

TO: City Administrator Trout; City Attorney Meyer; Mayor Bookmeyer; Councilperson Weaver;
Councilperson Tornquist; Councilperson Marsters; Councilperson Hickey; Councilperson Nelson;
Councilperson Solberg

SUBJECT: Mason City Police Department and missing person Jodi Huisentrut

DATE: May 27, 2011

Dear City of Mason City Representatives:

I am supplying you with copies of correspondence between the Mason City Police Department and myself regarding the unsolved case of Jodi Huisentrut. This material is straightforward and self-explanatory, factual and unbiased. Whether you were elected, appointed, or hired, you have a responsibility to the citizens of Mason City to objectively consider and take action on the enclosed complaint, as it is serious in nature.

In summary, information was supplied to me in regard to the Jodi Huisentrut death and/or disappearance, a case that remains unsolved to this day. Please see the enclosed Citizen Complaint Form dated April 28, 2011. As per my civic duty, I forwarded this information to multiple officers within the MCPD in July 2007. As a result of unrelated litigation against the City, I now have proof that this information was ignored, discarded, lost, or suppressed. I have worked hard and been diligent to guarantee that this information was handled properly, both in 2007 as well as now. As you can readily see, neither the Chief of Police nor the department he oversees is interested in the proper handling or investigation of this information. Why is this?

It is important to note that the bottom of the Mason City Police Department letterhead reads as follows: *"The mission of the Mason City Police Department is to partner with our citizens to ensure that Mason City remains a peaceful and friendly place where families can raise their children and citizens can earn a living while feeling safe and secure, and everyone feels welcome and respected."*

It has been my experience that the MCPD has no interest in "partnering" with the City's citizens in order to create an atmosphere of "safety and security," and what I have put before you is a prime example of that. The phrase "To Serve and Protect" so boldly stated on our City's police cruisers should mean something to a citizen such as myself. When a citizen, who cares for our City, brings a valid complaint to the attention of the local authorities, that citizen expects, even deserves, something to be done about it. It is unprofessional, unethical, and immoral to dismiss the concerns of our City's populace so lightheartedly. I have often asked myself how the Huisentrut family will feel or what actions they will undertake when they are made aware of this timeline of events, and what they will think of the Mason City Police Department's deliberate disregard for the pursuit of justice in regard to their missing loved one. We are all aware of the national attention that this case has gathered.

The Mason City Police Department Operations Manual states in the "Performance of Duty" section, that the following are considered a neglect of duty: *(1) Failing to take appropriate and necessary police action; (4) Failing to make a written report when such is indicated; (8) Failing to thoroughly search for, collect, preserve, and identify evidence in an arrest or investigative situation.* It is clearly evident these expectations were not, and presently are not, being met. It is additionally offensive that the Chief of Police would so indiscriminately dismiss a matter of this magnitude with the words, "This matter is now closed."

The "Moral Conduct, Adherence to Law" section of the MCPD Operations Manual also states, *"The public demands that the integrity of its law enforcement officers be above reproach, and the dishonesty of a single officer may impair public confidence and cast suspicion upon the entire Department."* This is exactly what will happen when the public ultimately gains knowledge of this issue. Finally, this statement is located in the "Courtesy" section of the manual: *"Effective law enforcement depends on a high degree of cooperation between the Department and the public it serves. The practice of courtesy in all public contacts encourages understanding and appreciation; discourtesy breeds contempt and resistance."*

Representatives, I am placing the responsibility for this matter into yours and the public's hands. There are no words that can accurately convey my severe disappointment of how the Chief of Police and the Mason City Police

Department have handled this situation. Perhaps "travesty of justice" is a start. Every member of any media and news outlet that I have spoken to in confidence about this subject can clearly see the problem; I have every confidence you will see it also, and take the appropriate action. I have been left with no other recourse than to bring this important issue to your attention. What are you going to do about it?

Sincerely,

A handwritten signature in black ink, appearing to read "Shane Philpott", is written over a large, loopy scribble that partially obscures the signature.

Pastor Shane Philpott
Christian Fellowship Church
1181 15th Street SW
Mason City, Iowa 50401
641-423-0000

cc/ Melissa C. Hasso, Attorney - Sherinian, LeGrant & Hasso Law Firm

cc/ Agent Larry Hedlund - Department of Criminal Investigation

cc/ Federal Bureau of Investigation - Omaha Division

cc/ Brent Trout - City Administrator

cc/ Tom Meyer - City Attorney

cc/ Eric Bookmeyer - Mayor

cc/ Max Weaver - At-Large Councilperson

cc/ Scott Tornquist - At-Large Councilperson

cc/ Jeff Marsters - First Ward Councilperson

cc/ Travis Hickey - Second Ward Councilperson

cc/ Don Nelson - Third Ward Councilperson

cc/ Janet Solberg - Fourth Ward Councilperson

May 26, 2011

Chief Michael Lashbrook
MASON CITY POLICE DEPARTMENT
78 South Georgia
Mason City, Iowa 50401

Chief Lashbrook,

On 4/28/2011 I supplied the MCPD with a detailed complaint related to the unsolved Jodi Huisentrut case. I subsequently received a letter from Captain Mike McKelvey dated 4/29/2011 that stated in part, "You may be contacted for additional information in the near future." At no point was I contacted for further information, nor was any officer dispatched to me to inquire about or to take into evidence the material that I possess.

The complaint consisted of a detailed letter and a two (2) page timeline narrative, factually based, and unbiased. This complaint currently is and has always been unrelated to the legal action that I initiated against the City of Mason City. I received a letter from you dated May 12, 2011 that stated, "your complaint is not founded." This three sentence, one paragraph response is woefully insufficient in light of the seriousness of the matter at hand. Arriving at the conclusion that a complaint of this magnitude is unfounded simply because an officer did not work on a certain day is improper. We have currently requested from Qwest Communications a full record of phone calls placed to the MCPD for June, July, and August of 2007. I feel it necessary to remind you once again that even after my most recent contact with the MCPD, at no point was I ever contacted for further information, nor was any officer dispatched to me to inquire about or to take into evidence the material that I possess.

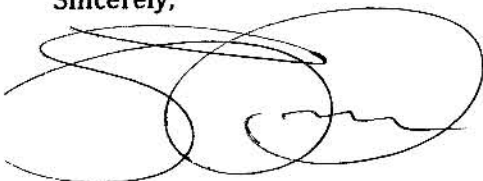
In my original complaint dated April 28, 2011, I wrote, "*In summary, the information that was supplied to me was in regard to the Jodi Huisentrut death and/or disappearance, a case that is still unsolved. I forwarded this information to multiple officers within the MCPD in July 2007. As a result of unrelated litigation against the City, I now have proof that this information was ignored, discarded, lost, or suppressed. I have worked hard and been diligent to guarantee that this information was handled properly.*" This is a serious statement, which, if true, would demand serious consequences following a thorough investigation. Why are you, as Chief of Police, not interested in this proof?

Let me make clear what the real issue is here. Why is the Mason City Police Department not retrieving and investigating the evidence or leads that I have in regard to the Jodi Huisentrut case? Why was this evidence not handled properly and professionally by the MCPD in 2007? Why is this evidence not being handled properly and professionally by the MCPD today? Why is there no record of any of this at the MCPD? Have the officers referenced in the complaint denied that they spoke with me in 2007? Why are you, Chief Lashbrook, so blatantly, intentionally and obviously skirting around and dismissing an issue of this degree? Will you and these officers be willing, as I am, to submit to polygraphs to attest to the truthfulness of our statements? I believe the answers to these questions are well deserved, both for the integrity of the police force and also for the trust of those who employ you.

The bottom of the Mason City Police Department letterhead reads as follows: "*The mission of the Mason City Police Department is to partner with our citizens to ensure that Mason City remains a peaceful and friendly place where families can raise their children and citizens can earn a living while feeling safe and secure, and everyone feels welcome and respected.*"

Sir, either intentionally or unintentionally, you and the Mason City Police Department have failed in your mission.

Sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end, positioned below the word "Sincerely,".

Pastor Shane Philpott
Christian Fellowship Church
1181 15th Street SW
Mason City, Iowa 50401
641-423-0000

cc/ Melissa C. Hasso, Attorney - Sherinian, LeGrant & Hasso Law Firm
cc/ Agent Larry Hedlund - Department of Criminal Investigation
cc/ Federal Bureau of Investigation - Omaha Division
cc/ Brent Trout - City Administrator
cc/ Tom Meyer - City Attorney
cc/ Eric Bookmeyer - Mayor
cc/ Max Weaver - At-Large Councilperson
cc/ Scott Tornquist - At-Large Councilperson
cc/ Jeff Marsters - First Ward Councilperson
cc/ Travis Hickey - Second Ward Councilperson
cc/ Don Nelson - Third Ward Councilperson
cc/ Janet Solberg - Fourth Ward Councilperson

Mason City

REC
4/28/11
90

I.A.#: _____

Police Department

78 South Georgia
Mason City, IA 50401
(515) 421-3650
Fax: (515) 421-3639

CITIZEN COMPLAINT FORM

Complainant: LEV. SHANE PHILPOTT

Home PH#: 641-424-5944

Address: 1151-15TH ST. S.W.
MASON CITY, IA 50401

Nature of Complaint: SEE ATTACHED
(Discourtesy, Improper Conduct, Etc.)

Location of Incident: CHRISTIAN FELLOWSHIP CHURCH AND/OR CITY OF MASON CITY
(Address if Possible)

Date/Time: JUNE 2007 - PRESENT

Personnel Involved: OFFICER FRANK STEARNS
(If known)
OFFICER RON VANDE WEEDE
OFFICER DENNIS BENESTON

Badge /I.D.#: _____

Badge /I.D.#: _____

Narrative: SEE ATTACHED

Witnesses:

<u>CJ EGGEN</u>	<u>MASON CITY, IOWA</u>	_____
<small>Name</small>	<small>Address</small>	<small>Phone #</small>
<u>ANDREA ROSENBERG</u>	<u>MASON CITY, IOWA</u>	_____
<small>Name</small>	<small>Address</small>	<small>Phone #</small>
<u>KATRINE GILBERTSON</u>	<u>MASON CITY, IOWA</u>	_____
<small>Name</small>	<small>Address</small>	<small>Phone #</small>

[Signature]
Complainant's Signature

4-28-2011
Date

Received by _____

Date _____

Time _____

TO: MASON CITY POLICE DEPARTMENT
78 South Georgia
Mason City, Iowa 50401

SUBJECT: Citizen's Complaint regarding MCPD handling of Jodi Huisentrut informant information

DATE: April 28, 2011

To Whom It May Concern:

I have enclosed a timeline that details an ongoing incident that encompasses a timeline that begins in June 2007 and continues up until the present day. The attached pages chronicle the details and information of that incident, along with the subsequent efforts that I have taken in order to ensure that this information has been addressed properly by the Mason City Police Department and the City's officers and representatives.

In summary, the information that was supplied to me was in regard to the Jodi Huisentrut death and/or disappearance, a case that is still unsolved. I forwarded this information to multiple officers within the MCPD in July 2007. As a result of unrelated litigation against the City, I now have proof that this information was ignored, discarded, lost, or suppressed. I have worked hard and been diligent to guarantee that this information was handled properly.

I need to know the reasons why this evidence was not actionable, and, most importantly, the reasons why there are no records of my multiple contacts with the MCPD. I also need to know the personnel involved in those decisions, or lack thereof.

This letter also serves as a written request for a written summary of the results of this investigation. Thank you for your attention to this matter.

Sincerely,

Pastor Shane Philpott
Christian Fellowship Church
1181 15th Street SW
Mason City, Iowa 50401
641-423-0000

cc/ Melissa C. Hasso, Attorney
Sherinian, LeGrant & Hasso Law Firm
630 Colony Park
3737 Woodland Avenue
West Des Moines, IA 50266
515-224-2079

cc/ DCI Agent Larry Hedlund

cc/ Gary Peterson, Find Jodi.com

cc/ Federal Bureau of Investigation, Omaha Division

TIMELINE

June 28, 2007

I (Pastor Shane Philpott) received a phone call from an individual in Minnesota who claimed to have information on the death and disappearance of Jodi Huisentrut. As I was out of the office at that time, I returned his phone call that afternoon. I spoke at length with him and his pastor for nine minutes. I typed detailed notes of our conversation. He had to leave for work, and therefore he called me back on his cell phone to complete our conversation. Following the call, I immediately informed the members of my staff, Cj Eggerth, Andrea Rodemeyer, and Kristine Gilbertson of the content of our conversation for the sake of integrity. Because some of the information incriminated current MCPD officers, the informant was unwilling to meet and/or speak with local authorities. He came to me as a result of viewing our television program, "Faith In Action." Being aware of the fact that information such as this must go through the proper channels, I called Officer Maria Ohl, who is also my sister-in-law, that evening or the next day to ask for her assistance and advice. When I spoke with Officer Ohl, she was on her "off-duty" days. However, she notified me that I must take the information to the MCPD first in order to comply with proper procedures and to preserve the integrity of the contact. The reason for my concern about the details of the information was that it was vaguely reminiscent of information told to me in the summer of 1999 by Mason City resident Gerald Best at the completion of a church service at our prior address of 825 South Taft in Mason City. Mr. Best had mentioned local officers possibly being involved in criminal activities. Mr. Best was found murdered later that year, and his homicide is yet unsolved to this day. I subsequently passed that information into the MCPD in early 2000 as a result of his murder.

July 3 or 5, 2007

I placed a call to the MCPD. I asked dispatch who I would speak with about the Jodi Huisentrut case, and I was transferred to Officer Frank Stearns. After speaking at length with Officer Frank Stearns, he then transferred me to Officer Ron Vande Weerd. I relayed to the both of them the account of my conversation with the informant. Both officers instructed me not to make contact with the informant at this time, but to wait till I hear back from the MCPD. At no time was an officer dispatched to speak with me. My information was not collected officially, nor was I issued an evidence receipt.

August 6, 2007

A month passes with no contact from the MCPD, so I again initiate contact with the MCPD. I spoke with Officer Frank Stearns, who transfers me to Officer Dennis Bengtson, who tells me the information wasn't credible. I endeavored to acquire additional information from him, but he ends the call. This call lasted two minutes, and is documented on my cell phone bill. At no time was an officer dispatched to speak with me. My information was not collected officially, nor was I issued an evidence receipt.

September 2009

Myself and the church I minister at (Christian Fellowship Church) filed a defamation suit against the City of Mason City for unrelated reasons.

September 24, 2009

In preparation for litigation, we request the calls for service and contact logs from the MCPD and later discover there is no record of my contacts with the police department in regard to the Huisentrut case.

June 10, 2010

While deposing City records employees, Russ Echelbarger (Information Systems Coordinator) and Tammy Orr (Evidence Technician), we're told there is no record of our contacts with MCPD regarding Huisentrut information. A number of MCPD internal systems were discussed, such as PaperClip, LETG, and Alias, as well as hard copy files kept by the police department.

Fall 2010

A second deposition of City employees Echelbarger and Orr produce same the results.

July 27, 2010

At the deposition of Officer Dennis Bengston, he recalls the missing Huisentruit diary taken from the MCPD, but does not mention his contact from me.

August 3, 2010

At the deposition of former Chief Ellingson in Des Moines, Iowa, he admits that he had possession of a copy of Jodi Huisentruit's diary, and that his wife sent it anonymously to the local newspaper, the Globe Gazette, in June 2008. No charges were filed against Cheryl Ellingson.

September 22, 2010

As a result of our lawsuit against the City of Mason City, Officer Maria Ohl is deposed by the City's attorneys. During this deposition, Officer Ohl makes reference to the Huisentruit information that I contacted her about in 2007, which she accurately told me to forward to the MCPD. At that moment, Chief Lashbrook suddenly shuts down the deposition through his attorneys, and Officer Ohl is unable to complete her testimony.

Sept 23, 2010

The day after Officer Ohl's deposition, she came to our church offices requesting the information that I received in 2007 on Jodi Huisentruit, so that she could supply it once again to the MCPD. Officer Ohl told me that she had just completed a conversation with Chief Lashbrook and Officer Bengston, in which Chief Lashbrook approved for Officer Ohl to make contact with me to obtain this information. My understanding was that there was to be no contact between litigants outside of their attorneys. I declined to supply Officer Ohl with the information, as I had already spoken with Officers Stearns, Vande Weerd, and Bengston, and had previously been told the information had been looked into. As a result of Officers Ohl's visit, I made contact with my attorney, Melissa Hasso. I requested that Mrs. Hasso make contact with the City's attorneys and inform them that Chief Lashbrook and/or the MCPD cannot be contacting me aside from our attorneys. Mrs. Hasso then instructs me to turn my information over to the Department of Criminal Investigation. Officer Ohl returns to Chief Lashbrook without the information. It is now common knowledge that Officer Maria Ohl has been placed on administrative leave.

October 1, 2010

I make contact with DCI Special Agent Larry Hedlund by telephone, and he informs me he will have me contacted by DCI Agent Jim Thiel.

October 4, 2010

DCI Investigator Jim Thiel meets with me at my offices for about an hour and collects the information from 2007. He leaves me with an evidence receipt. Mr. Thiel stated that the best theory the MCPD could offer after all these years is that, "Jodi ran away." He said the DCI is now handling the Huisentruit investigation. He also said there were delivered to the DCI cases of information about Jodi, much of which had never been followed up on. He also informed me that the information that I supplied to Officer Stearns and Officer Vande Weerd was not in the Huisentruit information forwarded to DCI. Mr. Thiel also instructs me to not contact the informant.

November 9, 2010

As a result of our lawsuit against the City of Mason City, we request a deposition with Officer Frank Stearns. During this deposition, attorney Melissa Hasso inquires with Officer Stearns about communications with me about criminal matters or criminal investigations in 2007. He replies in the negative that he had spoken with me or had obtained information from me.

Mason City

Police Department

Michael Lashbrook, Chief of Police

78 South Georgia
Mason City, IA 50401
(641) 421-3636
Fax: (641) 421-3639

April 29, 2011

Rev. Shane Philpott
1181 15th St SW
Mason City, IA 50401

Dear Rev. Philpott:

Re: Complaint submitted on 4/28/2011

This letter acknowledges receipt of your complaint submitted on 4/28/2011. You may be contacted for additional information in the near future. You will also be notified of the final disposition.

Sincerely,



Mike McKelvey
Captain
641-421-3648

The mission of the Mason City Police Department is to partner with our citizens to ensure that Mason City remains a peaceful and friendly place where families can raise their children and citizens can earn a living while feeling safe and secure, and everyone feels welcome and respected.

Mason City

Police Department

Michael Lashbrook, Chief of Police

78 South Georgia
Mason City, IA 50401
(641) 421-3636
Fax: (641) 421-3639

May 12, 2011

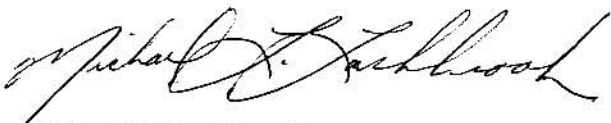
Reverand Shane Philpott
1181 15th St. SW
Mason City, Iowa 50401

Reverand Philpott:

A review of your complaint filed with the Police Department on April 28, 2011 has been completed. A fact revealed during this time is that on the dates you allege to have spoken with police officers they were not working. Therefore your complaint is not founded.

This matter is now closed.

Sincerely,



Michael L. Lashbrook
Chief of Police