



Lewis County Prosecuting Attorney's Office

345 W. Main Street, 2nd Floor
Chehalis, WA 98532
Phone: (360) 740-1240
Fax: (360) 740-1497
TDD: (360) 740-1480

October 20, 2022

To Whom It May Concern:

On October 14, 2022, this office was made aware of an internal investigation into Sergeant Jeffrey Humphrey in relation to a vehicle pursuit. Currently, the investigation is ongoing and no findings have been issued at this time.

This notice is a courtesy only and is not any type of official determination by this office as to the relevance or admissibility of any of the information. Rather, it is a disclosure that an investigation has begun into Sergeant Humphrey's conduct. Any attempt to use this information in any fashion at a hearing or trial may be the subject of pre-trial litigation in the appropriate jurisdiction.

Both state and federal cases have created obligations for the state in which potential impeachment exists. *See, e.g. In re Stenson*, 276 P.3d 286 (2012); *Amado v. Gonzalez*, 758 F.3d 1119 (2014). It is clear the higher courts have taken a "better safe than sorry" approach to disclosure of information such as this. This office must follow this approach to protect the integrity of the criminal justice system and to fulfill the obligation placed on this office by the above-referenced decisions and their progeny. This Office's policy includes disclosure upon notification of an investigation before a final determination is made.

Upon receive further information, this Office will make a determination as to any further action that may be necessary. If you have any questions or concerns, do not hesitate to contact me directly at (360) 740-2638.

Sincerely yours,

JONATHAN L. MEYER
Prosecuting Attorney

JLM:bsb

It is the Mission of the Lewis County Prosecutor's Office to zealously seek justice in all criminal matters, consistently promote public confidence in the legal system, and diligently represent county government while adhering to the highest ethical and moral standards.



LEWIS COUNTY SHERIFF'S OFFICE
MEMORANDUM



"Public Safety through Professional Service"

TO: Sergeant Jeffrey S. Humphrey
FROM: Chief Dustin G. Breen *DGB*
DATE: October 14, 2022
RE: Notice of Formal, Non-Criminal, Type I (Internal) Investigation

This is to inform you in accordance with Lewis County Sheriff's Office Policy #1010 (Personnel Complaints) and the Teamsters Union Local # 252 Operations Sergeants Collective Bargaining Unit, an investigation of a *Type 1 Personnel Complaint* has been initiated. The complaint relates to possible policy violation(s). Specifically, it is alleged you violated the following Lewis County Sheriff's Office policies, and/or Lewis County Civil Service Commission rules/regulations:

- Lewis County Sheriff's Office Policies
307.3.1 When to Initiate a Pursuit (RCW 10.116.060)

The above policies/rules/regulations which may have been violated stem from an incident on or about September 28th 2022, during which it is alleged you acted as follows:

Granting supervisor approval for a pursuit involving crimes not authorized under Washington State law.

If sustained, the range of discipline may range from oral warning to termination.

Initial fact finding has been conducted by a first line supervisor. After review of the fact finding information, command staff has determined further investigation is necessary. The investigation has been assigned to: Special Services Sergeant Gabriel Frase.

Sergeant Frase will be contacting you soon to schedule an interview. The interview will not be scheduled within 48 hours of your receipt of this notice, (unless that time period is waived *in writing* by you.) This will provide you with an opportunity to consult a Union representative prior to the interview. You may also have a Union representative present during the interview.

You are hereby warned, during the interview, or any follow up interview, if you refuse to answer questions, discipline, up to and including termination of employment, may result.

You are guaranteed any statements and the fruits of those statements will not be used should there be any criminal prosecution associated with this matter.

PLEASE NOTE: While this matter has originally been designated as a *Type 1 Personnel Complaint*, such designation may be amended at any time during the course of the

Lewis County Sheriff's Office Mission Statement:

Being a committed community partner, providing professional service to enhance the safety, security, and quality of life in Lewis County.

investigation, in which case you and your Union representative will be immediately notified in writing of such change and the circumstances.

Should you have questions regarding this process prior to being contacted by the assigned investigator, please contact me.

Distribution:

cc: Sheriff Robert R. Snaza
Undersheriff Wes H. Rethwill
Field Operations Captain Richard B. Van Wyck
Sergeant Gabriel J. Frase
Representative, Jeffrey R. Godbey
File -2

Lewis County Sheriff's Office Mission Statement:

Being a committed community partner, providing professional service to enhance the safety, security, and quality of life in Lewis County.



LEWIS COUNTY SHERIFF'S OFFICE
MEMORANDUM



"Public Safety through Professional Service"

TO: Field Operations Chief Dustin G. Breen
FROM: Sergeant Gabriel J. Frase
DATE: 10/07/22
RE: Vehicle Pursuit Initiated on 09/28/22 (22C12719)

On Monday 10/03/22 you asked me to conduct a fact finding on your behalf into the pursuit initiated in Lewis County on 09/28/22 which went north on Interstate 5 and ended in northern Thurston County. The questions you relayed were specifically about the probable cause known at the time the pursuit was initiated.

On Tuesday 10-04-22 I reviewed the documentation included in the case file for case number 22C12719 related to the pursuit. While reading the reports I discovered there was a report of a burglary and stolen vehicle where the victim was following their stolen vehicle northbound on Interstate 5. In the Chehalis area Deputy Teitzel with the approval of Sergeant Humphrey began pursuing the vehicle north and it was able to avoid stop sticks deployed by Deputy Lair. The pursuit continued north into Thurston County and Deputy Lair passed a couple of other law enforcement vehicles and caught up and joined the pursuit. Additional unsuccessful spike attempts were mentioned occurring in Thurston County before one was successful. The vehicle eventually started to slow, Deputy Teitzel initiated a PIT maneuver, and the suspect vehicle came to a stop before the driver was taken into custody.

On Wednesday 10/05/22 I spoke with Sergeant Humphrey alone during a break in a meeting we were both attending, and then continued speaking with him after the meeting. I explained I was assigned to complete a fact finding concerning the vehicle pursuit he authorized which occurred the previous Wednesday, 09/28/22. Sergeant Humphrey told me they were dispatched to a vehicle theft where the victim was chasing their stolen vehicle northbound on I-5. At the time Deputy Teitzel located the vehicle, they believed they had probable cause for the crimes of Vehicle Theft and Residential Burglary. Sergeant Humphrey said he authorized Deputy Teitzel to pursue the vehicle northbound on Interstate 5 while they attempted to determine if there was probable cause for anything else such as theft of a firearm which would elevate the Residential Burglary to a 1st Degree Burglary. He also mentioned he did not want the suspect to get away while they determined if there was another crime. He said he instructed the deputies to pursue, and the crime not meeting the requirements for a pursuit was his fault alone. He said he believed the suspect needed to be stopped. While speaking with Sergeant Humphrey I asked him who else in addition to Deputy Teitzel was involved in the pursuit. He told me Deputy Lair had caught up to Deputy Teitzel while in Thurston County and joined the pursuit, but Deputy Willey trailed from several miles behind. After speaking with Sergeant Humphrey I told him there could likely be an investigation into

Lewis County Sheriff's Office Mission Statement:

Being a committed community partner, providing professional service to enhance the safety, security, and quality of life in Lewis County.

the pursuit, and instructed him not to speak with anyone about the pursuit except possibly a union representative. He stated he understood.

I later arrived in the area of NE Grove St in Chehalis and waited for several deputies who were scheduled to attend training. A short time later Deputy Mercer arrived and I spoke with him privately about the incident. Deputy Mercer told me when the call came out about the stolen vehicle being followed he was not close by, and was instructed to contact the victim to determine what crimes had occurred. He called the victim and learned there had been a burglary where a car was also stolen. When he was provided this information he relayed it over the radio to the other deputies. He then called the victim back to ask if a firearm had been stolen as well, and was told no, only ammunition and a magazine. He then relayed this information to other deputies as well over the radio. Deputy Mercer said he was not involved in the pursuit. After speaking with Deputy Mercer I told him there could likely be an investigation into the pursuit itself, and he could be a witness. I instructed him not to speak with anyone about the pursuit except possibly a guild representative. He stated he understood.

I spoke privately with Deputy Lair when he arrived, and explained I was conducting a fact finding about the pursuit he was involved in the previous Wednesday. Deputy Lair seemed hesitant to talk with me about the pursuit, but did tell me when asked that he had passed Deputy Willey on his way to catch up with Deputy Teitzel and he caught up with Deputy Teitzel somewhere around milepost 100. He said Deputy Willey was probably a mile or two behind him and did not arrive until after the pursuit was over. Deputy Lair then mentioned getting a guild representative before saying anything else, because "last time" he was told he said too much during the fact finding. I explained that during a fact finding there was no "right" to a guild representative but I would respect his wishes and we would be done. After speaking with Deputy Lair I told him there could likely be an investigation into the pursuit, and instructed him not to speak with anyone about the pursuit except possibly a guild representative. He stated he understood.

I then spoke privately with Deputy Teitzel. I explained I was assigned to conduct a fact finding on the pursuit and asked him to tell me what he knew at the time he initiated the pursuit. Deputy Teitzel said he knew the vehicle was stolen and did not initially pursue the vehicle, but was "trailing it at a high rate" while it was heading toward Deputy Lair who was setting up with stop sticks. He said when he did initiate the pursuit it was because he had probable cause for Residential Burglary which he believed at the time was a "violent crime" and thought he met the criteria for a pursuit. Deputy Teitzel said he later learned he was wrong. After speaking with Deputy Teitzel I told him there could likely be an investigation into the pursuit, and instructed him not to speak with anyone about the pursuit except possibly a guild representative. He stated he understood.

The last person I spoke to was Deputy Willey. When I approached Deputy Willey and explained I needed to speak with her about the pursuit, she appeared anxious and mentioned that she thought she was supposed to ask for a guild representative. I explained this was only a fact finding and not an investigation, and there was no "right" to a guild representative. I went on to explain that even so, I would honor her request and we called over Deputy Riordan (Guild President) who was nearby. Deputy Riordan instructed Deputy Willey to stop working on her equipment, and focus on my questions.

Lewis County Sheriff's Office Mission Statement:

Being a committed community partner, providing professional service to enhance the safety, security, and quality of life in Lewis County.

During our conversation Deputy Willey told me she was at our evidence facility when the call came out. She got on I-5 and attempted to catch up with Deputy Teitzel who was pursuing the vehicle. She said she never caught up to him and was passed by Deputy Lair as she was heading north. When she arrived where the pursuit ended the suspect was already in custody. After speaking with Deputy Willey I told her there could likely be an investigation into the pursuit, and instructed her not to speak with anyone about the pursuit except possibly a Guild Representative. She stated she understood.

I later received a call from Deputy Lair. He told me he spoke with Deputy Riordan who said he needed to speak with me. I thanked Deputy Lair for calling, but told him I did not have any additional questions for him. I reminded him about my previous instructions not to speak with anyone except a guild representative about the incident and he said he understood.

I am forwarding this to you for your review.

Lewis County Sheriff's Office Mission Statement:

Being a committed community partner, providing professional service to enhance the safety, security, and quality of life in Lewis County.