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False Police Report Prompted Gerald Chief Investigation

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By Ed Pruneau
Missourian Managing Editor

Former Gerald Police Chief Clyde Zelch allegedly filed a false police report back in January in an attempt to obtain a search warrant in a drug case, authorities said.

That is the what prompted an investigation of the incident by the Missouri State Highway Patrol, according to the patrol's reports obtained by *The Missouriian*.

Until now, the specific reason for the investigation of Zelch had not been released by prosecutors or investigators.

When Zelch resigned effective Sept. 25 as Gerald police chief, it led to speculation that his resignation was part of deal to avoid criminal charges. Zelch denied that was the case and said he originally intended to serve as chief only for an interim period after Chief Ryan McCrary was fired last year.

Zelch has repeatedly denied claims that

he falsified information.

Gerald city officials have supported Zelch throughout the investigation, some claiming it has amounted to harassment by the prosecutor and sheriff's department.

"I resigned because of the way that I have been treated by (Prosecuting Attorney) Bob Parks," Zelch told *The Missouriian*. "That (the investigation) is just one part. It has something to do with it, it is a factor

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— Jack Banas
Special Prosecutor

but it was lack of cooperation with the county. It is a small factor but I was already going (overseas)."

The Missouriian obtained copies of the patrol's reports and other documents through a Missouri Sunshine Law request.

No Charges

St. Charles County Prosecuting Attorney Jack Banas was appointed special prosecutor to consider possible charges

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against Zelch because Parks was a potential witness in the case since Zelch filed the alleged false report with him.

Filing a false report is a Class B misdemeanor in Missouri.

Banas, when contacted by *The Missourian*, said he decided against proceeding further with charges after Zelch resigned as Gerald chief.

"We have concluded our investigation based upon the fact he has resigned," Banas said in a statement to *The Missourian*.

"From this point on we are not going forward with our review of this matter based on the fact that he is no longer chief," Banas said. "People can infer what they want to."

A review of the interviews and reports filed by the highway patrol investigators indicates that Zelch allegedly falsely stated in a report to Parks Jan. 7 that he had seen a suspect place trash bags outside an apartment building. He seized the bags and inside found components and trash related to a methamphetamine lab.

However, his report was in direct conflict with statements by Detective Sgt. Jason Grellner and Detective Beverly Gilliam, who both are officers with the Franklin County Narcotics Enforcement Unit.

Grellner and Gilliam went to Gerald Jan. 6 after Zelch requested assistance with a "trash pull" from the task force. While there, according to Grellner, Zelch described how he had placed the apartment building under surveillance because of a tip that a suspect was operating a meth lab there. Zelch said that he had to leave his post for a time, but when he returned the trash bags were at the curb and the suspect's car was gone.

According to the patrol interviews, Grellner advised

Zelch that without seeing the person who put the trash at the curb there was not sufficient probable cause to get a search warrant for the suspect's apartment.

Then, according to the interviews, Grellner and Gilliam said Zelch remarked that "I can just say I saw him come out with the trash bags, put them down and leave."

Grellner said he told Zelch that members of the task force would come back in a couple of days and do a "knock and talk" at the apartments.

The following day, Jan. 7, Parks contacted Grellner and told him that Zelch had called and would be bringing in a report and requesting a search warrant for the suspect's apartment. Parks said Zelch told him he was working with the task force on the case.

Grellner then asked Parks if Zelch had told him that he saw the suspect put the trash bags at the curb. Parks said he had and Grellner then told him of the conversation with Zelch the day before, according to the reports.

During a turbulent meeting at the prosecutor's office, Grellner accused Zelch of lying in the report and Zelch insisted that he was telling the truth. Parks declined to issue a search warrant due to the conflicting statements and asked the patrol to investigate the allegations.

Later that day, Zelch and two other Gerald officers went to an apartment adjacent to the suspect's apartment and arrested a male tenant after receiving consent to search.

Zelch then faxed a statement to Parks stating that he had made a mistake on the identity of the suspect and that the tenant who was arrested was the person who had set out the trash bags.

It was the same apartment where a baby was severely injured Thursday, Jan. 8, according to reports.

Zelch later publicly criticized Parks for not issuing the search warrant which he said would have resulted in preventing the injuries to the 6-week-old child.

However, Zelch and his officers were in the apartment the day prior to the abuse incident, the same day he sought the search warrant, and the mother and child were present, according to a letter faxed by Zelch to Parks. In that letter, Zelch said he had received permission from the tenant to search the apartment.

Zelch told *The Missourian* this week that he did not conduct a full search of the apartment.

"To stand in the doorway and partially in the front room is a big difference than a search warrant," said Zelch. "That day I went no further than that (front room) the day before the child injured," he said.

During an interview Jan. 8, Zelch told patrol officers that he didn't recall exactly what he said to Grellner, but he said he did say that he "saw a human being place the trash on the curb." He acknowledged later in that interview that he was mistaken about the person's identity.

The patrol also interviewed two men who reported that they saw a man place trash bags at the curb, then a man left in a vehicle. One of the men said the same man who placed the bags at the curb was the one who drove away in the vehicle. He said Zelch pulled up about 10 seconds after the car left.

The other witness said he did not see who got into the vehicle and drove away. That man told investigators that the time from when the suspect drove away and Zelch arrived was about 15 minutes, according to the patrol reports.

Both of those witnesses declined to take polygraph examinations.

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