

15-12108

Supplement No  
ORIG

**FORT COLLINS POLICE SERVICES**



2221 S TIMBERLINE RD  
FORT COLLINS, CO 80525

Phone  
970-221-6540  
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970-221-6284

Reported Date  
07/31/2015  
Rp/Incident Typ  
^FAMDISTB^  
Officer#  
BIBEROS, WILLIAM

Administrative Information									
Agency <b>FORT COLLINS POLICE SERVICES</b>			Report No <b>15-12108</b>		Supplement No <b>ORIG</b>		Reported Date <b>07/31/2015</b>		Reported Time <b>21:11</b>
CAD Call No <b>152120567</b>		Dispo <b>REPORT TO FOLLOW</b>			Rp/Incident Typ <b>&lt;DIS&gt; FAMILY DISTURBANCE</b>				
Location <b>3646 COPPER SPRING DR</b>								City <b>FORT COLLINS</b>	
ZIP Code <b>80528</b>	Rep Dist <b>K60911</b>	DArea <b>FC</b>	Area <b>P7</b>	From Date <b>07/31/2015</b>		From Time <b>21:09</b>	To Date <b>07/31/2015</b>	To Time <b>21:09</b>	
Officer# <b>FC250/BIBEROS, WILLIAM</b>				Assignment <b>FCPS POWER NIGHTS</b>			Entered By <b>FCC79</b>		
Assignment <b>FCPS RECORDS/WIDERMAN</b>		RMS Transfer <b>Successful</b>		Prop Trans Stat <b>Successful</b>		Approving Officer <b>FCC194</b>			
Approval Date <b>10/15/2015</b>		Approval Time <b>12:26:18</b>							

Person Summary									
Invl <b>SUS</b>	Invl No <b>1</b>	Type <b>I</b>	Name <b>MCNAUGHTON, BRIAN</b>					MNI <b>1390739</b>	
Race <b>W</b>	Sex <b>M</b>	DOB <b>03/18/1978</b>							
Invl <b>SUS</b>	Invl No <b>2</b>	Type <b>I</b>	Name <b>MCNAUGHTON, STACEY</b>					MNI <b>1493396</b>	
Race <b>W</b>	Sex <b>F</b>	DOB <b>12/30/1977</b>							

**Summary Narrative**

W BIBEROS/jbf

OFFICER CLASSIFICATION: DISTURBANCE

On 073115, Stacey MCNAUGHTON and Brian MCNAUGHTON both called Fort Collins Police after a verbal disturbance with each other. Both parties were contacted and separated for the night. After investigating, there was no probable cause to support charges against either party. This is an informational report only at this time.

CASE STATUS: CO - Closed Other

## FORT COLLINS POLICE SERVICES

*SUSPECT (SUSPECT OF CRIME) 1: MCNAUGHTON, BRIAN										
Involvement *SUSPECT (SUSPECT OF CRIME)			Invl No 1		Type INDIVIDUAL					
Name MCNAUGHTON, BRIAN						MNI 1390739	Race WHITE	Sex MALE		
DOB 03/18/1978	Age 37	Ethnicity NOT HISPANIC OR LATINO			Juvenile? No	Height 5'10"	Weight 195#	Hair Color BROWN	Eye Color BROWN	Res Status RESIDENT
OFN_INVL 1	Vic/Olnd Age 37	PRN 1763949								
Type HOME	Address 3646 COPPER SPRING DR									
City FORT COLLINS			State COLORADO	ZIP Code 80528		Date 07/31/2015				
Type OPERATOR LICENSE OR ID NUMBER					ID No 091760993	OLS COLORADO				
Phone Type HOME	Phone No (585) 489-9893			Date 07/31/2015						
*SUSPECT (SUSPECT OF CRIME) 2: MCNAUGHTON, STACEY										
Involvement *SUSPECT (SUSPECT OF CRIME)			Invl No 2		Type INDIVIDUAL					
Name MCNAUGHTON, STACEY						MNI 1493396	Race WHITE	Sex FEMALE		
DOB 12/30/1977	Age 37	Ethnicity NOT HISPANIC OR LATINO			Juvenile? No	Height 5'03"	Weight 115#	Hair Color BROWN	Eye Color GREEN	Res Status RESIDENT
OFN_INVL 2	Vic/Olnd Age 37	PRN 1763950								
Type HOME	Address 3646 COPPER SPRING DR									
City FORT COLLINS			State COLORADO	ZIP Code 80528		Date 07/31/2015				
Type OPERATOR LICENSE OR ID NUMBER					ID No 092860456	OLS COLORADO				
Phone Type CELL	Phone No Redacted			Date 07/31/2015						
Narrative										

W BIBEROS/jbf

On 073115 at 2109 hours, I was dispatched to a disturbance at 3646 Copper Spring Dr. in reference to a disturbance which was taking place here.

I arrived on scene at 2124 hours but went to a separate location the original informant, Stacey MCNAUGHTON, had ran to. This address was 3645 Muskrat Creek Dr. in Fort Collins, and at that point I was informed that the female informant had run here after a disturbance with her husband Brian MCNAUGHTON who was still at 3646 Copper Spring Dr.

On scene at Muskrat Creek Dr., I contacted Stacey MCNAUGHTON who was inside of the home of her neighbor. I asked MCNAUGHTON if she was okay and she told me that she was. I asked MCNAUGHTON to explain to me what had occurred. MCNAUGHTON told me that she had been involved in a verbal argument with her husband Brian MCNAUGHTON from whom she is currently getting divorced. Both Brian MCNAUGHTON and Stacey MCNAUGHTON still live together at 3646 Copper Spring Dr.

Stacey MCNAUGHTON stated that on 073115 at approximately 1930 hours, Brian MCNAUGHTON had returned home from work and the two began talking and arguing about the current state of their relationship and future custody issues. Stacey MCNAUGHTON told me that at one point the two got into an argument over what she described as unethical business practices which Brian nnn had recently undertaken. Stacey MCNAUGHTON told me that at one point she threatened to call his boss to expose something he had done wrong to her which would likely get him fired. She further told me that her and Brian MCNAUGHTON were getting a divorce and told me that Brian had been "sexting" with an unknown female and she seemed to be upset about all of these things.

Stacey MCNAUGHTON told me that at one point during their argument she walked away and then began walking downstairs to the kitchen area where she was followed by Brian MCNAUGHTON. Stacey MCNAUGHTON stated that at that point she was attempting to find the email address or phone number of Brian MCNAUGHTON's boss

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and had told Brian MCNAUGHTON that she was going to call his boss and expose some lie that he had supposedly told his boss.

Stacey MCNAUGHTON told me that as this occurred, Brian MCNAUGHTON at one point tried to grab the phone to take it away from her at which point she dropped it on the kitchen floor. Stacey MCNAUGHTON stated that when she leaned down to pick up the phone, Brian MCNAUGHTON jumped onto her back and then pinned her down to the ground and a struggle over the phone ensued.

Stacey MCNAUGHTON told me that she was ultimately able to gain control of the phone where she then got up and ran out the back door. Stacey MCNAUGHTON told me that she was yelling for help as she ran out the back door and jumped a six foot privacy fence into the neighbor's yard at 3645 Muskrat Creek Dr. where she was then assisted by the tenants here who were in the back yard having a campfire. These people brought her inside and she immediately called police after this.

Stacey MCNAUGHTON then went on to tell me that she had been recording all of her conversations and arguments with Brian MCNAUGHTON over the previous several weeks and at one point she finally told me that she had recorded their argument prior to the physical disturbance between the two. She then produced an audio recording on her phone which was approximately 28 minutes long. I skipped through certain portions of the beginning part of this recording, as she told me that it was mostly them arguing and told me that she was not sure if she had recorded the actual physical disturbance or not.

I listened to various different parts in which they were arguing about child custody issues, divorce as well as Brian MCNAUGHTON in his new relationship with another woman as well as some type of letter which Brian MCNAUGHTON had supposedly sent to his boss that supposedly contained several lies which allowed him to get his current position. During this argument, I also overheard Stacey MCNAUGHTON stating that she was going to find Brian MCNAUGHTON's boss' information in her phone and was going to call her in order to get Brian MCNAUGHTON fired.

The end of the video is the two arguing about this and Brian MCNAUGHTON pleading with Stacey MCNAUGHTON to not do this. The recording then ends abruptly at that point.

At no point during the argument did I hear either one of the two yell. They did, however, seem upset with each other but kept their voices low likely because there were children in the home who were sleeping at the time.

None of the actual physical disturbance was captured on this audio, and Stacey MCNAUGHTON told me that the supposed physical altercation took place immediately after the recording ended. I asked Stacey MCNAUGHTON if she was injured, and she told me that she did have a scratch on her left wrist which she showed me. She showed me what appeared to be a very recent scratch that was still red and raised at that point. However, I could not ascertain what the scratch was from. Stacey MCNAUGHTON also was not sure specifically how she had become scratched but believed that it was likely during the struggle for her phone with Brian MCNAUGHTON.

I gathered all of Stacey MCNAUGHTON's information and at that point I took a photo of her scratch which was later logged into Evidence as #FC250-1 under this case number.

I then relocated to 3646 Copper Spring Dr. along with Officer Bozek who served as my cover officer. Here we were met on the front porch by Brian MCNAUGHTON who was outside at that time. He eventually invited us inside of the home and began speaking with me about the matter. Brian MCNAUGHTON's account of the disturbance was very similar to Stacey MCNAUGHTON's. He told me that he had come home at approximately 1930 hours and noticed that Stacey MCNAUGHTON appeared to be asleep or was in her bedroom with the door locked. Brian MCNAUGHTON told me that he knocked on the door several times, and Stacey MCNAUGHTON ultimately came out and the two began discussing their upcoming divorce as well as custody issues which they would have to deal with in the near future as well.

Brian MCNAUGHTON told me that during this conversation, it eventually turned into an argument about several issues. Brian MCNAUGHTON told me also that he had recently been involved with a different woman outside of his marriage with Stacey MCNAUGHTON. He told me that the two argued about this for some time before ultimately moving on to child custody issues. Brian MCNAUGHTON told me that Stacey MCNAUGHTON threatened several times to take both of the kids and to move out of Colorado to a different state where he would

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not be able to see them again except for face time visits.

Brian MCNAUGHTON told me that Stacey MCNAUGHTON at one point tried to get him to agree to the custody terms, and when he did not, the argument quickly changed to other matters. Brian MCNAUGHTON stated that Stacey MCNAUGHTON believed that he had some type of unethical interaction with his boss which allowed him to get his current position. Stacey MCNAUGHTON also threatened several times to call his boss at that point and tell him that Brian MCNAUGHTON had lied to her in an attempt to get him fired. Brian MCNAUGHTON stated that the two argued about this briefly and Stacey MCNAUGHTON ultimately left the upstairs area where they were initially talking and went downstairs to the kitchen area where she then stated she was going to find the information for Brian MCNAUGHTON's boss and call her or email her.

Brian MCNAUGHTON admitted that he followed Stacey MCNAUGHTON downstairs and was telling her several times not to do this. However, she continued to go through her phone and it seemed as though she was legitimately going to call her or his boss at that time.

Brian MCNAUGHTON stated that Stacey MCNAUGHTON continued to threaten to call his boss and to talk to her and lie to his boss in order to get him fired. Brian MCNAUGHTON stated that he followed Stacey MCNAUGHTON into the kitchen area and at one point he reached over to grab the phone from her, as he did not want her to call his boss and cause an issue there.

Brian MCNAUGHTON stated that when he did this, Stacey MCNAUGHTON attempted to bit him, and during this same time she also dropped the phone just as he had grabbed onto it. Brian MCNAUGHTON stated that Stacey MCNAUGHTON immediately picked up the phone and then suddenly bolted out the back door and began yelling. Brian MCNAUGHTON stated that he did not chase after her but heard her yelling for help and also heard neighbors talking to her as well immediately after. However, he did not go out back and did not see what direction she went or where she had ended up.

Brian MCNAUGHTON also stated that police had been contacted several weeks prior during a similar issue in which Stacey MCNAUGHTON suddenly went outside during their argument into the middle of the street and began yelling at him and saying various things. During this time Brian MCNAUGHTON stated that Stacey MCNAUGHTON was trying to get him to come out into the street to have an argument further and the police were ultimately called to the scene. Brian MCNAUGHTON's opinion was that Stacey MCNAUGHTON was doing anything she could to discredit him and get him into trouble so that she could gain custody of the kids as well as all of the property that they shared during the divorce.

I spoke to Brian MCNAUGHTON further and asked him if they had been physical or if he had fallen down or if she had fallen down, and he told me that neither had ever fallen to the ground at any point and they were not ever physical. I informed Brian MCNAUGHTON that Stacey MCNAUGHTON had a scratch on her wrist and he told me he had no idea how this could have occurred but told me that nothing that took place between the two of them could have possibly resulted in her getting scratched in any way.

After speaking with Officer Bozek about the issue, I determined that there was not probable cause to support Stacey's original account of events. She did have a scratch on her wrist. However, she could not specifically recall where it came from and it is possible that this came from the fence that she jumped as well. Furthermore her audio recording ended just before the physical altercation so there was no proof that this scuffle had occurred. Brian MCNAUGHTON's account and admittance that he had in fact followed her and tried to get her phone. However, this was not criminal in nature in my opinion. Brian MCNAUGHTON's intent was to get the phone from Stacey MCNAUGHTON to prevent her from calling his boss and lying to her which could potentially have affected his job. Brian MCNAUGHTON was adamant that he never physically touched Stacey MCNAUGHTON or had any physical altercation occur at any point.

I then had Officer Bozek go back over to Stacey MCNAUGHTON and explain the situation to her. I also explained the situation to Brian MCNAUGHTON and told him that I would be doing an informational report but that I did not have probable cause for charges against either party in this case.

I spoke with Brian MCNAUGHTON and told him that he needed to find a different living situation, as it was apparent the two's arguments were only going to get worse. Brian MCNAUGHTON's opinion of the matter is that

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Stacey MCNAUGHTON's behavior was escalating and that she would likely do anything necessary in order to get him in trouble so that she could gain favor with the courts when it came to custody in the divorce. Brian MCNAUGHTON voluntarily left the home for the night and Stacey MCNAUGHTON returned shortly thereafter.

This report serves as a summary of my involvement in this case. This event was captured on video by my POV body worn camera. These videos were logged into Evidence under this case number as #FC250-1 through #FC250-4. Please refer to these videos for a more detailed account of this event. This is an informational report only at this time. There is no probable cause for charges against either party in this case.

No further actions were taken by this officer.

CASE STATUS: CO - Closed Other

Public Release