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Larimer County jury finds man guilty of falsely reporting Colorado AG poked him

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Arguing that his client's false-reporting case was a form of "political payback" from Republican law enforcement on behalf of Attorney General John Suthers, a prominent Denver attorney was unable to persuade Larimer County jurors to acquit.

The jury of four women and two men took about 40 minutes Thursday to convict Robert Trucker, 50.

Trucker reported to the Larimer County Sheriff's Office in October that Suthers had repeatedly poked him in the chest and slapped his shoulder while discussing a controversial ballot issue during the Old Fashioned Political Rally at The Ranch in Loveland.

A harassment investigation ensued, but neither Suthers nor any of the 19 interviews corroborated Trucker's statements about the poking and slapping, according to testimony in the day-and-a-half trial.

The two had opposing views of the ballot measure, and Trucker was acting as a paid activist for it. Suthers was at the event

campaigning for re-election.

Chief Deputy District Attorney Emily Humphrey said in the trial's closing arguments that Trucker "manipulated the system" to bring attention to his political effort.

Trucker didn't report the allegations to law enforcement until the next day, and he spoke with several media outlets regarding the contact with Suthers near the same time. During a video shown in trial of Trucker's interview with Larimer County sheriff's deputies, he said media were calling him and that he soon needed to be at meetings with TV and newspaper reporters.

He said the incident with Suthers caused him to be "paranoid" of law enforcement and hesitate to report the incident.

"When I left (The Ranch), I was terrified," he said in the video.

Suthers testified Wednesday that he had

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met Trucker at the Oct. 12, 2010 rally while getting popcorn.

He recalled some "point-counterpoint" discussion about Proposition 102, and he said he only recalled touching the viewfinder on Trucker's video camera after asking Trucker not to record.

Suthers said the conversation "ended cordially," and he returned to his booth and spoke with fellow Republicans, then-Larimer County Sheriff Jim Alderden and Larimer County District Attorney Larry Abrahamson - the offices of whom later pursued the criminal charge against Trucker.

Defense attorney David Lane argued that the charge was intended to teach Trucker a lesson.

"The whole thing is nothing but a political payback," he said to the jury in closing arguments. "You think if it happened between a next-door neighbor and him, we would be here?"

In closing arguments, Humphrey said Trucker after the contact with Suthers berated him to a witness, who can be heard in a recording calling Trucker a "hired gun."

The witness, Nick Blair testified Wednesday that Trucker - as vice chairman of the Adams County Democratic Party - appeared at the event wearing Republican buttons as he advocated the ballot measure, aimed at bail and bond criteria

and wasn't widely considered a partisan issue.

The contact between Suthers and Trucker occurred after Blair had been talking about the ballot measure with Trucker and asked Suthers for his thoughts. Before that, Blair testified that Trucker planned to take video of Suthers.

"He actually said, 'I can make him look like an ass,'" Blair testified Wednesday.

Suthers was re-elected, and the ballot issue did not pass.

The prosecution rested Thursday morning, and the defense did not call any witnesses. The verdict was in by 2:45 p.m.

County Judge Ronald Schultz sentenced Trucker to a suspended sentence of 15 days in jail, and he won't be incarcerated if he remains law-abiding. Trucker must also pay a \$200 fine and complete 100 hours of useful public service, according to the district attorney's office.

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Humphrey said after the trial that she and Deputy District Attorney Nicholas Cummings are "very happy that the jury sought justice and found justice."

Trucker and Lane didn't immediately respond to requests for comment.

Abrahamson's office, in court filings, dismissed Lane's arguments of vindictive prosecution and said they planned to argue Trucker caused the confrontation because his group, Safe Streets Colorado, was suing Suthers over alleged campaign-finance violations.



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