

Darin Balaam, Sheriff

WASHOE COUNTY
SHERIFF



Date: April, 2023

To: Sparks Police Department

From: Sergeant Joshua Jenkins #3115

Subject: Review of SPD #22-9666

**Investigative Review of Sparks Police Department Case
22-9666**

In February 2023, I, Sergeant Jenkins, was assigned a review of Sparks Police Department Case 22-9666. The review was requested by the Sparks Police Department due to one party in this case being a Sparks Fire Department Employee who was on duty at the time of the incident. This review focuses on possible criminal charges against either Sparks Fire Department employee Timothy Eagan or private citizen Maureen Hvegholm. A brief synopsis of the investigation follows:

On December 8, 2022, at approximately 1420 hours, the Sparks Police Department responded to Fire Station #1 located at 1605 Victorian Avenue, Sparks, Nevada, for a reported battery. Timothy Eagan was listed as the reporting party.

SPD Officer Postma wrote in his report that Eagan had claimed that he was attacked, unprovoked by Maureen Hvegholm while he was throwing away trash in the alley way behind the fire station. Eagan claimed that Hvegholm had struck him with a can of cat food and thrown water on him. Eagan completed a written statement in which he stated that after having cat food and water thrown at him, he had pushed Hvegholm away from him. Hvegholm had fallen as a result of the push. Eagan had no visible injuries as a result of the incident. Eagan's written statement is attached to this review.

SPD Officer Postma spoke with Hvegholm at her residence. Officer Postma documented that Hvegholm had a "fresh bruise to her forehead and swelling." When asked to recount her recollection of the incident, Hvegholm stated that she had been feeding stray cats in the alleyway behind her home. At some point Hvegholm noticed a male subject approach her and pick up cat food which





upset Hvegholm. Hvegholm stated she yelled at the male subject that she wanted the cat food back. Hvegholm stated she had no recollection of further events until being thrown to the ground.

SPD Officers collected multiple photographs of each subject corroborating the injuries or lack thereof. Officers also collected video footage of the incident, captured from the fire station that partially captured the incident from a distance.

Reviewing the approximate four minutes of video I noted the following:

As the video began at approximately 1413 hours, Timothy Eagan could be seen driving a marked Sparks Fire Department Sport Utility Vehicle Eastbound along the alley way. Hvegholm was observed walking along the fence line of the fire department and knelt (out of full view of camera but consistent with her account of placing out cat food). Eagan stopped at the department's vehicle gate and utilized a keycard to open the mechanical gate. Upon the gate opening, Eagan drove through the gate and onto the property out of view of the camera. Hvegholm remained in the alleyway. While the gate was still open Eagan was observed walking back out to the alley carrying items. Eagan appeared to be slightly limping as he walked.

As Eagan turned and walked westward in the alleyway, Hvegholm was in front of him along the fence line. Hvegholm had what appeared to be a box in her hand which she threw to the ground directly in front of Eagan as she looked directly in Eagan's direction. Hvegholm threw her hand up in an almost "flippant" manner after throwing the box to the ground. Eagan continued walking in Hvegholm's direction and opened a secondary gate (confirmed to be the fire department dumpster). Eagan then threw away the items he had been carrying.

After utilizing the dumpster Eagan walked over the item Hvegholm had thrown down, picked it up and then looked in her direction as he threw the box in the dumpster in the same flippant manner that Hvegholm was seen using just moments earlier. In my training and experience, the body language displayed by both Eagan and Hvegholm during this portion of the encounter appeared as though Hvegholm and Eagan were each acting in a physically antagonistic manner towards the other.





Following Eagan's discarding of the item in the dumpster, Hvegholm walked closely behind him, to the area that he had just picked the item up from and was leaned forward. Eagan approached Hvegholm from behind and walk around Hvegholm and leaned down. Due to the video camera's angle of viewing, it is impossible to see what was occurring between the two at this time, but they were face to face, in close proximity to each other.

Watching the video, there is an abrupt movement between the two during which both Eagan and Hvegholm both seem to move in a "tug of war". Immediately following, Hvegholm makes several hitting motions at Eagan which Eagan blocks. Eagan then stepped toward Hvegholm and performed a takedown technique similar to a "reap throw" which forced Hvegholm to the ground. After a few moments on the ground Hvegholm stood and walked away and Eagan returned into the fire station.

A Sparks Police Department CAD records documented a call for service placed at 1421 hours by Fire Captain Kevin Caldwell. A secondary call for service was placed by Kelly "Hedgholm" Hvegholm at approximately 1454 hours. A copy of the Sparks CAD log is attached to this review.

On March 3, 2023, I conducted an interview of Maureen Hvegholm at the Washoe County Sheriff's Office. Also present during the interview with Mark Hvegholm and Gayla Ouellette (Hvegholm's daughter) During the interview I informed Hvegholm that the interview was to document any facts that may have not been included in her original incident report. The following is a brief synopsis of the interview and not represented as a verbatim accounting of the interview. For full interview details, please review the recorded interview on Evidence.com using:

https://washoecso.evidence.com/axon/evidence?evidence_id=db09308029ee49a8a2510cf331f5a081&partner_id=234bb3c279a141e79bb6ec61c690e916.

Hvegholm informed me that she had suffered migraines, pain, mobility issues and symptoms of nerve damage following the incident. Hvegholm stated that she had additional medical testing scheduled for April 2023. Hvegholm did not offer any





additional information outside of her medical status. A copy of Hvegholm's medical documents is attached to this review.

On March 16, 2023, I conducted an interview with Timothy Eagan at the Washoe County Sheriff's Office. During the interview I informed Eagan that the interview was to document any facts that may have not been included in his original incident report. The following is a brief synopsis of the interview and not represented as a verbatim accounting of the interview. For full interview details, please review the recorded interview on Evidence.com using:

https://washoeceo.evidence.com/axon/evidence?evidence_id=1508cdd91d4e42ba99deccbf0c8992bf&partner_id=234bb3c279a141e79bb6ec61c690e916

During the interview Eagan informed me that at the time of the incident between he and Hvegholm he had a documented lateral tibial plateau fracture in his right leg. Eagan stated that the injury had resulted in decreased mobility. Eagan also stated that at the time of the incident he was unaware of Hvegholm's identity and stated she had been wearing a mask or face covering at the time of the incident.

After review of this case, I have determined that criminal charges are not appropriate against either party in this incident. That finding is based upon the following:

- Neither party in this incident was violating the law during their initial actions in the alley way. In this instance, Hvegholm's feeding of stray cats in a public area was as lawful as Eagan's discarding of garbage. Neither party in this instance has lawful authority superseding the other.
- Both parties acted in a similar antagonistic manner towards the other as captured by video. Each appeared "flippant" towards the other and voluntarily placed themselves in a position close to the other.
- Video surveillance does not clearly show what immediately preceded the striking motions by Hvegholm. All that is captured is both people reacting physically and suddenly in a "tug of war" motion. Without verifiable explanation both parties have equal claim to being both victim and aggressor.



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- Both parties involved have pre-incident factors which do alter their ability to withdraw from an altercation. Hvegholm is 84 years old and seen limping prior to the incident. Eagan is younger, however is also seen limping and has a documented fractured tibia.
- The only near applicable criminal offense which would encompass this offense would be "affray". Due to no citizens witnessing the physical altercation, that charge is not pertinent due to it being a misdemeanor.

