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SALINE COUNTY, MISSOURI

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Early this afternoon, Carl Clayton Roettgen appeared in Circuit Court, at which time he entered a guilty plea to the class D felony of resisting a lawful arrest or detention by fleeing, and was sentenced to a term of four years in the Missouri Department of Corrections. I dismissed three Class A felonies of assault of a law enforcement officer in the first degree, two unclassified felonies of armed criminal action and one count of the class C felony of unlawful possession of a firearm.

The dismissed charges carry the most severe punishment under the Missouri criminal code, except for a sentence of death or life without parole. When a police officer's life is threatened, as was represented to have happened in this case, law enforcement agencies around the country are placed on alert until the subject is caught. Because of the allegation that a firearm was used to commit the alleged assault, the danger and stress on those attempting to capture the fugitive is increased to the highest level. Such was the case in the pursuit and capture of the alleged perpetrator in this matter. The efforts of other departments in Missouri and Alabama seeking to capture what was believed to be a dangerous, armed criminal are described below.

After the alleged perpetrator's arrest, the case proceeded through the criminal justice system, and was set for trial on August 23, 2016. In early July 2016, I began to prepare for trial. As I reviewed surveillance video, I noticed that the video was not consistent with the written statements of the two Marshall Police Department officers on scene. In his statement, the primary officer described leaning into the Roettgen vehicle from the passenger side in an attempt to place the vehicle in park, looking up and seeing Roettgen point a semi-automatic handgun within an inch of his face, and then hearing an audible click. The officer on the driver's side of the Roettgen vehicle made a written statement confirming the existence of a handgun. After hours spent examining the video, trying to reconcile the video with the two officers' statements, and consulting with staff, I reached the difficult conclusion that no reasonable juror could find the officers' accounts credible.

Upon reaching this conclusion I requested a meeting with a Department commanding officer familiar with the statements and the video. At that meeting he told me that the officers' statements were "questionable at best." He went on to say that as recently as six weeks ago, the second officer told command staff he did not see anything, and upon being reminded that he signed a statement that he saw a gun, said that he must have seen a gun. Remarkably, the command officer who met with me said that *no disciplinary action was taken because of a desire not to affect the outcome of the criminal case.*

For the first time in my 28 years of service in the Prosecutor's office, I dismissed criminal charges because I concluded the testimony of the primary law enforcement witness lacked

credibility. Today I am writing the Marshall Police Department Chief to inform the Department that this office will not file any case in the future in which either officer plays a significant role. It is inconceivable that there is an apparent belief among some members of the command staff that the outcome of a criminal case is more important than taking action to prevent Marshall police officers from presenting testimony, under oath, that is "questionable at best" and suborning perjury at worst.

With the aid of my staff, I plan to initiate a review of other cases to determine if either officer was a key witness, and when necessary, I will request the assistance of outside agencies.

I am proud of my record of support for local law enforcement officers. I am proud that those officers work closely with me and my staff every day to investigate crimes and prosecute offenders. I am acutely aware of the dangers and difficulties officers face to protect us. Honest officers are the best of us, performing an often thankless task. The conduct of these two officers, and the apparent willingness of some members of the command staff to look the other way, will cause irreparable damage to every honest cop in Saline County.

In a different sense, these officers victimized dozens of officers from Saline County to Howard County, Cooper County, and then Pettis County in Missouri; and from there to Russellville, Arkansas, to Foley and then Gulf Shores, Alabama. What follows is a brief summary of the assistance rendered by no less than 20 separate law enforcement agencies, not including those unseen officers seeking what they believed to be a suspect that tried to kill a Marshall, Missouri officer. I offer my sincere thanks for their efforts, and my apology that their assistance was needed in what turned out to be a very wrong cause.

After the initial report of an attempt to kill a Marshall police officer, the Missouri State Highway Patrol ("MSHP") and Saline County Sheriff's Deputies immediately flooded the north part of Saline County looking for the alleged perpetrator. Agencies in Lafayette, Carroll, Chariton, Howard, Cooper and Pettis Counties rendered immediate assistance. The Howard County Sheriff and his Deputies searched for the suspect near Armstrong, MO, and developed a lead that enabled the MSHP to trace the alleged perpetrator to a motel in Boonville. The Boonville Police Department, Cooper County Sheriff's Department, MSHP Troopers from Troop A in Lees Summit and Troop F in Jefferson City surrounded the motel to prevent escape, evacuated the motel and transported 20 people to a local church for a meal and safety from an impending thunder storm.

Cooper County Prosecutor Doug Abele and Associate Circuit Judge Keith Bail worked quickly to obtain a search warrant for the alleged perpetrator's room at the motel. The Troop F SWAT team executed the Search Warrant only to discover that the alleged perpetrator left a few hours earlier. MSHP evidence officers examined the room, and with their findings, members of the MSHP Division Drug and Crime Control traced the perpetrator to Sedalia, where they identified a rental car rented by an Armstrong, Missouri woman, and obtained pictures from a Walmart in Russellville, Arkansas where camping supplies were purchased with the woman's EBT card. Once establishing that the subjects fled the State, the MSHP requested the U.S. Marshal's Service to take over the man hunt. Roettgen was traced to Gulf Shores, Alabama, where an officer with the Gulf Shore Police Department determined that he was staying at a camping lot in a State Park. The officer conducted surveillance, observed the suspect, and then summoned help from the Baldwin County Sheriff's Department and Gulf Shores Police officers. The camp site was surrounded and the South Baldwin SRT team took the fugitives into police custody.