

District Court Mesa County, State of Colorado Court Address: 125 N. Spruce St., Grand Jct., CO 81505 <hr/> <b>AFFIDAVIT IN SUPPORT OF ARREST WARRANT</b> Trish Mahre, Assistant District Attorney District Attorney's Office Twenty-First Judicial District of Colorado P.O. Box 20,000 Grand Junction, CO 81502-5031 Phone Number: (970) 244-1730 Fax Number: (970) 244-1729 Atty. Reg. #: 33041	          ↑ COURT USE ONLY ↑ <hr/> Case Number: 23SW _____  Div:
<b>PEOPLE'S MOTION TO SEAL AFFIDAVIT IN SUPPORT OF ARREST WARRANT</b>	

THE PEOPLE, by and through the Assistant District Attorney, Trish Mahre, for the Twenty-First Judicial District, and for their Motion to Seal Affidavit in Support of a Arrest Warrant state as follows:

1. The above referenced affidavit in support of a arrest warrant involves the investigation of an incident that is ongoing.
2. The People submit that should the information contained in the affidavit be released, the ongoing investigation into this matter will be compromised.

WHEREFORE, the People respectfully request that this Court grant an order to seal the above-referenced Affidavit in Support of Arrest Warrant.

Respectfully submitted this 4<sup>th</sup> day of August, 2023.

DAN RUBINSTEIN  
 District Attorney  
 Twenty-First Judicial District

By /s/ Trish Mahre  
 Trish Mahre, Reg. No. 33041  
 Assistant District Attorney

District Court  
Mesa County, State of Colorado  
Court Address: 125 N. Spruce St., Grand Jct., CO 81505

**AFFIDAVIT IN SUPPORT OF ARREST WARRANT**

↑ COURT USE ONLY ↑

Case Number: 23SW \_\_\_\_

Div:

**ORDER RE: PEOPLE'S MOTION TO SEAL AFFIDAVIT IN SUPPORT OF  
ARREST WARRANT**

  X  

GRANTED

       DENIED

 8/4/2023

JUDGE

COMBINED COURTS, MESA COUNTY, STATE OF COLORADO  
CASE NUMBER

Grand Junction Police Department Incident 2023-00036768

## ARREST WARRANT

THE PEOPLE OF THE STATE OF COLORADO,

TO: **ANY PEACE OFFICER IN THE STATE OF COLORADO, INTO WHOSE HANDS THIS WARRANT SHALL COME, GREETINGS:**

WHEREAS, **Det. Zachary McCullough**, a peace officer, has made Application and Affidavit for the issuance of an Arrest Warrant; and,

WHEREAS, the Application appears proper, and this Court is satisfied that there is probable cause to believe that the person named in the Application has committed the offenses of

1. **UNLAWFUL SEXUAL CONTACT (F4)**, in violation of CRS 18-3-404(1)(g); and
2. **CRIMINAL INVASION OF PRIVACY (2M)**, in violation of CRS 18-7-801(1); and
3. **TAMPERING WITH PHYSICAL EVIDENCE (6F)**, in violation of CRS 18-8-610(3)(a)

**YOU ARE THEREFORE COMMANDED TO ARREST**

**TODD NORMAN MITCHELL DOB 09/26/1967, LKA; 2437 BELLA PAGO DR., GRAND JUNCTION, CO. 81507 / 6'00" / 210 LBS / BROWN HAIR / BLUE EYES**

and bring them without unnecessary delay before the nearest available Judge of the County or District Court.

Bond: No Bond

BY THE COURT



JUDGE

8/4/2023

Date

COMBINED COURTS, MESA COUNTY, STATE OF COLORADO

CASE NUMBER

Grand Junction Police Department Incident 2023-00036768

## **AFFIDAVIT IN SUPPORT OF ARREST WARRANT**

IN THE MATTER OF:

The People of The State of Colorado

V.

TODD NORMAN MITCHEL, DOB 09/26/1967

and in support of the Application for Arrest Warrant, Det. Zach McCullough, hereinafter referred to as "Affiant", presents the following Affidavit in support of Arrest Warrant and asserts the following:

1. That the Affiant is of lawful age and is a duly sworn law enforcement officer currently employed by the Grand Junction Police Department and was so at all times relevant to the facts contained herein. All of the information herein contained was compiled by the Affiant in the course of a criminal investigation, including speaking with fellow law enforcement officers and named citizens. All locations referred to are in the County of Mesa, State of Colorado, unless specifically noted otherwise.
2. On 08/04/2023, at approximately 1523 hours, \_\_\_\_\_ called dispatch to report she was at Mitchell Chiropractic (627 24 1/2 Road Suite G) receiving chiropractic care from Dr. Todd Mitchell (09/26/1967). Dispatch call notes indicated found "cameras" in the changing room at the office and they were recording. \_\_\_\_\_ confronted Todd and Todd "destroyed" the "DS" card that was inside the camera.
3. Officer Ford spoke with \_\_\_\_\_ and her \_\_\_\_\_ at the Grand Junction Police Department. Officer Ford provided me with a synopsis of what \_\_\_\_\_ and \_\_\_\_\_ reported.
4. \_\_\_\_\_ called Mitchell Chiropractic earlier in the day on 08/04/2023 to schedule an appointment. No one answered and there was a message indicating the office was closed. \_\_\_\_\_ left a message with her information. A little while later, \_\_\_\_\_ received a call back from Todd saying he could schedule an appointment for her at 1430 hours.
5. Todd asked \_\_\_\_\_ about cheerleading and if she was now in college. \_\_\_\_\_ previously went to one chiropractic appointment with Todd when she was in 8<sup>th</sup> grade. \_\_\_\_\_ told Todd she was in college now and Todd asked her if she was 18 years old. \_\_\_\_\_ told Todd she was 18 years old. \_\_\_\_\_ thought it was odd that Todd asked how old she was.

6. [redacted] went to Mitchell Chiropractic at 1430 hours. Both [redacted] were going to receive chiropractic care from Todd. There were no other customers at the office while they were there. Todd had both of them go into an exam room together. Todd requested that they both undress to just their socks and underwear. Todd then left the room.
7. They were both provided with a hospital gown. [redacted] undressed as instructed and put the hospital gown on. [redacted] took the clothing on her upper body off and put the hospital gown on. [redacted] did not take her pants off.
8. [redacted] left the room and Todd began providing care to [redacted]. Todd had [redacted] sit on a stool in the room and began feeling her back. When [redacted] first sat on the stool, she was facing a door. Todd specifically had her turn, so she was facing a desk in the room. Todd began touching her lower back area and moved her underwear all the way to one side (exposing the top area of her butt). Todd requested that [redacted] open/close her legs numerous times. [redacted] said the hospital gown came down to above her knee, so when she was opening/closing her legs, her underwear/vaginal area was exposed to the desk.
9. Todd left the room and she noticed there was a camera on the lower part of the desk. A video later provided by [redacted] showed a camera resembling a "Go Pro" on top of a printer. The camera was partially concealed by a towel that hung down from the desk, however the location of the camera was placed where it could still record past the towel. She looked at the camera and saw it appeared to be recording and the screen said something like "16 minutes". She estimated that was about how long she had been at the office. The camera was pointing toward where she had been sitting on the stool. She pulled out her phone and recorded what she had found.
10. [redacted] turned the camera off and left it where she found it. Todd came back into the room and had her move to another room. Todd had her lay down on a table and started to rub her shoulders. Todd left the room and [redacted] thought Todd was taking [redacted] into the room she had just been in. [redacted] text messages her [redacted] to tell him about what was going on. [redacted] they needed to confront Todd about the camera.
11. [redacted] went into the room where Todd was at with [redacted] confronted Todd about the camera and tried to grab it. Todd grabbed the camera and took a sim card out of it. Todd broke the sim card in half. [redacted] reported Todd then put the sim card and the camera into his pocket.
12. [redacted] began recording the confrontation with Todd. [redacted] said Todd began apologizing numerous times and she asked Todd how many other girls he had done this to. Todd said it was the first time he had ever done something like this. Todd said what happened was "not okay" and continued to apologize. He also said he had just gotten the camera and kept apologizing to [redacted] [redacted] was crying and very upset and continued to yell and ask Todd why he did this. Todd kept apologizing and asked what he could do to



make it better. continued recording Todd as she left the office. Todd came outside, got into his car, and left.

13. Officer Carli Ford interviewed and he reported three years ago he used to see Todd for chiropractic care. said Todd did not ask him to remove any clothes during any of his chiropractic appointments. remembered Todd gave special discounts to high school students, specifically cheerleaders and there were pictures of cheerleaders hanging on the walls of the office.

14. After this information was reported to GJPD Officers, attempts were made to contact Todd on his cell phone with no success. His wife was identified and attempts to contact her were also unsuccessful. Officers responded to Todd's last known address, 2472 Bella Lago Drive and attempted to contact Todd there. There was no answer at the door and his vehicle, a white GMC Envoy was not in the driveway. It did not appear anyone was home.

15. That the Defendant is identified based upon **Grand Junction Police Department** records as follows: **TODD NORMAN MITCHEL**, DOB **09/26/1967**, **White / Male**, **6'00"** tall, **210** pounds **Brown** hair **Blue** eyes, address **2437 Bella Pago Drive, Grand Junction, CO. 81507**.

17. That based upon the above information, the Affiant has probable cause to believe the following:

- That the Defendant, on **08/04/2023** in Mesa County, Colorado, committed **UNLAWFUL SEXUAL CONTACT (F4)**, in violation of **CRS 18-3-404(1)(g)**; and
- That the Defendant, on **08/04/2023** in Mesa County, Colorado, committed **CRIMINAL INVASION OF PRIVACY (M2)**, in violation of **CRS 18-7-801(1)**; and
- That the Defendant, on **08/04/2023** in Mesa County, Colorado, committed **TAMPERING WITH PHYSICAL EVIDENCE (F6)**, in violation of **CRS 18-8-610(3)(a)**.

18. That your Affiant respectfully requests the issuance of a warrant for the arrest of **TODD NORMAN MITCHEL**, for the above-named offenses.

  
Detective Zachary McCullough  
Grand Junction Police Department  
555 Ute Ave.,  
Grand Junction, CO. 81501

STATE OF COLORADO       )  
                                      )  
COUNTY OF MESA        )       SS

The foregoing Attachment was signed and then sent to me electronically on **08/04/2023**, by **Det. Zachary McCullough**. After I reviewed it, I called **Det. Zachary McCullough** and he telephonically swore to the truth of the information contained in this affidavit.

  
\_\_\_\_\_  
Judge