



DANIEL P. RUBINSTEIN
DISTRICT ATTORNEY

TWENTY-FIRST JUDICIAL DISTRICT ATTORNEY'S OFFICE
Mesa County Justice Center ~ P.O. Box 20,000 - Dept. 5031 Grand Junction, CO 81502-5001 (970) 244-1730

ACKNOWLEDGMENT OF THE PARTIES – COOPERATION AGREEMENT OF BELINDA KNISLEY

Date: August 8, 2022

Agreement of Cooperation and Truthful Testimony:

The Office of the District Attorney for the 21st Judicial District (Mesa County District Attorney) and the Defendant hereby agree to the following terms in consideration for the plea agreement in her pending Mesa County District Court cases of 21CR1312 and 22CR372:

Defendant's Obligations:

The Defendant agrees to provide truthful, complete and accurate testimony at any trials in any venue for her co-defendant, Tina Peters, Sandra Brown, and any other person identified by her during a proffer interview which occurred at the Attorney General's Office on June 8, 2022. In conjunction with this, the Defendant agrees to accept subpoena service, participate in any necessary meetings in preparation of additional grand jury or trial testimony, and appear for court to testify. At all times throughout the prosecutions related to the Mesa County election activities which occurred in 2020 or 2021 the Defendant agrees to truthfully, faithfully, and fully provide accurate and verifiable information.

DocuSigned by:
Signed BELINDA KNISLEY
518741D685G14AG...
(Signature of Defendant)

The Defendant participated in a formal recorded proffer interview with state and federal prosecutors and law enforcement in these cases on June 8, 2022. At that time, other than the conveyance of limited use protections upon Ms. Knisley by the state and federal prosecutors, she was made no other promises and given no plea offer consideration for her cooperation. That interview was recorded and is discoverable.

In that interview, the Defendant explained that beginning in April 2021 and into May 2021 she was aware of and participated in a scheme with Tina Peters and other identified people, to deceive public servants from both the Colorado Secretary of State's Office and Mesa County. This scheme, which was significantly directed by Tina Peters, ultimately permitted an unauthorized individual to gain access to secure areas inside the Mesa County Clerk and

Recorder's Office so that this person (fraudulently held out to be an improperly titled Gerald Wood, but who was later identified to actually be Conan Hayes) could participate in Mesa County's Trusted Build with Tina Peters and Sandra Brown.

This Trusted Build occurred in late May 2021. Due to the series of deceptive acts and statements which were employed against the public servants one or more violations of state statute and election rules occurred. Ms. Knisley discussed other individuals who may have various levels of criminal responsibility for the planning, preparation and/or execution of this scheme.

Ms. Knisley further acknowledged that Tina Peters recorded proceedings during a hearing for Ms. Knisley's burglary case, at the request of Ms. Knisley, and then lied to the judge about doing so, including acknowledging to Ms. Knisley that she lied.

The Defendant is aware of the statements that she made on June 8, 2022 and the key/material facts that she discussed. **The Defendant has consulted with her counsel prior to the entry of this plea, and hereby affirms that her statements in the June 8, 2022 proffer interview were truthful and accurate.** The Defendant understands that since June 8, 2021, if needed, she has had the opportunity to amend, correct or clarify her June 8, 2022 statements. As a result of this reflection and consultation with her counsel the Defendant knowingly asserts and affirms that her June 8, 2022 statements do not need to be amended, corrected or clarified regarding the material facts that she provided.

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Signed: BEUNDA KNISLEY
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(Signature of Defendant)

The Defendant confirms that she understands the June 8, 2022 statements contain material facts in the case. The Defendant further acknowledges and agrees that if at any time she fails to truthfully, faithfully, and fully provide accurate and verifiable information related to the scheme that she provided information about on June 8, 2022 in her co-defendant's trial(s) in any venue or before a Grand Jury in any venue it will constitute a material and substantial breach of both this cooperation agreement and the plea agreements.

DocuSigned by:
Signed: BEUNDA KNISLEY
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(Signature of Defendant)

The Defendant agrees that she has been represented by effective and competent counsel, R. Scott Reisch and Shannon Roy.

DocuSigned by:
Signed: BEUNDA KNISLEY
518741D685C14AC

(Signature of Defendant)

The Defendant agrees to waive his constitutional rights to remain silent if called to testify by the Office of the District Attorney for the 21st Judicial District (Mesa County District Attorney) in the prosecution of any related co-defendant such as Tina Peters who is currently charged or any person who may potentially be criminally charged by state or federal authorities in the future.

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Signed: BEUNDA KNISLEY
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(Signature of Defendant)

The Defendant agrees that, in the event she withdraws from this agreement or substantially or materially breaches this agreement, she will have waived her rights under C.R.E. 410 and any statement she makes after entering to this agreement can be used against her in any criminal trial or criminal proceeding in the event the Defendant testifies differently in any proceeding, but not in the prosecution's case in chief. The Defendant acknowledges that the grants of use immunity for statements made during the proffered interview on June 8, 2022 can be voided based on the terms specified in the state and federal proffer agreements that were executed on June 8, 2022 and which are part of the record in these matters.

DocuSigned by:
Signed: BEUNDA KNISLEY
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(Signature of Defendant)

Plea Agreement in Return for Truthful Testimony:

In return for her cooperation and truthful testimony in the prosecution of Tina Peters, Sandra Brown and other potential co-defendants, subject to the approval of the Court the Defendant will be allowed in 21CR1312 to Plead Guilty to Count 3, Trespass, a Class 3 misdemeanor. In 22CR372 the Defendant will Plead Guilty to Count 14, First Degree Official Misconduct, a class 2 misdemeanor, and to Count 12, Violation of Duty, an unclassified misdemeanor in Title 1 of the C.R.S.. The balance of the remaining counts from both the Original Complaint and Information as well as the Grand Jury Indictment which were filed with the Court will be dismissed. Convictions for all offenses will enter and the People will stipulate to Probation for 2 years. If any incarceration is imposed by the Court at the initial sentence it will be suspended. Conditions of the probation will include Ms. Knisley entering into this cooperation agreement. If needed, the Defendant agrees to testify at any future grand jury proceeding or criminal trial of Tina Peters, Sandra Brown or any potential co-defendant for behavior arising out of the scheme which was discussed during the proffer interview on June 8, 2022. grand jury. All other terms and conditions are open to the discretion of the Court.

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Signed: BEUNDA KNISLEY
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(Signature of Defendant)

Reinstatement of Charges and Renewed Prosecution:

In the event Defendant does not provide truthful and complete information, or refuses to cooperate, or otherwise substantially or materially breaches this agreement, the guilty pleas and sentences will be withdrawn and vacated and Defendant will be subject to prosecution for all original charges in both cases under the original sentencing ranges pursuant to *People v. McCormick*, 859 P.2d 846 (Colo. 1993).

DocuSigned by:
Signed BELINDA KNISLEY
518741D685C14AC
(Signature of Defendant)

No Other Agreements:

No other agreements, promises or conditions exist other than those included in this document; further none will exist unless in writing and signed by the parties.

The signed Rule 11's in both cases, this Cooperation Agreement and the previously executed Proffer Agreements from June 8, 2022 state the full understanding and negotiated agreement between the Office of the District Attorney for the 21st Judicial District (Mesa County District Attorney) and Belinda Knisley.

This agreement accepted by _____ on the ____ day of _____, 2022.

DocuSigned by:
BELINDA KNISLEY
518741D685C14AC
Signature of Belinda Knisley, Defendant

Date: 8/10/2022

DocuSigned by:
Scott Reisch
E6889698C2014B9
R. Scott Reisch, Attorney for Defendant

Date: _____

Shannon D. Roy

Date: 8/10/22

Shannon Roy, Attorney for Defendant

Daniel P. Rubinstein

Date: 8/8/22

Daniel P. Rubinstein, District Attorney

DISTRICT COURT PLEA AGREEMENT

DEFENDANT: Belinda Knisley

DISTRICT ATTORNEY: Rubinstein

CASE NO. 21CR1312, 22CR372

DEFENSE COUNSEL: Reisch, Roy

An agreement has been reached between the prosecution and the defense which is set forth below:

The defendant will enter a plea of guilty to:

- In 21CR1312- (added) Count 3- Trespass (M3)
- In 22CR372- Count 12- Violation of Duty (M)
- In 22CR372- (added) Count 14- 1st Degree Official Misconduct (M2)

The defendant stipulates that there is an underlying factual basis of domestic violence for count(s) _____.

- The remaining charges will be dismissed, but dismissed charges may be considered for sentencing and restitution.

Sentencing terms and concessions:

- All sentences will run concurrently.
- The defendant will be given 2 years of unsupervised probation in each case.
- Conditions of probation will include:
- If any incarceration is imposed, as part of the initial sentence, it will be suspended.
- entering into a cooperation agreement that she will testify in the trial, if needed, of any co-defendant, as well as any grand jury testimony that may be needed. She will also submit to any follow-up interviews that may be needed. This cooperation agreement will apply to both state and federal court.
- All other terms and conditions of probation will be open to the court.

The defendant agrees that all applicable surcharges, fees, and costs will be imposed as part of the sentence.

- All sentencing concessions are void if the defendant violates any term of the sentence and is re-sentenced.

Restitution and costs of prosecution: The defendant agrees to pay the restitution and costs of prosecution amounts as specified below, and will not attempt to discharge such obligations in bankruptcy. Failure to pay these amounts may be deemed a violation of the sentence and this agreement, and may result in revocation of this agreement. Restitution shall be ordered joint and several with co-defendant(s) if applicable [specify co-defendants and case numbers].

Evidence disposition: The defendant agrees to forfeit any and all controlled substances, including marijuana, drug paraphernalia, and all weapons and ammunition seized in connection with any of the cases associated with this plea agreement. The defendant also agrees that the \$ _____ seized as evidence will be disbursed by the law enforcement agency holding such cash to _____, a non-profit organization chosen by the defendant.

The defendant stipulates that the following facts may justify a sentence in the aggravated range:

- The defendant was on bond for a felony charge, or supervised under a Deferred Judgment and Sentence for a felony charge, at the time of the commission of the crime(s) in this case.
- The defendant was on parole or probation for a felony at the time of the commission of the crime(s) in this case.
- Other aggravating facts and circumstances as specified below:

Signature: Shannon D. Roy
Shannon D. Roy (Aug 13, 2022 10:31 MDT)

Email: shannon.d.roy@gmail.com

The People reserve the right to withdraw from the plea agreement if: the Court intends to sentence the defendant outside the parameters of the plea agreement; the defendant is charged with any criminal offense between the time of plea and sentencing; the defendant fails to report to the probation department and cooperate with a presentence investigation report, if a PSIR is ordered; or the defendant’s criminal record contains more than the following convictions and / or pending charges:

- The defendant acknowledges the validity of these prior convictions.

Additional acknowledgements: The defendant also specifically agrees that he/she has reviewed and discussed this plea agreement with his/her attorney; that he/she understands and accepts this plea agreement; that he/she is fully satisfied with his/her attorney; and that he/she waives the right to challenge or appeal any and all matters related to this case except those having to do with either a violation of this agreement or the imposition of an illegal sentence.

I understand that if I am not a citizen of the United States and I plead guilty or nolo contendere (“no contest”) to a crime, my plea may result in deportation and/or exclusion from the United States or denial of naturalization in the United States.

- The defendant specifically waives his/her right to seek a reconsideration of sentence pursuant to Rule 35(b).

The above constitutes the agreement in full.

DocuSigned by:
BEUNDA KMSLEY
Defendant 187410265C14AC Date

/s/ Daniel P. Rubinstein 8/8/22
District Attorney Date

Shannon D. R
Defense Counsel Date