

CLAIM FOR DAMAGE

This form is being provided to assist you in filing your Claim with the City of Idaho Falls. Providing this form is not an admission nor shall it be construed to be an admission of liability or an acknowledgment of the validity of a claim by the political subdivision.

PERSONAL INFORMATION:

NAME Christopher Tapp
 CURRENT ADDRESS c/o Neufeld Scheck & Brustin, LLP, 99 Hudson St. 8th, New York STATE New York ZIP 10013
 HOME TELEPHONE NUMBER 212-965-9081 WORK TELEPHONE NUMBER _____
 EMPLOYED BY _____ OCCUPATION _____ HOW LONG _____

CLAIM INFORMATION:

DATE CLAIM OCCURRED See rider. TIME _____ A.M. LOCATION See rider.
 P.M. YOUR ADDRESS FOR THE SIX MONTHS
 IMMEDIATELY PRIOR TO DATE CLAIM OCCURRED _____
 DESCRIBE HOW CLAIM OCCURRED See rider.

PROPERTY DAMAGE:

DESCRIBE PROPERTY (IF AUTO - YEAR, MAKE, MODEL, AND LICENSE NUMBER) N/A
 OWNER'S NAME AND ADDRESS _____
 YOUR INSURANCE COMPANY _____
 DRIVER'S NAME AND ADDRESS _____
 DRIVER'S TELEPHONE NUMBER _____
 DESCRIBE DAMAGE _____
 ESTIMATE AMOUNT \$ _____ PROPERTY CAN BE SEEN AT _____

PERSONAL INJURY:

WERE YOU INJURED? Yes DESCRIBE INJURIES See rider.
 NAME AND ADDRESS OF DOCTOR _____
 ARE YOU PRESENTLY UNDER DOCTOR'S CARE? _____
 NAME AND ADDRESS OF HOSPITAL _____
 DATE HOSPITALIZED N/A WERE YOU AN INPATIENT? _____
 WAS ANYONE ELSE INJURED? _____ NAMES AND ADDRESSES _____

IF YOU ARE ON MEDICARE/MEDICAID, PLEASE FILL OUT THE FOLLOWING AS REQUIRED BY 42 U.S. C. 1395.

DATE OF BIRTH _____ SSN _____
 MEDICARE/MEDICAID NUMBER _____

OTHER INFORMATION:

WERE THERE ANY WITNESSES? Yes.

NAME AND ADDRESS	TELEPHONE NUMBER	YOUR VEHICLE	OTHER VEHICLE	OTHER
<u>See rider.</u>				

DID POLICE INVESTIGATE? Yes. NAME OF POLICE DEPARTMENT Idaho Falls Police Department.
REPORT NUMBER _____ OFFICER NAME See rider.

I HEREBY CERTIFY THAT I HAVE READ THE PRECEDING INFORMATION AND IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

I HEREBY MAKE A CLAIM AGAINST The City of Idaho Falls
FOR damages (DAMAGE, INJURY, ETC.) IN THE AMOUNT OF \$ See rider.

DATE: 12-19-19

Christy Tapp
(SIGNATURE)

YOU MAY ATTACH ANY OTHER INFORMATION OR DOCUMENTATION YOU SO DESIRE.

PLEASE RETURN FORM AND ATTACHMENTS TO:

CITY CLERK'S OFFICE
CITY OF IDAHO FALLS
308 CONSTITUTION WAY
P. O. BOX 50220
IDAHO FALLS, IDAHO 83405
FAX NUMBER: (208) 612-8560

Christopher Tapp Notice of Claim Rider

Pursuant to Idaho Tort Claims Act Title 6 Chapter 9, Tort Claims Against Government Entities, I.C. § 6-901 *et seq.*, Christopher Tapp provides the following information in support of his Notice of Claim.

Mr. Tapp will seek damages for his unjust conviction and imprisonment for over twenty years. Mr. Tapp claims violations of his state and federal civil rights, including those guaranteed under the First, Fourth, Fifth, Sixth, Eighth, and Fourteenth Amendments to the United States Constitution for which no notice is necessary, in addition to state law causes of action including: false arrest; false imprisonment; wrongful conviction; wrongful detention; loss of liberty; abuse of process; conspiracy; malicious prosecution; defamation; libel; conspiracy; obstruction of justice; negligence, negligent and intentional infliction of emotional harm; negligent investigation; negligent hiring, training, supervision and retention; intentional infliction of emotional distress; negligent infliction of emotional distress; *respondeat superior*; joint and several liability; and other Idaho state common law tort claims and Idaho constitutional claims as yet-to-be discovered evidence may support, against the Idaho Falls Police Department, Police Officer Sergeant Jared Fuhriman, Sergeant Jim Hoffman, Detective Ken Brown, Detective Philip W. Grimes, Detective Sergeant Curtis Stacey, Detective Jeff Pratt, Detective Jeff Hanson/Hansen, Detective Steven G. Finn, Detective Todd Ericsson, Detective Sage Albright, Sergeant John Marley, Mickey Callow, and any other officer whose name is not yet known who caused Mr. Tapp to be wrongfully convicted.

I. Conduct and circumstances which brought about the injury or damage.

On June 13, 1996, Angie Dodge was sexually assaulted and murdered in her second-floor apartment. Christopher Tapp is innocent of and had nothing to do with this crime. During the initial investigation, Mr. Tapp was excluded as the source of the semen recovered from Ms. Dodge. Nor was there any physical evidence linking Mr. Tapp to the single-perpetrator crime scene. Nevertheless, he was convicted of the rape and murder of Ms. Dodge on the basis of gross misconduct committed by the Idaho Falls Police Department ("IFPD") and its officers. That misconduct included coercing a false and fabricated confession from Mr. Tapp and coercing a false statement from a very vulnerable young woman. Mr. Tapp asserted his innocence at trial, and continued to maintain his innocence during two decades of direct appeals and collateral attacks on his conviction. In addition, Ms. Dodge's mother, for the last ten years, has been Mr. Tapp's stalwart advocate and has fought to vindicate Mr. Tapp's innocence.

Finally, more than twenty years after Mr. Tapp's initial wrongful arrest, new DNA testing identified the unique profile of the perpetrator of this heinous crime as belonging to Brian Dripps. Mr. Dripps was brought in for questioning, confessed, and was arrested on May 15, 2019. He stated that he had acted alone and acknowledged that he did not know Mr. Tapp.

Following Ms. Dodge's murder, beginning on January 7, 1997, IFPD officers first interviewed Mr. Tapp, who initially insisted, truthfully, on his innocence. Over the course of the next three weeks, IFPD officers, including but not limited to Detective Jared Fuhriman, Detective Steven G. Finn, Detective Ken Brown, and Detective Curtis Stacey, knowingly and intentionally coerced a false confession from Mr. Tapp through unconstitutional and unlawful tactics including, without limitation, psychological manipulation, improper use of polygraph examinations ("the polygraph ploy"), coercion, threats, false promises, deception, and lies. IFPD

officers also committed other serious investigative misconduct, including, without limitation, fabricating and coercing an incriminatory false statement from a key prosecution witness. These officers were acting pursuant to the policies, practices, and procedures of the IFPD and under color of law at all relevant times. These officers and entities include but are not limited to:

- The Idaho Falls Police Department
- Police Officer Sergeant Jared Fuhriman (IFPD)
- Sergeant Jim Hoffman (IFPD)
- Detective Ken Brown (IFPD)
- Detective Philip W. Grimes (IFPD)
- Detective Sergeant Curtis Stacey (IFPD)
- Detective Jeff Pratt (IFPD)
- Detective Jeff Hanson/Hansen (IFPD)
- Detective Steven G. Finn (IFPD)
- Detective Todd Ericsson (IFPD)
- Detective Sage Albright (IFPD)
- Sergeant John Marley (IFPD)
- Mickey Callow (IFPD)

Despite Mr. Tapp's actual innocence, he was first arrested in Idaho Falls on January 11, 1997, in connection with this crime. Mr. Tapp was tried beginning on May 12, 1998, and convicted on May 28, 1998. The prosecutor sought the death penalty. Mr. Tapp was found guilty of Murder in the First Degree and Rape, with the sentencing enhancement of the Use of a Deadly Weapon in Commission of a Felony. On December 11, 1998, the court sentenced Mr. Tapp to life in prison plus fifteen years, with a mandatory minimum of thirty years. Absolutely no physical evidence linked Mr. Tapp to this crime; this prosecution and conviction was based on the false evidence obtained through the intentionally, recklessly, and/or grossly negligently misconduct of IFPD officers, and was the direct result of this misconduct.

Even after his conviction, Mr. Tapp continued to fight to demonstrate his innocence, first filing an appeal and then filing multiple requests for post-conviction relief. But despite Mr. Tapp's efforts, which were supported by the victim's mother, IFPD and its officers failed to conduct an adequate reinvestigation, suppressed evidence, and made misrepresentations that caused Mr. Tapp to remain wrongly incarcerated.

Following Mr. Tapp's fourth petition for post-conviction relief, a reinvestigation by the IFPD led to new DNA testing that identified Mr. Dripps as the perpetrator. That new DNA evidence involved comparing the evidence taken from the crime scene to DNA samples in a database created from the DNA of people looking to identify relatives or discover their ancestry. Mr. Dripps lived across the street from Ms. Dodge at the time of the murder and was actually stopped and interviewed by the police on the night she was killed. Mr. Dripps was brought in for questioning, confessed that he had committed the crime, and was arrested on May 15, 2019, for the murder and rape of Angie Dodge. He also acknowledged that he had acted alone and that he did not know Mr. Tapp. Mr. Dripps is currently awaiting trial for the rape and murder of Ms. Dodge.

On May 16, 2016, Mr. Tapp filed a petition for post-conviction relief before the District Court of the Seventh Judicial District of the State of Idaho In and For the County of Bonneville. On March 22, 2017, Mr. Tapp and the Bonneville County District Attorney's Office filed a

stipulation vacating Mr. Tapp's rape conviction and reducing his murder conviction sentence to time served. On that day, March 22, 2017, Mr. Tapp was released from prison.

Following Mr. Dripps's arrest, the Bonneville County District Attorney's Office moved to set aside the jury verdict against Mr. Tapp, vacate the judgment of conviction, and dismiss the case on the ground of actual innocence. At a hearing on that motion on July 17, 2019, Judge Alan Stephens stated, "[a]s far as this court is concerned, you are innocent of the convictions you have been living under for the past 20-plus years. I don't think any of us could imagine what it would be like to experience imprisonment for something we didn't do . . . I'm just glad it could be corrected at this time." The Judge then vacated Mr. Tapp's wrongful convictions and dismissed the charges against him.

As a direct result of the unconstitutional and unlawful misconduct of these IFPD officers, Mr. Tapp spent 20 years, 2 months, and 11 days incarcerated for a crime he did not commit.

II. Injury and damages claimed

Mr. Tapp seeks damages for the period of his arrest on January 11, 1997, through each and every year of wrongful incarceration to the present, including past, present, and future damages for personal injuries; pain and suffering; severe mental anguish; emotional distress; loss of family relationships; severe psychological damage; damage to business and property; legal expenses; loss of income; infliction of physical illness; inadequate medical care; humiliation, indignities and embarrassment; degradation; permanent loss of natural psychological development; and restrictions on all forms of personal freedom including but not limited to diet, sleep, personal contact, educational opportunity, vocational opportunity, athletic opportunity, personal fulfillment, sexual activity, family relations, reading, travel, enjoyment, and expression.

III. Names of all persons involved

The following is a list of each individual currently known who was involved in the above-described misconduct, or who may have information relevant to that misconduct:

- Sergeant Jim Hoffman (IFPD)
- Police Officer Sergeant Jared Fuhriman (IFPD)
- Detective Ken Brown (IFPD)
- Detective Philip W. Grimes (IFPD)
- Detective Sergeant Curtis Stacey (IFPD)
- Detective [First Name Unknown] Pratt (IFPD)
- Detective [First Name Unknown] Hanson (IFPD)
- Detective Steven G. Finn (IFPD)
- Detective Todd Ericsson (IFPD)
- Detective Sage Albright (IFPD)
- Sergeant John Marley (IFPD)
- Mickey Callow (IFPD)
- Deputy James Foster (Bonneville County Sheriff's Department)
- Agent Marvin Crain (Idaho State Police)
- Pete Beckman (Las Vegas Metropolitan Police Department)

- Brian L. Dripps
- Jeremy Sargis
- Benjamin Hobbs
- Destiny Osborne
- Wayne Longmore
- Carol Dodge
- Debra Sue Mitchell
- Aaron Eilander
- Zack Eilander
- Steve Mitchell
- Jessica Rose Oldham
- Gentry Goff
- John Browning
- Deanne Callaway
- Kurt Taylor
- Jerry Woolf
- Travis John Bell
- Jeff Blackburn
- Julie Cook
- Shannon Cox
- Fred Ehlert
- Christian Arthur Grebstad
- Ronald Louis Hansen
- Christopher John Holland
- Tawni Howell
- Lisa Jaggar
- Heidi Lamb
- Kasey Mace
- Pamela K. Marcum
- Corey Moore
- Audra Gail Owens
- Danielle Michelle Rees
- Leslie Robert Stimson
- Susan Camille Williamson
- Raymond A. York
- Michael Deguglielmo
- Jason Michael Hope
- Britney Ann Morgan
- Vera Tapp
- Ashli Nicole Washburn
- Kisty Joan Washburn
- Travis Corey Estes
- Kristine Renee Weinkauff

IV. Address

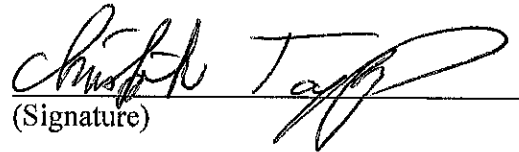
Mr. Tapp can be reached at the following address:

Christopher Tapp
c/o Neufeld Scheck & Brustin, LLP
99 Hudson Street, 8th Floor
New York, NY 10013

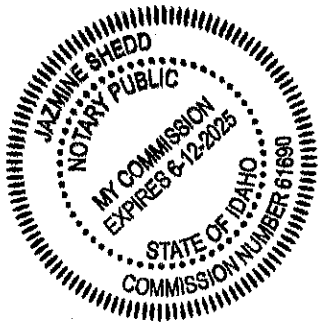
V. Verification

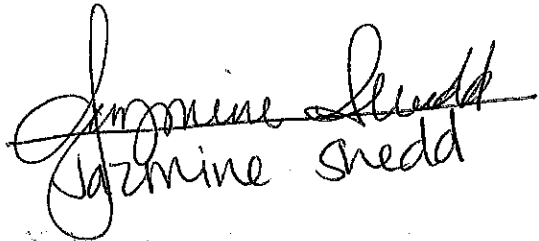
I hereby certify that I have read the preceding information and that it is true and correct to the best of my knowledge.

Date: 12-19-19


(Signature)

Signed before me on December 19, 2019.




Jazmine Shedd