

# Memorandum

To: Captain Laney  
From: Deputy Mark Colburn  
Date: 01/14/2014  
Re: Case 2014-324

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Per your request,

On 01-10-2014, I was initially informed by the HVAC repairman, Mark Anderson that he had witnessed the janitor, Victor Alvarado, possibly watching into a female student bathroom stall from the ceiling. I conducted an initial cursory investigation and went to the Principal, Molly Dalgarn and Vice Principal, Dr. Irene Stevenson, with what I knew at that point. The Mrs. Dalgarn said she wanted to handle the incident in house through her chain of command. Due to the sensitive nature of working in a school, I agreed to allow Mrs. Dalgarn to notify her chain of command while I continued my investigation. Mrs. Dalgarn then instructed Dr. Stevenson to continue on with the investigation and report it up the chain when she was done. Mrs. Dalgarn then excused herself to go participate in the school spelling bee. I conducted a more thorough investigation and interview with Mr. Anderson to eliminate any doubt in my mind as to what exactly took place. Once I had enough probable cause to believe a crime had for sure taken place, I informed Dr. Stevenson that I had to notify my chain of command and recommended that she do the same quickly. Dr. Stevenson said she was going to inform the central office by email and was trying to write it, but wanted to wait until Mr. Anderson had completed his in depth written statement. I told Dr. Stevenson that I could not wait to notify my chain and take action. Dr Stevenson reiterated that they wished to handle this internally and not criminally. I told her that I would let my chain of command know of their request. I then contacted my supervisor, Sergeant Jack Frantz. I told Dr. Stevenson that I had notified my chain of command. Dr. Stevenson said she had called and left a message for one person at the central office, but had not heard back from them. Mrs. Dalgarn then returned to the office and I proceeded to detain Mr. Alvarado in my office while Anderson completed his written statement.

Once the detective arrived and the investigation was fully underway, I was in charge of watching Mr. Alvarado and later a search of other areas in the school for evidence. It wasn't till much later I learned that Dr. Looney and Mrs. Dalgarn had organized a meeting with the parents at the school in the middle of the investigation. I was unaware that they had failed to notify or consult with anyone at the sheriff's office in regards to this meeting, including the investigator. I was not asked to speak and nor was any other member of the sheriff's office at the meeting with the parents. The meeting interfered with the investigation and the suspect had to be removed from the scene and the crime scene was flooded with parents before it was released by the sheriff's office. I was not aware that the investigator was not informed of the meeting until she asked me what the parents were doing in the school.



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## CASE OVERVIEW

On January 10, 2014, I responded to Scales Elementary School located at 6430 Murray Lane, Brentwood, Williamson County TN after it was reported to the School Resource Officer (Deputy Mark Colburn) that Victor Alvarado (Custodian) had been observed peeping in the girl's restroom from the crawl space above one of the stalls by maintenance worker Mark Anderson.

Sgt. Jack Frantz and I were shown the area where Mr. Alvarado was observed by Mr. Anderson. Below the ceiling tile, one stall could be viewed which would be the first stall on the right upon entering the 5<sup>th</sup> grade girl's restroom. A short time later, Dr. Mike Looney was also shown the area. Dr. Looney had a flashlight with him and shined it in the area where Mr. Alvarado had been standing and observed what he believed to be pubic hair and dried semen and reported the discovery to me. Sgt. Frantz was shown the area and began collecting the evidence and a short time later Detective Melissa Colvin arrived to assist him in collecting biological evidence.

Sgt. Frantz and Detective Colvin went to other restrooms in the school to see if there were any tiles out of place. They discovered issues with two other restrooms (in the third and fourth grade hallways) and went to the crawl spaces above them and observed hair and what appeared to be dried semen above the restroom. The areas were photographed and evidence collected.

Surveillance video was reviewed and there were three students who entered the restroom during a time when Mr. Alvarado was above the restroom. This was earlier in the day prior to Mr. Anderson discovering Mr. Alvarado looking in to the stall. School officials identified and contacted each child's parent and asked them to come to the school and explained why. Mike Fletcher entered the restroom with each child and their parents separately and reported that the first two students identified the stalls they had used and neither of them was visible from the opening in the ceiling. I was able to accompany Mr. Fletcher when the third child and her mother entered the restroom. The third child identified the first stall on the right as the one she'd used twice this date. I met with that child (Child A) and her mother privately in the library and obtained contact information and provided the child's mother with my card.

Prior to meeting with Child A and her mother I requested a Spanish speaking officer and Deputy Jose Mojica responded to translate. Mr. Alvarado was read his rights and agreed to answer questions. Deputy Mojica and I had spoken with Mr. Alvarado to gather information as to why he'd been in the crawl space. After identifying the child who was in the restroom



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while Mr. Alvarado was in the crawl space and learning that school officials were having a meeting at the school with parents to make them aware of the investigation, Mr. Alvarado was taken into custody and transported to the Criminal Justice Center. Once there, Mr. Alvarado was read his rights again and provided with a copy of his rights in Spanish. He agreed to continue answering questions and signed the waiver.

Although he'd denied any inappropriate behavior previously, while at the Criminal Justice Center, Mr. Alvarado admitted that he'd masturbated while in the crawl space above the restroom. Mr. Alvarado stated the last time he masturbated in the crawl space was on January 8, 2014 before the lunch hour. Previously Mr. Alvarado acknowledged he knew that the restroom was the girl's and that on occasion he'd been able to see into the restroom, but denied watching the girls while masturbating. He did admit that the last time he saw a child using the restroom was also on January 8, 2014 before the lunch hour.

Additionally, Mr. Alvarado advised that when he was in the crawl space, the light in the crawl space was turned off so he couldn't be seen in the bathroom below.

Several times during the interview, Deputy Mojica and I stepped out of the room. In reviewing the video, Deputy Mojica discovered that when we stepped out, Mr. Alvarado was asking for forgiveness.

All conversations with Mr. Alvarado were recorded.

After school officials informed parents about the investigation into Mr. Alvarado's activities, I received several phone calls from concerned parents; some of which shared inappropriate behavior on the part of Mr. Alvarado. Those conversations were recorded.

Additionally, I was able to get a copy of video from the hallways for the week of January 6<sup>th</sup> through January 10<sup>th</sup>, 2014 in which Mr. Alvarado could be viewed entering and exiting the access areas to the crawl space above the restrooms. Students and teachers were also viewed entering the restrooms during the same time frame. I was able to meet with the principal and assistant principal and each person was identified. Of those seen entering the restrooms during the time Victor was in the crawl space, five were adults and a total of 8 were children between January 8, 2014 and January 10, 2014. School was not in session January 6<sup>th</sup> and 7<sup>th</sup>.



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**Case Number:** 2014-324

Detective Tameka Sanders

**ANTICIPATED CHARGE**

T.C.A. 39-13-607 - Observation without Consent (6 counts)

**Location of Incident:** Scales Elementary School  
6430 Murray Lane  
Brentwood TN 37024

**SUSPECT INFORMATION**

**Name:** Victor Manuel Alvarado Castro  
**Address:** 3241 Towne Village Rd  
Nashville TN 37013  
**Phone:** (615)506-9203 (cell)  
**DOB:** 03-10-1965 (48)  
**SS#:** 602-50-6684  
**TN DL:** 088598784



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**VICTIM INFORMATION**

**Offense Date: January 10, 2014**

**Name:** Child A \_\_\_\_\_  
**Address:** \_\_\_\_\_  
Brentwood, TN 37027  
**Phone:** \_\_\_\_\_  
**Parents:** \_\_\_\_\_  
\_\_\_\_\_

**Name:** Michael Teeple (Teacher)  
**Date of Birth:** 07-18-58  
**Address:** 6430 Murray Lane  
Brentwood TN 37024  
**Phone:** (615)628-8172/891-0132

**Name:** Sharon Mullaney (Teacher)  
**Date of Birth:** 07-04-58  
**Address:** 6430 Murray Lane  
Brentwood TN 37024  
**Phone:** (615)807-1881/924-1574



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**Name:** Jennifer Bent (Teacher)  
**Date of Birth:** 11-26-58  
**Address:** 6430 Murray Lane  
Brentwood TN 37024  
**Phone:** (615)377-1963/579-6985

**Offense Date: January 08, 2014**

**Name:** Kathleen Hailey (Teacher)  
**Date of Birth:** 02-07-68  
**Address:** 6430 Murray Lane  
Brentwood TN 37024  
**Phone:** (615)974-8778

**Name:** Jennifer Griffen (Teacher)  
**Date of Birth:** 11-27-84  
**Address:** 6430 Murray Lane  
Brentwood TN 37024  
**Phone:** (615)308-4415



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**WITNESSES**

Williamson County Sheriff's Office

1. Deputy Mark Colburn
2. Sgt. Jack Frantz
3. Detective Melissa Colvin
4. Deputy Jose Mojica

Williamson County Schools

- |                        |                                |               |
|------------------------|--------------------------------|---------------|
| 1. Dr. Mike Looney     | (School Superintendant)        | (615)472-4000 |
| 2. Jason Golden        | (Deputy Director of Schools)   | (615)472-4009 |
| 3. Dcnise Goodwin      | (Asst. Superintendant – Elem)  | (615)472-4094 |
| 4. Michael Fletcher    | (Safety & Security Officer)    | (615)472-4100 |
| 5. Molly Dalgarn       | (Principal, Scales Elem)       | (615)472-4830 |
| 6. Dr. Irene Stevenson | (Asst. Principal, Scales Elem) | (615)472-4830 |
| 7. Mark Anderson       | (Maintenance, Scales Elem)     | (615)472-4970 |



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**INFORMATION FROM SCALES ELEMENTARY PARENTS**

1. Brenda (Bossman74@hotmail.com)

Via email Mrs. [redacted] reported that after learning about the allegations against Mr. Alvarado that following a parent teacher conference on October 8, 2013 between 4-4:15 p.m., one of her children mentioned that someone was in the bathroom when they went. At the time she didn't understand what the child meant and also remembered noticing the tiles were out of place in the restroom and thinking it odd because there was no construction. She also noticed Mr. Alvarado in the area at the time of her conference.

2. Lori (Lorianne16@att.net)

Via email Mrs. Eggleston photographed a statement written by her child, [redacted] that read "In the 5<sup>th</sup> grade bathrooms, there was always a ceiling tile missing over the first stall toilet. The only reason I knew it was there was because sometimes it made noises."

3. Melissa (615) 423-9955

Via phone Ms. Davis reported that her 11 year old daughter [redacted] shared with her that she normally uses the stall where the tile is missing in the 5<sup>th</sup> grade bathroom. She remembered being in the restroom on Friday, January 10, 2014 while in the restroom because she heard a lot of movement. She didn't see anyone, but heard something. [redacted] said this was not the first time she's heard movement in the ceiling while in the restroom. The reason [redacted] never reported what she'd heard to anyone because she thought there was work being done on the roof. [redacted] stated that the tile has been missing this entire school year and that she remembered there being different pieces of tile missing in the 4<sup>th</sup> grade bathroom.

Ms. [redacted] stated that [redacted] used that restroom on January 10, 2014 after recess around 1:00 p.m.





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4. Holly [REDACTED] (615)512-3877

Mr. [REDACTED] reported via phone that she'd filed a complaint with Mrs. Dalgarn about Victor Alvarado. She stated that her daughter, [REDACTED], who is in the third grade reported to her in October of 2013 that Victor is strange, makes faces at her, comes around her in the cafeteria and makes her feel uncomfortable. She [REDACTED] told [REDACTED] that everyone is different and to ignore him.

Around November 16, 2013, Victor approached [REDACTED] with a school yearbook showed her a picture of herself and her teacher and said, "This is you. This is your teacher." [REDACTED] stated [REDACTED] ran away. Mrs. [REDACTED] with Mrs. Dalgarn on November 19, 2013 to discuss the incident. She advised that Mrs. Dalgarn said she would speak with Victor about his actions. [REDACTED] didn't have any further issues with Victor after the meeting. [REDACTED] denied Victor had ever touched [REDACTED]; that he simply made her uncomfortable.

5. Tammy [REDACTED] (615) 479-0733

Mrs. [REDACTED] reported via phone that she filed a complaint a year ago with Ms. Dalgarn about Victor's behavior with her [REDACTED]. Mrs. [REDACTED] advised her [REDACTED] was in the 2<sup>nd</sup> grade at the time and about midway through the school year, she told her mom that Victor made her uncomfortable. She said he would follow her around the cafeteria, sweep over her feet, made a purring sound around her and sang "Baby" by Justin Bieber.

[REDACTED]; stated that she had lunch with her daughter and observed Victor say something to [REDACTED] when she went to get ice cream. Kaia was laughing when she returned and when [REDACTED]; asked her why she said "Victor said something funny." [REDACTED]; asked her what was said and [REDACTED] said "He said 'You have a hot mama'."

[REDACTED] met with Ms. Dalgarn and was told that it would be documented [REDACTED] didn't report any other issues.



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6. Lisa [REDACTED] ([Lcroneyart@gmail.com](mailto:Lcroneyart@gmail.com)) (615)377-9057

Via email [REDACTED] reported that one of her children shared that during the 2012-2013 school year she remembered using the girls' bathroom on the 5<sup>th</sup> grade hall and noticing the ceiling tile above her head in the first stall closest to the door was cracked open. No further information was provided.

7. Sally [REDACTED] (615)483-1891

Via phone reported that her [REDACTED] saw pictures on Victor's phone. The pictures were innocent and were of his family and of him when he was in the Mexican Army. Ms. King wanted to report that the phone was out during school hours; which is against the rules.

8. Dr. Jill [REDACTED] (720)220-3002

Via phone Dr. [REDACTED] shared that her children have seen pictures on Victor's phone of his family and him in the Mexican Army.

9. Ann [REDACTED] (615)300-4202

Via phone Ms. [REDACTED] shared that her 17 year old daughter used the restroom on the 5<sup>th</sup> grade hallway and noticed a tile missing. She was at the school for a school related reason. She is a student at Brentwood High School.



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10. Lisa ██████████

Ms. ██████ advised via phone that ██████ daughter, a 3<sup>rd</sup> grader shared that she's seen the ceiling tiles misplaced two to three times in the 3<sup>rd</sup> grade bathroom. She stated it's always the same tile out of place and that in the past, she thought she heard something, but isn't sure. Ms. ██████ stated that her daughter mentioned that there was something strange about the bathroom in the past, but couldn't explain what it was.

Ms. ██████ stated her daughter only knows that Victor doesn't work at the school anymore but doesn't know why. She stated her daughter has never said anything about Victor being inappropriate with or around her.

11. Jim ██████████

Mr. Sulcer reported via phone that he has ██████ that attend Scales and that one had more contact with Victor than the other, but that she has not reported anything inappropriate.

12. Jodi ██████████

Ms. ██████ reported via phone that she has an 8 year old ██████ who is in the 3<sup>rd</sup> grade at Scales. She advised following the informational meeting at the school, she asked her daughter if anything strange happened at school. She advised her daughter mentioned that she had gone to the restroom that day and looked up and saw that part of the ceiling tile was missing. She thought that someone may have been looking at her and had an odd feeling, but didn't see anyone.

Ms. ██████ stated that her daughter didn't report any inappropriate behavior directed toward her on the part of Victor; however Ms. ██████ felt Victor was inappropriate with the children because he would hang around and tease with them during lunch. She also advised that her daughter said in the past Victor would show them their picture in a yearbook he carried around with him.



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13. M.

n

Mrs. J. reported to Mrs. Dalgarn (principal) that her daughter, [redacted] stated that she didn't think Victor was very good at his job because he likes to talk and play around with the kids and stated she didn't think he had any family or children. When asked about the restroom, she stated "I am really nervous" and stated that she would hear the restroom door open and close but that no one would come in. She also stated that she heard noises in the attic and demonstrated to her mother a tip toe walking motion.

[redacted] also shared with her mother that when she and her friends were outside during recess she saw Victor watching the children play and hide behind the dumpster.

[redacted] also shared with her mother that she was scared to use the bathrooms and said in the beginning of the school year the hole in the tile was not there, but that it had gotten bigger during the year. She didn't believe her teacher knew about the hole because they use the staff restroom.



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**DIGITAL EVIDENCE**

1. Initial pictures taken by Tameka Sanders (CD) of 5<sup>th</sup> grade bathroom
2. Audio of conversation between Tameka Sanders, Jose Mojica and Victor Alvarado (CD)
3. Interview of Victor Alvarado with Tameka Sanders and Jose Mojica (DVD)
4. Surveillance video from Scales Elementary on 01-10-14 (DVD)
5. Crime scene photos taken by Melissa Colvin of all areas (CD)
6. Crime scene photos taken by Jack Frantz (CD)
7. Video interview with Victor Alvarado with Tameka Sanders and Jose Mojica (DVD)
8. Call in conversations with Scales parents previously listed
9. School video for January 8<sup>th</sup> through January 10<sup>th</sup>, 2014 (blue flash drive)
10. Video of crime scenes recorded by Melissa Colvin – (green flash drive)



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**Explanation of Files for Item Number 10**

- File 26      Location is 5<sup>th</sup> grade girl's restroom area  
View looking down to buffer – view to toilet  
Left to right view  
Blue board to the right  
Two tiles missing (collected as evidence)  
Small tile moved
- File 27      Location is 5<sup>th</sup> grade girl's restroom area  
Outside of restroom  
Two missing tiles  
1<sup>st</sup> stall small tile moved
- File 28      Location is 3<sup>rd</sup> grade girl's restroom area  
View looking down  
Left to right view from green cable  
View around dark
- File 29      Location is 3<sup>rd</sup> grade girl's restroom area  
View of tile with substance  
Hole in tile to the left  
Entrance



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- File 30      Location is 3<sup>rd</sup> grade girl's restroom area  
View of the area
- File 31      Location is 3<sup>rd</sup> grade girl's restroom area  
Hole and tile moved  
Girl's bathroom  
View into hole/ hole into bathroom to liquid
- File 32      Accidentally hit record button
- File 33      Location is 4<sup>th</sup> grade girl's restroom area  
Overview of area/ looking down from crawl space
- File 34      Location is 4<sup>th</sup> grade girl's restroom area  
Blurred overview  
Wiring and duct work. Shorter tile. Dust removed from duct work.  
Dried fluid on cinderblock  
Cut tile; Overview; view of toilet
- File 35      Location is 4<sup>th</sup> grade girl's restroom area  
Cut tile to above view