

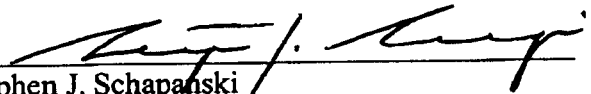
District Court, Larimer County, Colorado 201 La Porte Ave Suite 100 Ft. Collins, Colorado 80521 970-498-6100	 <p style="text-align: center;">▲ Court Use Only ▲</p>
PEOPLE OF THE STATE OF COLORADO, Plaintiff v. JAMES BRODERICK , Defendant	
Kenneth R. Buck, Weld County District Attorney Larimer County Special Prosecutor 915 10th Street, P.O. Box 1167 Greeley, Colorado 80632 Phone Number: 970-356-4010 Fax: 970-352-8023	Case No. _____ Division _____
INDICTMENT	

Charges: 8

- COUNT 1: PERJURY IN THE FIRST DEGREE, C.R.S. 18-8-502 (F4){25011}**
- COUNT 2: PERJURY IN THE FIRST DEGREE, C.R.S. 18-8-502 (F4){25011}**
- COUNT 3: PERJURY IN THE FIRST DEGREE, C.R.S. 18-8-502 (F4){25011}**
- COUNT 4: PERJURY IN THE FIRST DEGREE, C.R.S. 18-8-502 (F4){25011}**
- COUNT 5: PERJURY IN THE FIRST DEGREE, C.R.S. 18-8-502 (F4){25011}**
- COUNT 6: PERJURY IN THE FIRST DEGREE, C.R.S. 18-8-502 (F4){25011}**
- COUNT 7: PERJURY IN THE FIRST DEGREE, C.R.S. 18-8-502 (F4){25011}**
- COUNT 8: PERJURY IN THE FIRST DEGREE, C.R.S. 18-8-502 (F4){25011}**

The Grand Jury presents an Indictment and the same is ordered filed.

By the Court this 30th day of JUNE, 2010.



Stephen J. Schapanski
Chief Judge, 8th Judicial District

Of the 2010 term of the 8th Judicial District Court, in the year 2010, the grand jurors chosen, selected, and sworn, in and for the County of Larimer, in the name and by the authority of the People of the State of Colorado, upon their oaths, present as to James Broderick,

COUNT ONE (PERJURY)

A TRUE BILL

NO TRUE BILL

R. Melton
Foreperson or Alternate Foreperson

Foreperson or Alternate Foreperson

COUNT TWO (PERJURY)

A TRUE BILL

NO TRUE BILL

R. Melton
Foreperson or Alternate Foreperson

Foreperson or Alternate Foreperson

COUNT THREE (PERJURY)

A TRUE BILL

NO TRUE BILL

R. Melton
Foreperson or Alternate Foreperson

Foreperson or Alternate Foreperson

COUNT FOUR (PERJURY)

A TRUE BILL

NO TRUE BILL

R. Melton
Foreperson or Alternate Foreperson

Foreperson or Alternate Foreperson

COUNT FIVE (PERJURY)

A TRUE BILL

NO TRUE BILL

R. Melton
Foreperson or Alternate Foreperson

Foreperson or Alternate Foreperson

COUNT SIX (PERJURY)

A TRUE BILL

NO TRUE BILL

R. Melton
Foreperson or Alternate Foreperson

Foreperson or Alternate Foreperson

COUNT SEVEN (PERJURY)

A TRUE BILL

NO TRUE BILL

R. McKe
Foreperson or Alternate Foreperson

Foreperson or Alternate Foreperson

COUNT EIGHT (PERJURY)

A TRUE BILL

NO TRUE BILL

R. McKe
Foreperson or Alternate Foreperson

Foreperson or Alternate Foreperson

KENNETH R. BUCK
DISTRICT ATTORNEY
NINETEENTH JUDICIAL DISTRICT

By: *[Signature]*
Christian J. Schulte
Chief Deputy District Attorney

COUNT NUMBER ONE
Perjury in the First Degree

On or about July 28, 1992, the Defendant, **James Broderick**, in an official proceeding, namely, a 1992 application for arrest warrant for Timothy Masters for the murder of Peggy Hettrick, unlawfully, feloniously, and knowingly made a materially false statement, namely:

1) The following are sexual homicide profile characteristics that point to suspect Timothy Masters. The FBI Behavioral Science Unit was consulted in March 1987 for a profile on this case and were given the aforementioned drawings and facts surrounding this investigation.

1) The murder is premeditated in the obsessive fantasies of the perpetrator. He is preoccupied with obsessional thoughts.

Timothy Masters's drawing and writing stories show that he had such fantasies.

2) The killer may act on "spur of the moment" when the opportunity presents itself. The crime scene indicates that the offense is committed suddenly. The offender kills instantly to have control; he cannot risk that the victim will get the upper hand. The offender uses a blitz style of attack for confronting the victim, who is caught completely off guard. The victim is caught completely off guard and is approached from behind. The attack is a violent surprise occurring in a location where the victim is going about her usual activities. A blitz style of assault indicates a younger killer, someone in his teens or early twenties, who feels threatened by his victim and needs to render them harmless right away.

This murder was committed in such a blitz style. Evidence at the scene and on the body indicated that the victim was stabbed suddenly from behind and killed instantly. The scuff marks on her shoes and her cigarette butt in her blood show she was standing upright next to the road when approached. Timothy Masters was only 15 years of age at the time of the murder, and was described as being 5'10" tall, weighting 120 lbs. During his interview with Officer Broderick, Masters stated that he was active lifting heavy weights and was physically fit.

3) The offender lives in close proximity to the crime scene and is familiar with the surroundings.

Masters lived only approximately 200 yards from the murder.

4) Suspects acts impulsively finding a victim usually within his own geographic area.

The victim lived and walked frequently in this area.

5) Death scene and crime scene are usually the same. Mutilated body may be positioned in a special way that has significance to the offender. There is no attempt to conceal the body.

It appears that the victim was killed at the scene and her body positioned in some manner in relation to Master's trailer or the road. There was no attempt to conceal the body even though there was ditch approximately 30 feet away from the body and Timothy Masters admitted knowing about this ditch.

6) Frequently the murderer will take a souvenir which is a personal reminder of the encounter and is sometimes a part of the body with sexual association.

In this murder, body parts were removed and never recovered.

7) Offender is typified as a loner.

Timothy Masters has been characterized both prior to the murder by teachers and associates as a loner, and since the murder, by ship mates and acquaintances in the Navy as a real loner.

8) Offender may wear a mask.

A hand-made dark mask with only eye holes was found in Timothy Master's bedroom.

9) Newspaper clippings of the crime are often found in searches of the suspect's residence.

A local newspaper about the murder was obtained by Masters and found in his residence.

10) A murderer may commit a crime on an anniversary date or personal significant day.

This murder was committed within a day of the fourth anniversary of his own mother's death.

which he did not believe to be true, under an oath required or authorized by law; in violation of section 18-8-502, C.R.S., a class 4 felony.

COUNT NUMBER TWO
Perjury in the First Degree

On or about August 6, 1998, the Defendant, **James Broderick**, in an official proceeding, namely, a 1998 application for arrest warrant for Timothy Masters for the murder of Peggy Hettrick, unlawfully, feloniously, and knowingly made a materially false statement, namely:

Further crime scene investigation on February 12, 1987 revealed spray painting on the east side of a Landings Dr. bridge abutment which is approximately 100 feet north of the murder scene. Detective Wheeler observed orange spray painted figures that were drawn with genitals and were "very sexual in nature."

which he did not believe to be true, under an oath required or authorized by law; in violation of section 18-8-502, C.R.S., a class 4 felony.

COUNT NUMBER THREE
Perjury in the First Degree

On or about August 6, 1998, the Defendant, **James Broderick**, in an official proceeding, namely, a 1998 application for arrest warrant for Timothy Masters for the murder of Peggy Hettrick, unlawfully, feloniously, and knowingly made a materially false statement, namely:

According to a June 1998 FBI report these shoe prints correspond to the make, size, tread pattern and "Athletix" brand shoes that were found in and alongside the bloody drag trail. . . .

Shoe impressions left near the curb at the point of the original assault and found within the drag trail match the brand name, size and tread pattern worn of shoes worn by Masters. . . .

His shoe prints in the blood of the drag trail are evidence of his awareness of the bloody drag trail. These shoe prints that Masters denies he put there on February 12, 1987, are either the result his murder of Ms. Hettrick, him revisiting the scene on February 12, 1987, or both. . . .

However, shoe prints matching the same tread, size and brand of his shoes were found in and along the bloody trail.

which he did not believe to be true, under an oath required or authorized by law; in violation of section 18-8-502, C.R.S., a class 4 felony.

COUNT NUMBER FOUR
Perjury in the First Degree

On or about August 6, 1998, the Defendant, **James Broderick**, in an official proceeding, namely, a 1998 application for arrest warrant for Timothy Masters for the murder of Peggy Hettrick, unlawfully, feloniously, and knowingly made a materially false statement, namely:

Masters was likely visually familiar with Hettrick by virtue of their paths crossing regularly. Hettrick's attributes of red hair, large breasts and being of similar age to his deceased mother was of symbolic significance to Masters. Such symbolism in sexual homicide cases is not unusual according to Dr. Meloy.

which he did not believe to be true, under an oath required or authorized by law; in violation of section 18-8-502, C.R.S., a class 4 felony.

COUNT NUMBER FIVE
Perjury in the First Degree

On or about September 16, 1998, the Defendant, **James Broderick**, in an official proceeding, namely, a preliminary hearing in the prosecution of Timothy Masters for the murder of Peggy Hettrick, unlawfully, feloniously, and knowingly made a materially false statement in the following exchanges, namely:

- Q Along the blood drag trail, did there appear to be any footprints?
A Yes, there was.
Q And in what way were they preserved, if any?
A Well, the initial crime scene was obviously cordoned off. And they were photographed, and then later plaster casts were made of these footprints.
Q Have those plaster casts been analyzed in any way?
A Yes. Both photographs and the casts have been.
Q I'm sorry. Were they later analyzed by the Federal Bureau of Investigation?
A Yes, they were.
Q And with whose shoes were they compared?
A They were compared to the defendant's shoes that he admitted wearing on both the 10th and 11th of February, 1987.
Q And did the FBI provide you with any conclusions as a result of their analysis?
A Yes, they did.
Q What, if anything, did they provide you with?
A They said they were similar. . . .
Q Now, you indicated that there were footprints along the drag trail?
A That's correct.

Q Actually, shoe prints?
A Shoe prints.
Q And there was an effort made to document those shoe prints—
A Correct
Q —in a number of different ways, by photographing and taking plaster casts?
A That's correct?
Q And you said that those photographs and plaster casts — photographs and plaster casts were submitted to the FBI crime lab?
A That's correct.
Q And they opined that the shoe prints were similar to the defendant's shoes?
A I believe they said they were consistent with the athletics of the shoes worn by the defendant, and I believe the report said, "in size and design," I believe are the words used.

which he did not believe to be true, under an oath required or authorized by law; in violation of section 18-8-502, C.R.S., a class 4 felony.

COUNT NUMBER SIX
Perjury in the First Degree

On or about between March 19 and March 27, 1999, the Defendant, **James Broderick**, in an official proceeding, namely, the trial of Timothy Masters for the murder of Peggy Hettrick, unlawfully, feloniously, and knowingly made a materially false statement in the following exchange, namely:

Q (By Mr. Fischer) . . . But the Thom McAn shoe prints, according to your investigation, were found right there along the curb line where the blood pool is; isn't that correct?

A Specifically it's this one right here, number 1. That's the only identifiable print that matched the Thom McAn shoe.

which he did not believe to be true, under an oath required or authorized by law; in violation of section 18-8-502, C.R.S., a class 4 felony.

COUNT NUMBER SEVEN
Perjury in the First Degree

On or about between March 19 and March 27, 1999, the Defendant, **James Broderick**, in an official proceeding, namely, the trial of Timothy Masters for the murder of Peggy Hettrick, unlawfully, feloniously, and knowingly made a materially false statement in the following exchange, namely:

Q And what did Peggy Hettrick do once she finally gained access to her apartment?

A She went inside her apartment, changed clothes, and then left her apartment, and was last sighted by Leslie – Leslie Wills.

Q And that's on Landings Drive?

A That would have been right around here. Leslie Wills' apartment is one of these apartments. The mailbox she speaks to is right around in this area here. The sidewalk ends and then becomes the southbound on the west curb line of Landings Drive.

which he did not believe to be true, under an oath required or authorized by law; in violation of section 18-8-502, C.R.S., a class 4 felony.

COUNT NUMBER EIGHT
Perjury in the First Degree

On or about between March 19 and March 27, 1999, the Defendant, **James Broderick**, in an official proceeding, namely, the trial of Timothy Masters for the murder of Peggy Hettrick, unlawfully, feloniously, and knowingly made a materially false statement in the following exchanges, namely:

Q ... After interviewing the defendant in 1987, how much additional involvement did you, yourself, have in this investigation?

A About two months later I was promoted and went out to the street and supervised a patrol shift, where — did that for a year, then I supervised a plain-clothes specialized unit and patrol, and then went back into a shift assignment, and then was asked to assist Detective Wheeler, who was doing additional work on this case. She was going to go out and look — contact Mr. Masters and interview him. And she asked myself and Detective Dean to assist her.

Q And when was that?

A That would have been in July of 1992. . . .

Q (By Ms. Blair) You testified that your next involvement in this case was in 1992 when then Detective Linda Wheeler-Holloway, who was working the case, asked for your involvement as well as the involvement of Lieutenant Hal Dean; is that correct?

A That's correct.

which he did not believe to be true, under an oath required or authorized by law; in violation of section 18-8-502, C.R.S., a class 4 felony.

Counts Number One through Eight were committed in the following manner:

1. At all times relevant to this indictment, the Defendant was a police officer of the Ft. Collins Police Department, in the County of Larimer, State of Colorado.

2. On or about February 12, 1987, officers of the Ft. Collins Police Department began the Peggy Hettrick murder investigation, after the discovery of Peggy Hettrick's body in a field at the approximate location of the 3800 block of Landings Drive, Ft. Collins, Larimer County, Colorado.

3. In the days and weeks after February 12, 1987, the Defendant completed investigative assignments in the Peggy Hettrick murder investigation, including but not limited to interviewing Timothy Masters.

4. On and around February 11, 1988, the Defendant participated in surveillance of Timothy Masters in connection with the first-year anniversary of Peggy Hettrick's murder.

5. On and around February 11, 1989, the Defendant participated in surveillance of Timothy Masters in connection with the second-year anniversary of Peggy Hettrick's murder.

6. Between July 9 and July 28, 1992, the Defendant wrote an affidavit ultimately sworn to and signed on July 28, 1992, by then-lead Investigator Linda Wheeler-Holloway of the Ft. Collins Police Department, as part of the application for an arrest warrant for Timothy Masters, for Peggy Hettrick's murder.

7. In the 1992 arrest warrant affidavit, the Defendant made statements as set forth in Count One. In truth and material fact, the Federal Bureau of Investigation Behavioral Science Unit did not provide the profile information contained therein.

8. In January of 1995, the Defendant became lead investigator in the Peggy Hettrick murder investigation.

9. Beginning July of 1996, the Defendant worked with the Federal Bureau of Investigation's Behavioral Science Unit developing a theory that Timothy Masters murdered Peggy Hettrick as a "sexual homicide."

10. On or about August 6, 1998, the Defendant wrote, swore to, and signed an affidavit as part of the application for an arrest warrant for Timothy Master, for Peggy Hettrick's murder.

11. In the 1998 arrest warrant affidavit, the Defendant made a statement as set forth in Count Two. In truth and material fact, Detective Wheeler never reported or stated that the spray painted figures she observed were in orange.

12. In the 1998 arrest warrant affidavit, the Defendant made statements as set forth in Count Three. In truth and material fact, the Federal Bureau of Investigation made conclusions as to only one plaster cast in comparison to Timothy Masters' shoes; no shoe prints appearing similar to Timothy Masters' shoes were discovered near the curb at the presumed point of the original assault; no shoe prints appearing similar to Timothy Masters' shoes were discovered in any blood in the drag trail; Timothy Masters never denied leaving footprints in the vicinity of the crime scene; and the trail of shoe prints Timothy Masters admitted leaving at the crime scene crossed the drag trail instead of running along and within it.

13. In the 1998 arrest warrant affidavit, the Defendant made a statement as set forth in Count Four. In truth and material fact, Masters' mother did not have red hair.

14. On or about August 10, 1998, Timothy Masters was arrested for Peggy Hettrick's murder, and a criminal case against him commenced.

15. On or about September 16, 1998, the Defendant testified under oath at the preliminary hearing in the trial of Timothy Masters for the murder of Peggy Hettrick, after which the case was bound over for trial.

16. At the preliminary hearing, the Defendant testified as set forth in Count Five. In truth and material fact, the Federal Bureau of Investigation made conclusions as to only one plaster cast in comparison to Timothy Masters' shoes; no shoe prints appearing similar to Timothy Masters' shoes were discovered in any blood in the drag trail; and the trail of shoe prints Timothy Masters admitted leaving at the crime scene crossed the drag trail instead of running along and within it.

17. On or about between March 19 and March 27, 1999, the Defendant testified under oath at the trial of Timothy Masters for the murder of Peggy Hettrick.

18. At the trial of Timothy Masters, the Defendant testified as set forth in Count Six. In truth and material fact, the Federal Bureau of Investigation made conclusions as to only one plaster cast in comparison to Timothy Masters' shoes; the Federal Bureau of Investigation was never provided photographs or samples of Thom McAn shoes; and officers of the Ft. Collins Police Department had reported multiple footprints that appeared similar to the shoe print showing a partial Thom McAn logo, which shoe prints were discovered along and within the bloody drag trail and between the location of Peggy Hettrick's body and the curb, and near the curb where a large pool of blood was found.

19. At the trial of Timothy Masters, the Defendant testified as set forth in Count Seven. In truth and material fact, Leslie Wills never asserted or confirmed that the person she saw on Landings Drive was Peggy Hettrick.

20. At the trial of Timothy Masters, the Defendant testified as set forth in Count Eight. In truth and material fact, the Defendant participated in surveillance of the Defendant on and around the two-year anniversary of Peggy Hettrick's death.

21. On or about March 27, 1999, the trial of Timothy Masters for the murder of Peggy Hettrick ended in Timothy Master's conviction for first degree murder, and Timothy Masters was sentenced to life in prison without the possibility of parole.

I, *R. Melone*, the Foreperson/Alternate Foreperson of the 2010 Larimer County Grand Jury, do hereby swear and affirm that each and every True Bill returned in this indictment by the 2010 Larimer County Grand Jury was arrived at after deliberation and with the assent and agreement to the existence of probable cause by at least nine grand jurors. The 2010 Larimer County Grand Jury further authorizes and instructs the Weld County District Attorney to return this indictment to open court with or without the presence of the foreperson.

R. Melone
Foreperson/Alternate Foreperson