized by either the issuer thereof or the account holder, and the aggregate value within a six-month period from the date of the first unauthorized use of the cash, credit, property, or services obtained or of the financial payments made was one thousand dollars (\$1,000) or more but less than twenty thousand dollars (\$20,000); in violation of Section 18-5-702(1),(3)(c), C.R.S.

COUNT NO. FIVE
EMBEZZLEMENT OF PUBLIC PROPERTY
C.R.S. 18-8-407, (a Class Five Felony)

On or between July 1, 2008 and January 31, 2010, in the State of Colorado, JANELLE GONZALES, a public servant in possession public monies or public property, the property of Department of Agriculture, a political subdivision of the State of Colorado, unlawfully, feloniously, and knowingly converted the public monies or property to her own use or to a use other than the public use authorized by law; in violation of Section 18-8-407, C.R.S.

Based upon the sworn testimony before us, we find that probable cause has been established to charge the Defendant with committing the following offenses. Each offense was committed in and is triable in Pueblo County, Colorado and further adopts the following factual basis in support of the charges.

1. JANELLE GONZALES was employed by the Department of Agriculture, a political subdivision of the State of Colorado, as Director of Administrative Services for the Colorado State Fair. JANELLE GONZALES worked in the State Fair accounting office within the Agriculture (Ag) Palace, located on the Colorado State Fair Grounds in the City of Pueblo, County of Pueblo, State of Colorado.
2. As part of her employment, JANELLE GONZALES was provided a Colorado State Procurement Credit Card (hereinafter referred to as a P-Card) to make authorized purchases for department needs and activities. JANELLE GONZALES used her assigned P-Card for unauthorized personal use, including but not limited to, purchase of gas, payment of her utility bill, purchase of hotel rooms for non-related state reasons and groceries. Use of a P-Card results in expenditure of state monies.
3. JANELLE GONZALES purchased tires for a personal vehicle and invoiced the Department of Agriculture for the tire purchase. The tires were paid for by state monies.
4. JANELLE GONZALES submitted false travel vouchers and received reimbursement of expenditures for meetings she allegedly attended as part of her employment duties. The meetings never occurred but JANELLE GONZALES received state monies for vouchers submitted.
5. JANELLE GONZALES managed the rental of State Fair Ground Facilities for special events throughout the year. As part of her duties, JANELLE GONZALES collected facility rental fees and processed deposits of the rental fees. JANELLE GONZALES absconded with numerous cash payments for facility rental fees. Facility rental fees are state monies.
6. JANELLE GONZALES managed the camping site rentals on the State Fair Grounds throughout the year. As part of her duties, JANELLE GONZALES collected camping rental fees and processed deposits of the rental fees. JANELLE GONZALES absconded

with numerous cash payments for camping rental fees. Camping rental fees are state monies.

7. JANELLE GONZALES received checks for payment of rental fees with the "Pay To The Order" portion left blank. JANELLE GONZALES completed the "Pay To The Order" section with her name and deposited the checks into her personal bank account. The checks should have been payable to the Colorado State Fair.
8. State monies in the amount of \$9,486.79 were kept within a safe located in the Ag Palace's State Fair accounting office. Between May 11, 2009 and May 12, 2009, JANELLE GONZALES absconded with \$9,486.79.