



		RD: 99 DR# 2014-401638
1. Incident Topic	2. Subject/Victim's Name	
Disorderly Conduct	CITY OF BOISE,	
3. Address	4. Phone	For the Control of the Control
12400 W MCMILLAN RD (CENTENNIAL HIG		
5. Date Occurred 6. Time Occurred	7. Route To	8. Division
01/23/2014 22:44	File	PERSONS
Person w/ Knowledge	Race: Sex: DOB:	Age:
Address:	'w lbs Hair Color:	Eye Color:
Occupation: Bus or School	Res Phone: SSN: OLN/St: / ID Bus Phone: () -	Relationship: Injury Type: How Ident.: Verbal

SYNOPSIS

I was assigned an investigation in which an adult male, later identified as Fred S. Martin was seen on the school campus of Centennial H.S. on January 24, 2014 after school hours. During the investigation it was discovered that Martin was the subject of another investigation in 2012 where it was alleged that he entered into a girls' restroom at Centennial H.S. Martin was interviewed on March 05, 2014. During an interview with Martin about his activities surrounding these events he provided several inconsistent and what appeared to be deceptive statements about his activities while on the school grounds.

This supplement is related to DR# 229-228. Additional reports related to this investigation are also provided within DR#.

INVESTIGATION

I was assigned this investigation on January 24, 2014. I met with Officer S. Phan, who is the School Resource Officer (SRO) at Centennial H.S. Officer Phan provided me with the information he had learned thus far. Officer Phan also provided me with information related to the investigation he conducted in December 2012 related to DR# 229-228. See his reports for further information.

After receiving what information was available, and reading the available police reports at the time I believed it was possible that Martin had possibly hidden a recording device in the girls' restroom or some other location within Centennial H.S. I also believed from my training and experience that based upon Martin's actions on January 23, 2014 he could have been attempting to retrieve a device from somewhere within the school or some other type of criminal activity.

Arrangements were made with Det. Teuber to respond to Centennial H.S. to use electronic detection equipment to search the restroom that Martin had allegedly entered into on December 12, 2013 for any recording devices. At the conclusion of the search Det. Teuber and myself searched the girls' restroom at the front of the school (south side front entrance), and the girls locker room located on the northwest side of the building. No devices were found.

As previously reported in a report by Officer Phan under DR# 229228 Martin had explained his behavior of being at the school because of wanting to verify if his niece, later identified as who played on the Rocky

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Officer(s) Reporting Cpl. Tim Brady Approved Supervisor Lt. Mark Barnett	Ada No. 643 Ada No 544	Approved Date 04/02/2014 13:28	

	RD: 99	DR# 2014-401638
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Mountain H.S. basketball team, had won her game. I was able to later verify that was Martin's niece, and she did play on the basketball team for Rocky Mountain H.S.

Officer Phan provided me with the security footage of the incident involving Martin on January 23, 2014. I was told security footage for the incident on December 12, 2012 was no longer available. The security code to watch the footage within the software used to view the surveillance footage is 9148. I viewed the surveillance footage, and observed the same sequence of events as described in Officer Phan's supplement under DR#401638. The CD copy of the surveillance footage was booked into Ada County Property/Evidence.

On March 05, 2014 I requested the assistance of Det. Pietrzak, Det. Stace and Officer Phillips for further follow up regarding this investigation. Det. Pietrzak assisted me with the interview of Martin while Det. Stace interviewed Officer Phillips attempted to contact Martin's wife at their residence in an attempt to gain consent to preview any computers or other digital devices used by Martin. Officer Phillips reported that no one was home when he attempted contact; Det. Stace was able to interview See his report for further information.

During the course of the investigation I learned that Martin was an Idaho Senator. At the time this investigation was conducted the Idaho legislature was in session. On March 05, 2014 I learned that Martin was in a Health & Welfare committee meeting. Det. Pietrzak and I approached Martin at the conclusion of the committee meeting. I explained to Martin his name had surfaced in reference to an investigation I was conducting, and asked if I could speak with him privately. Martin indicated we could, and he hurriedly exited the committee meeting room to proceed toward his office. Martin was walking at an extremely fast pace, and kept a pace several yards ahead of Det. Pietrzak and I was not able to catch up with Martin by the time we entered into his legislative office

Once inside Martin's office I explained to him I would like to speak to him about the incident he was involved in on December 2012 and the incident on January 23, 2014. Martin indicated by word and action that he would speak with me. Below is an evidentiary synopsis of my interview with Martin. Det. Pietrzak also asked various questions, which I will also document.

When I explained to Martin I wanted to speak with him about the incident on January 23, 2014 he acted as if he did not know about the second incident of being on the school property, and proceeded to ask again what the date was. Martin then wrote the date down in a small notebook that was at his desk. Martin then clarified if the January incident was the first or second incident. Upon our initial contact with Martin he appeared to be very nervous. This opinion was based upon my observations of Martin's body language to include his shaking hands, his hurriedly walking to his office and his reaction to why I wanted to speak to him.

December 12, 2012 Incident

I asked Martin to discuss with me the first incident, which was reported to have occurred on December 12, 2012. Almost immediately Martin stated that whoever wrote the first report had never been to Centennial H.S. Martin

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Officer(s) Reporting Cpl. Tim Brady	Ada No. 643	
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stated he had been back to the school prior to him being given a copy of the report (see below for more information wout this) to verify this. Martin continued to state in the first report he was accused of hiding behind a tree located in the parking lot or near the front of the school. Martin stated there were no trees big enough for him to hide senind. Martin repeatedly adamantly denied that he hid behind any trees. Throughout the interview Martin spent a sear deal of time attempting to explain he could not have been hiding behind a tree for these reasons. There were also several times during the interview that Martin stated he did not hide behind any alcove in the building as he was accused of doing in the first report, and that there is no alcove for him to hide behind.

During the interview Martin also discussed that the report he read stated he was on the grounds of the school after hours. Martin conceded that although it was late he did not feel it was too late because of the basketball game that had just occurred.

In reference to his reasoning for being at Centennial H.S. on the evening of December 12, 2012 Martin explained his niece played basketball for Rocky Mountain H.S. Rocky Mountain H.S. and Centennial H.S. had a girls' basketball game that night. Martin arrived at the school late, and wanted to find out the score of the game. Martin saw a janitor's cleaning cart "in one of the bathrooms"; Martin did not know if it was the boys' or girls' bathroom. Martin explained there are two restrooms side by side (this was confirmed as being true). Martin stated he then "yelled into the restroom" to see who won the game. Later Martin stated he specifically yelled, "Hey tell me who won the girls' basketball game." Martin confirmed multiple times he heard somebody in the bathroom. Martin did not receive a reply so he walked outside. Martin saw "a couple" students, and asked them the score of the game. Martin received an answer and left the school campus. Later during the interview Martin stated when there were no persons in the hall to ask the score of the game he went into the gym and saw some young children playing basketball. He did not want to ask them because of their young age. In reference to other people being in the front of the school he could have asked for the score Martin stated he did not recall passing other people to ask the score of the game.

Later during the interview Martin denied ever going into the girls' restroom despite being told there was a witness that saw him in the girls' bathroom. Martin stated his actions that night were "as innocent as can be." Martin's statement changed during the interview as he stated "I did not in my opinion go into the girls' bathroom." Martin indicated he may have "stepped" out of the hallway into the "little area" at the entrance to the bathroom (from Martin's description it appeared he was describing the area between the hallway wall and the privacy wall into the bathroom.") Martin then made a statement about defining when the bathroom begins and when it ends.

During the course of the interview Martin made several statements about how he had gained prior knowledge of the investigations. This will be explained in greater detail below; however Martin stated he was contacted by of the Idaho Statesman about the incident in 2012. Martin then made the following statements in reference to the allegations, which are inconsistent with what had already been provided. Martin did not know if he had yelled into the boys' or girls' bathroom. Martin stated questioned him on the validity of not knowing whether or

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not he entered into the boys' or girls' bathroom. Martin stated he did not look if it was the boys' or girls' bathroom. All he saw was the cart outside of the bathrooms.

As the interview progressed Martin was asked by Det. Pietrzak to provide a sketch of the front of the Centennial H.S., which he did. This is provided with the case file. As he was providing the sketch Martin provided many of the same details as provided above. Martin did specify in reference to Det. Pietrzak's questioning that he arrived in a blue Dodge Caravan. Martin went into the front doors of the school, and went into the first door of the gym. In addition to looking for someone to ask about the score of the game Martin spent some time looking at pictures on the wall to see who how many teachers he knew. It was after this that Martin proceeded to yell into the bathrooms as described above.

In reference to his knowledge of the basketball games that are played at Centennial H.S. Martin stated that typically the games end around 9:00 PM-9:30 PM. Martin stated concessions to the game stop around half time, and he indicated he did not have to pay to get into the game because he arrived after this. Martin did not think knew he was going to the game that night, and Martin stated he would need to check with his wife to see if he had told her that he was going to stop by game that evening. Martin stated he had been to 3-4 of basketball games this year. Martin stated he usually attempts to attend the games versus stopping in such as happened on December 12, 2012. Later during the interview Martin stated this was the first time he showed up after a basketball game. When asked about checking the score via the Internet Martin stated girls' basketball game scores are not always reported on the Internet. Martin indicated he knows this because he has attempted to check the scores via the Internet in the past.

January 23, 2014 Incident

As the interview continued I asked Martin about the incident on January 23, 2014. I explained to Martin that he had been seen on the property at approximately 10:45 PM. Martin stated and acted as if he initially did not remember being on the grounds of Centennial H.S. that evening, and took several moments to check his calendar on his mobile phone. Martin then stated he was at a meeting with ISU from 5 PM-8PM even though that was not the time frame I was speaking about. Martin changed his statement to state on Thursday January 23, 2014 he was at the LDS Temple until 10:30 PM-11:00 PM (this is despite Martin looking at his calendar in his phone at the beginning of the interview, and stating he was at a function for ISU).

To note further inconsistences in Martin's statements I will refer the reader to the beginning of the interview when Martin displayed behavior indicating he was not aware or had knowledge of the January 23, 2014 incident.

In reference to his activities that evening on the grounds of Centennial H.S. Martin stated he wanted to see where the trees were that it was alleged he had hid behind because it corresponded to the time in which he was notified about the investigation. Martin stated he did not recall going into the building, but he may have tried to open the door to

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go into the building to check for the alcove he had been accused of hiding behind. Martin then confirmed again that his only activities on the evening of January 23, 2014 were checking for the trees that he was accused of hiding behind. Martin did not recall going to Centennial H.S. at any other time at that particular time at night, and finding the doors open.

Martin also made a statement that once inside the school he wanted to see the layout of the boys' versus the girls' bathroom.

I explained to Martin about my concern about the truthfulness of his statements because his statements were contradictory to what I had observed on the surveillance footage. Martin made a comment about wanting to see the surveillance video. I then asked Martin to explain what he was doing attempting to open three doors on the front of the school. Martin replied he did not remember attempting to open three doors, but he may have tried to open the front door to get into the school for reasons cited above. Martin initially did not recall where he parked during the January incident. As I continued to question Martin about this incident he then stated he could not remember that far back. I confronted Martin with the fact that this was a significant event in his life because of the fact he had been contacted by and had taken the time to drive back to the school to allegedly verify if the information from the witnesses and in the police report was incorrect. Martin countered this was not a significant event in his life. Martin then gave an explanation that he has a bad memory, and he cannot remember certain things. Martin brought up the example that he did not remember people being at the school on January 23, 2014 and that after a short time of thinking and discussing the situation he did remember people being on the school property. Martin then stated he remembered saying "Hi" to a female that was on the school grounds. This is directly contradictory to the report by Officer Phan that stated Martin seemed upset, and spoke very little to anybody that evening.

Martin stated he was driving his Ford Mustang at the time of going onto the school property. Martin's wife did not know he was going to stop by Centennial. Martin also did not tell his wife about the investigation.

Martin did not agree with me that his behavior of showing up at Centennial at 10:45 PM at night was unusual. Martin also stated he did not know it was illegal for him to be on the property when there was no school or school activities occurring. Martin concluded his thoughts by again stating he did not see any problem with him being at Centennial at 11:00 PM at night.

When asked what Martin thought he was being accused of he stated he did not want to say it out loud or write it down. Martin then made several statements about knowing who he was and living the kind of life he has lived. Martin later stated he thought the accusations because of the investigation were centered on something to the effect of a "peeping tom."

MARTIN'S PRIOR KNOWLEDGE OF THE INVESTIGATIONS

At the beginning moments of the interview Martin made a statement that he had been handed a (police) report "a

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few weeks ago." When asked who had contacted him about the investigation Martin stated it was a police officer that had told somebody twice (what Martin meant by this is not clear) that he was under investigation. Martin then stated two different people from two different areas of his life came to him separately to tell him he was under investigation. Martin stated he thought the matter was complete (in reference to the incident in 2012) until these persons in his life approached him, and told him he was under investigation. Martin later stated he was told specific details of the investigation. Martin asked me if I wanted a copy of the police report, and gave the impression he was looking in a bag for the copy of the police report he had been provided. Martin was unsuccessful, and later stated he did not have it as it must have been at home.

Martin stated the first person who had inquired about the investigation was an ecclesiastical leader, who he later identified as the person who approached him about the investigation was an ecclesiastical leader, who he later identified as the person told Martin a police officer had approached him, and informed him of the investigation and what he was being investigated for.

After revealing this information to me Martin provided a different explanation for the January incident by stating his purpose in going to the school on January 23, 2014 was to get an answer for

Martin allowed Det. Pietrzak and I to preview his state issued laptop computer, and his personal digital tablet. No evidentiary information was found. Martin also stated investigators could look at his home computers as well. I chose not to perform a check on Martin's home computers because of his prior knowledge of the investigation, and the likelihood of finding any evidentiary information from a preview alone would most likely not be successful.

CONTINUED INVESTIGATION

Because of my current job duties of being assigned to the Internet Crimes against Children Taskforce involving the Office of the Idaho Attorney General's Office, and Martin's position as a state legislator I advised Chief Criminal Investigator S. Birch of the investigation. I advised no other investigators or personnel from the Office of the Idaho Attorney General of Martin's identity.

Upon informing Chief Criminal Investigator Birch of the investigation he informed me that he was personally familiar with Martin as they both practiced the same religion, and they served in a church leadership capacity together. Chief Criminal Investigator Birch was also familiar enough with Martin that he was able to provide me with Martin's niece's name that played basketball for Rocky Mountain H.S. (as previously stated this person was identified as

During my interview with Martin he provided me information that he had been personally approached by a church leader informing him that he knew he was under investigation, and wanted to know the details of why he was under investigation. Martin identified this church leader as Martin also provided me with

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home and mobile numbers for contact.	
On March 06, 2014 I contacted by telephone. The interview was not recorded. During	g my interview with

On March 06, 2014 I contacted by telephone. The interview was not recorded. During my interview with he was not particularly forthcoming with details to several of my questions citing a clergy privilege. However, and did inform me that he heard about the allegations against Martin approximately 4-5 weeks prior to my conversation with him. also heard about the allegations against Martin in 2012. Acknowledged that his information had passed through several people by the time he heard about it, and therefore was not positive about any details that he had heard. Was reluctant to provide any specific details of what he had been told because of this. Was did state he had heard about an incident that happened at a basketball game, and another incident that occurred in which it was reported Martin attempted to access a school after it was closed.

stated he heard this information verbally from a "law enforcement source"; however refused to identify who this was again citing his clergy privilege. stated that his "law enforcement source" heard that an investigation was taking place; however the "law enforcement source" did not identify where they had gotten that information.

Martin about 10 days after he found out about the investigations. stated that Martin was unaware of the most current investigation.

CONCLUSION

Martin exhibited suspicious behaviors during two known incidents on the property of Centennial H.S., and he had several inconsistent statements during an interview. At this point in the investigation I have not identified any criminal activity that is prosecutable.

During the course of the investigation I learned that Martin had been approached two separate times, and had been given specific details of the investigations. According to Martin's statements it appeared that law enforcement was somehow involved in Martin obtaining information about the investigations on both occasions. At least one of these "law enforcement sources" was corroborated, but not identified by

This investigation will be closed at this time, and routed to file.

End of report.

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hours. At one point, a cust subject saw the custodian walking towards him. As s rapid pace out the front do	, he quickly left the oon as the male s	ie bathroom. Ar subject saw and	iother custodian sa ther custodian con	w the male in the male in the male is	he school and was subject walked at a
Another custodian also re hiding underneath a tree to that she screamed. She st subject went into the scho	hat was against th ated she ran insid	e building. She e and did not k	advised it was a da	ark area and the	at she was so startled
School administrators four point, someone believed to Fred Martin living at	hat the male subje	ct was Fred Ma	rtin. I conducted a	ted off several motor vehicle l	still shots. At some ookup and saw that a
l contacted Sgt. Stevens a was doing on campus afte bathroom along with hidin	r hours. More imp	ortantly they w	anted to know wha	hool wanted to t Martin was do	know what Martin ing in the girls
On 12/13/12 at 1600hrs, my negative results.	self and Officer D	alpiaz attempte	d to make contact	with Martin at h	is residence but with
On 12/14/12 at 0723hrs, my door where he verbally ide	rself and Det. Frat ntified himself. I i	usco made con dentified mysel	tact with Martin at I f and Det. Fratusco	his residence. I . Martin invited	Martin answered the us into his residence.
asked Martin if he was at there. He inquired if there was being in the school after he versus Rocky Mountain Hi who won the game. Martin see if they could tell him w	was something was ours walking arou gh basketball gan stated he steppe	rong. I explaine ind. Martin state ie. He stated th I into the doorv	d to him that severa ed that he was atter at he walked around vay of the girls bath	al custodians w npting to watch d looking for so	rere startled by him In the Centennial High Domeone to tell him
He then asked how I knew	he was at the ech	ool Leynlained	to him that we have	e security cam	arae at the cohool that
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Boise Police Department. Misc. Report

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captured him.

He later stated that a custodian was in there and so he left. He pointed out that he parked close to the school and left. He stated as he left, there were several students outside waiting for a ride so he asked them and found out who won.

I explained to him that I was there to ensure he was ok and that he didn't need police assistance that night. He assured me that he didn't need any help.

Later in the afternoon. Martin called Centennial and asked to speak with me. I placed the phone call on speaker phone so that I could record the conversation. Martin wanted to find out what was going on. I advised him I was writing a miscellaneous report just to document the incident. Martin stated he wanted to make sure this was not going to appear on the 5 o'clock news.

Martin wanted to reiterate that he did not go into the girls bathroom, that he merely looked in to find someone to ask about the game. I then asked if he ever stood under a tree on the exterior of the school, Martin stated no.

Martin also indicated there were other students in the gym when he was there. It should be noted that he did not indicate that he asked any of the kids in the gym as to who won the basketball game.

Martin then stated that he had a niece that played at Rocky Mountain and just wanted to see her play. I explained to him that I was not going to the media with this information.

The principal and I spoke with the custodians again, who indicated that Martin parked out further in the parking lot and that he was lingering under a tree with no lighting. They also indicated he stood up against an alcove area to try to hide, but when he saw a second custodian coming he took off at a fast pace out the door. They indicated that they did not see Martin stop to talk to any kids outside.

Martin indicated that he saw several kids in the gym, but for some reason he did not ask the kids who won the game.

Route to File as informational on	y at this time.
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I conducted a follow up interview 12/12/12. I asked for		om was a custodia	n at Cente	ennial High on
indicated that he was in	clarify what he say	w Martin do while M	lartin was	in the school.
unecuy across from the front offi	ce. He stated the	door was propped o	n the fron	t of the school
mirrors when he ran out of soluti	on to clean the mi	rrors,		
indicated he exited the	bathroom when he	saw Martin walkin	a from the	n mm area of the
actions alin Mas Marking South th	rough the school i	nwarde the front of	the cohe	
indicated he did not pay to much dress coat and had gloves on bot	attention at that p	oint except that Ma	rtin was w	earing a long
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stated he went around t	he corner to the c	ustodian's supply c	loset to re	efill his cleaning
solution bottle. Once he was done entering, he observed Martin behi	e, he went back to	the same women's	bathroon	n; as he was
hasseing a moin seeming directly it	to the bathroom i	the door were to o	nen) He	stated that Martin
was miside the Momen's Datuloou	opening the wall w	vith his back to the	hathroom	etalle and einke
indicated that Martin wa	s peering from be is startled becaus	nind the wall lookin e Martin was inside	g out the	door into the
peering, and had gloves on.		e marini was msiqe	are work	en s Daumoom,
stated that once he saw	Martin and Martin	cour him that Mant		
stated that once he saw bathroom in a rush and indicated	that Martin appear	red startled as well		stated that
Martin walked directly pass him a	nd did not make a	nv statements as he	nassed s	nim He stated he
watched Martin exit the school so	ne went to advise	his supervisor	about ti	ne incident.

Admin		
Officer(s) Reporting Ofc. Steve Phan	Ada No. 715	

Boise Police Department. Narrative Report

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INITIAL RESPONSE/CONTACT:

On the above date and time, I was approached by head custodian of Centennial High School, hom advised me that he had a note this morning from his night crew that an older gentleman attempted to gain access into the school at 2244hrs the previous night.

A review of the security cameras showed a man who appeared to be Fred Martin pull up in a red Ford Mustang and parked in front of the school at 2243hrs. It shows that Martin left his headlights on as he walked up to school. Security footage also shows Martin attempted to open 3 of the front doors at Centennial High School at 2244hrs. Martin first checked the 2 center main doors then checked the most eastern main door. Martin had negative results as all doors were locked. In the video it shows Martin looking over his right shoulder as he was approaching the building and as he was checking the doors. Martin then walked back towards his vehicle where he was intercepted by custodian who asked Martin if he needed help.

reported that Martin told him no and that he was just going to go home. stated he observed Martin drive in off of McMillan and was speeding through the parking lot when he parked. He also stated that when Martin left he sped through the parking lot and turned east on McMillan. indicated that Martin appeared agitated.

I then spoke with custodian who stated she observed Martin driving into the parking lot at a very high rate of speed which scared her. She stated that he walked past her where she asked him if he needed help in which Martin ignored her. She stated she observed Martin pull on the doors "very hard" in an attempt to get into the school. She yelled over to who was in his van getting ready to leave. got out of his car and asked Martin if he needed help in which she described that Martin was mad and had a clenched fist in both hands.

I contacted Sgt. Young to advise her of the situation. Det. Albanese and Det. G. Hoffman arrived to Centennial where we attempted to look for items that may have caused Martin to come to Centennial to look for or take with negative results.

I obtained a copy of the video and gave it to Det. Brady.

I did a vehicle inquiry on Martin and was able to locate a 1965 red Ford Mustang (SENATE15) that was registered to Martin. This appeared to be the same vehicle that I observed in the video footage. There is a picture of Martin sitting on a red Mustang on his Senate webpage as well.

Martin has 2 other vehicles that I was able to locate:

- 1) 2006 blue Dodge Caravan (1A3X917)
- 2) 1998 red Ford Ranger (1AUE179)

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