

GUILD INVESTIGATION CHECKLIST

Employee Name:	Jeff Humphrey
Type of Investigation:	<input type="checkbox"/> Formal Complaint <input checked="" type="checkbox"/> Supervisory Complaint
Date:	02-14-19

Disciplinary Process	Date	Time Spent
Complaint received from CHIEF DUSTY BREEN	2-13-19	30 min
Notice to of Internal Investigation CHIEF DUSTY BREEN	2-14-19	1 Hour
Internal Supervisory Investigation begins by DET. SGT. K. ENGBERGSON	2-21-19	4 HOURS
Internal Supervisory Investigation submitted by ENGBERGSON TO SPAHN for review.	2-25-19	3 HOURS
Internal Supervisory Investigation returned to ZAG for: <input type="checkbox"/> Follow-Up -OR- <input checked="" type="checkbox"/> Internal Supervisory Investigation Completed	02-25-19	
72-Hour Notice to ZD3 of Pre-Disciplinary Hearing by ZAG	02-27-19	20 min
Pre-Disciplinary Hearing with ZD3 and Guild representative ZV7	03-05-19	20 min
Letter of Recommendation completed by ZAG and submitted to ZAB, ZAT	03-06-19	20 min
Letter of Recommendation completed by and submitted to		
Final resolution completed by ZAG	03-14-19	30 min
Post Discipline Meeting by ZAG with employee and delivery of final resolution. Advise employee of the following: <input checked="" type="checkbox"/> I have carefully considered the facts and circumstances of this case and sustain the policy violations cited and will hold you accountable for your performance. <input checked="" type="checkbox"/> Go over the DPA, provide employee their Documented Warning, Timed Letter, etc. <input checked="" type="checkbox"/> Consequences for failing to improve performance. <input checked="" type="checkbox"/> Ask employee if they have any questions.	03-20-19	20 min
Final resolution e-mailed to Guild President		

*Note to Guild: Dates are agreed to be accurate unless disputed with Chief of Staff.

Revised 08-07-12

WHR
3/20/19

Additional Notes:

***Due Dates:**

Pre-Disciplinary Hearing: (within 14 days of completion of supervisory investigation)

Final Resolution:

Step I Grievance: (within 14 days of completion of final resolution)

Step II Grievance: (within 14 days of Step I Grievance)

Step III Grievance: (within 14 days of Step II Grievance)

Arbitration: (within 14 days of Step III Grievance)

Disciplinary Routing:

Bureau Chief, Lieutenant/Patrol Commander, Supervisor Conducting Investigation,
Guild President, Employee's Supervisor, Employee



OFFICE OF THE LEWIS COUNTY SHERIFF

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"Public Safety through Professional Service"

Robert R. Snaza
Sheriff

Wes H. Rethwill
Undersheriff

Bruce F. Kimsey
Field Operations Chief

Chris J. Sweet
Corrections Chief

Dustin G. Breen
Special Services Chief

March 20, 2019

Detective Jeffery S. Humphrey
Detective Division

Detective Humphrey:

On February 6, 2019, it is alleged, you were responsible for a death investigation appearing to be the results of gunfire, case #19C1459. After concerns arose during an autopsy, an attempt to review case photographs was made. It was found only six photographs had been taken by you, and none of the photographs appeared to include the firearm believed to be involved, its condition upon removal, or the contents of the vehicle after removal of the deceased. The documentation of the incident, as well as processing the scene, appeared to be substandard failing to meet and comply with expected standards.

After reviewing the file, I concur with Detective Sergeant Kevin Engelbertson's conclusion, that the investigation and processing of the scene was handled incorrectly and you also failed to uphold the Lewis County Sheriff's Office Motto, Mission, Code of Ethics, and Core Values and violated the following policies and Civil Service Rule:

- Lewis County Civil Service Rule 9, Section 1a) - Incompetence, inefficiency, or inattention to or dereliction of duty
- Lewis County Sheriff's Office Policy: 01.05.090 – Competent Performance
- Lewis County Sheriff's Office Policy: 01.05.110 – Efficient, Effective and Safe Performance

In moving forward, it is expected that you follow all agency directives, policies and practices, and to perform all of your duties in the most competent and professional manner possible. Failure on your part to meet these expectations could result in further discipline, up to and including removal from your position.

This letter will remain in your personnel file for a period of twelve months (one year) and serve as a reminder of the circumstances of this incident. If you have any questions, please feel free to contact me.

Sincerely,

ROBERT R. SNAZA, SHERIFF

Captain Curtis B. Spahn, Field Operations Commander

Handwritten note:
#202
3/20/19

cc: Sheriff Robert R. Snaza; Undersheriff Wes R. Rethwill; Captain Curtis B. Spahn; Deputies Guild President, Jeffrey R. Godbey; Deputies Guild Vice-President, Daniel J. Riordan; File – 2 Personnel File (Humphrey, Jeffery S.)

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.

DISCIPLINE PENALTY ASSESSMENT PROGRAM

LEWIS COUNTY SHERIFF'S OFFICE

ENFORCEMENT GUIDELINES

Discipline Penalty Assessment Program

Employee's Name:
 Evaluator's Name:
 Date:
 Incident Number:

Documented Warning		Suspension (6-10)
Timed Written Reprimand	X	Suspension (11-15)
Untimed Written Reprimand		
Suspension (1-2)		
Suspension (3-5)		

Do not use for Egregous Offenses. See SOC No.1 Guidelines

DIRECTIONS: Place an X in only one choice per section.

- S1 Death or serious injury to self or others**

Loss of work greater than two weeks

Loss of work, one week or less

Required first aid treatment

No injuries or deaths
- S2 Property damage greater than \$5000**

Less than \$5,000

Less than \$250

None
- S3 Serious damage to public image**

Awareness confined to a small group
inside/outside of the agency

Public awareness/interest not involved
- S4 Civil action is highly probable or has been
taken against the Office**

Civil action is a potential but unlikely

Civil action is highly improbable
- S5 A strong deterrent is needed to prevent
similar offenses and/or civil liability**

Enforcement is used to avoid setting a
precedence for non-enforcement

INSTRUCTIONS FOR CLEARING THIS FORM FOR USE: Save a blank copy of this form BEFORE using it THEN complete, print, save the form under a different name, and close after use.

NOTE: If expired, contact VMA 1.800.331.8025 for renewal of license.

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DISCIPLINE PENALTY ASSESSMENT PROGRAM

LEWIS COUNTY SHERIFF'S OFFICE

ENFORCEMENT GUIDELINES

Discipline Penalty Assessment Program

Employee's Name: Jeffrey S. Humphrey
Evaluator's Name: Curtis B. Spahn
Date: 3/5/2019
Incident Number: 19C1459

Documented Warning		Suspension (6-10)	
Timed Written Reprimand	X	Suspension (11-15)	
Untimed Written Reprimand			
Suspension (1-2)			
Suspension (3-5)			

S6	Serious disruption of work relationships	
	No apparent lasting or long-term effect on work relationships	
	No apparent affect on work relationships	X
S7	Fails to accept responsibility and/or commit to improvement	
	Acknowledges wrong-doing and will commit to improving future performance	X
S8	Suspension within 2 years of the incident	
	Untimed Written Reprimand within 2 years of the incident	
	Timed Written Reprimand within 2 years of the incident	
	Documented Verbal Warning within 2 years of the incident	
	Has no record of discipline within 2 years of the incident	X
S9	Usually below standards or does just enough to get by	
	Average productive work effort	X
	An all around top performer	

DISCIPLINE PENALTY ASSESSMENT PROGRAM

LEWIS COUNTY SHERIFF'S OFFICE

ENFORCEMENT GUIDELINES

Discipline Penalty Assessment Program

Employee's Name: Jeffrey S. Humphrey
 Evaluator's Name: Curtis B. Spahn
 Date: 3/5/2019
 Incident Number: 19C1459

Documented Warning		Suspension (6-10)	
Timed Written Reprimand	X	Suspension (11-15)	
Untimed Written Reprimand			
Suspension (1-2)			
Suspension (3-5)			

S10	Has one of the highest levels of non-scheduled absenteeism	<input type="checkbox"/>
	Has average non-scheduled absenteeism	<input type="checkbox"/>
	The employee has one of the best attendance records	<input checked="" type="checkbox"/>
S11	Work errors are regular and predictable (e.g., daily, weekly)	<input type="checkbox"/>
	Frequent and minor, but does not show significant improve	<input type="checkbox"/>
	Typical / Average in frequency and nature	<input type="checkbox"/>
	Work errors are unusual for this employee	<input checked="" type="checkbox"/>
S12	Less than two years service	<input type="checkbox"/>
	Less than five years service	<input type="checkbox"/>
	Less than 10 years service	<input type="checkbox"/>
	Greater than 10 years service	<input checked="" type="checkbox"/>
S13	Supervisory Level	<input type="checkbox"/>
	Command Level	<input type="checkbox"/>
	Holds a non-supervisory position that requires a high level of trust	<input checked="" type="checkbox"/>
	Not Applicable	<input type="checkbox"/>

PRE-DISCIPLINARY HEARING JEFF HUMPHREY/C. SPAHN/03-05-19

Uh, the time is, I'll call it 1300, uh, the date is March 5th, 2019. Uh, this is a pre-disciplinary hearing in the case of Detective Jeff Humphrey, stemming from his recent invest' investigatory interview wherein the findings now require action at my level. I am Captain Curt Spahn, Patrol Commander. Present is Detective Humphrey and Lewis County uh, Deputies' Guild Representative, Deputy Dan Riordan, (DR). It is intended that this hearing be recorded.

Q. And, Jeff, do you understand that this is being recorded and agree to the recording?

A. Yes, I do.

Q. Uh, Dan, do you understand this is being recorded and agree to the recording?

DR. Yes, I do.

Q. You have been through a fact finding phase and the internal investigation interview. It is important you understand the purpose of this hearing that includes the following: allow management to convey an understanding of the events and circumstances of the case; formally notify you of the alleged violations; provide the correlation between your performance and, and the alleged violations; clarify issues as necessary and provide you an opportunity to respond. Have you and Dan had uh, sufficient opportunity to review the investigative file?

A. Yes.

Q. Uh, now, I want to express my understanding of the events and circumstances of the case that brings us here today. These allegations were the result of a February 6th, 2019 incident in which you were directed by Detective Sergeant Kevin Engelbertson to be the primary investigator of a death investigation. As a lead investigator, you were expected to photograph, document the scene, collect evidence correctly, you were expected to seize evidence correctly and complete your report in a timely manner. The investigation showed you failed to properly photograph the scene, primarily the firearm, you failed to collect receipts as evidence, leaving them in the vehicle when you were in, in possession of those receipts and you had not completed the case narrative prior to the autopsy, which I believe was two days, the autopsy was two days after the fact. Uh, the lack of a proper investigation was noticed by the medical examiner and other coroner personnel along with uh, Sergeant Engelbertson and Chief Dustin Breen. And did I provide an accurate summary of the case?

A. Yes.

Q. Uh, so, now, I will go over the alleged policy violations. Uh, it's alleged that you violated Lewis County Civil Service Rule 9, Section 1A, Incompetence, Inefficiency or Inattention to or Dereliction of Duty; Lewis County Sheriff's Office Oath, Mission, Motto, Code of Ethics and Core Values; Lewis County Sheriff's Office Policies, 01.05.090, Competent Performance and Policy 01, uh, 1110 and I think I have the wrong one listed, it's uh, 01.05.110,

Effective, Efficient, Effective and Safe Performance. Uh, do you understand the correlation between your performance and the alleged violations?

A. I do.

Q. Uh, do you need me to explain any of that?

A. No.

Q. Uh, so the other purpose of the hearing is to allow you a chance to be heard. Uh, so, I'll now offer you the opportunity to express whatever you feel is important for me to consider before I make any decisions on discipline.

A. So, I've had a, uh, some time now to, to reflect on this incident. Uh, the only thing I want to convey to you is that um, looking back now, we had uh, I, I've worked very hard um, over the last oh, let's say, three years um, I've been trying to prepare myself for promoting to Sergeant in this agency um, I worked on, I've obtained my two year degree, going to college, um, I've uh, been working on uh, losing weight and also doing uh, working on uh, myself as far as uh, some personal things that I, that I had to, to work on getting, getting things in my life in order to, in order to be able to promote. We that uh, we had a sergeants' exam coming up, um, I think the, the, next week uh, af' or prior, before this, the next week after this incident, um, I was feeling the stress from that um, when, when this, when this incident happened, I was workin' the road and I've been adjusting for in service and uh, when this incident um, when this letter or, or investigation come out, I, I feel like I didn't react properly to it. Uh, I also when-

Q. -act properly to, can you clarify to what?

A. Well, well, getting, getting back, I guess, starting with the incident itself, um, I, when I reflect on that um, the only factors that I can, that I can say that, that went into that was that um, I felt that it was a, a, it was a, in my mind, at the time, obviously, I, it was a cut and dry suicide um. Looking back now, um, I think I not intentionally, but I, I probably cut some corners that I shouldn't have. Um, I would do things a lot differently, knowing what I know now. Um, I can't take that back and uh, you know, it's uh, we're on the side of I-5, it's 21 degrees out, and, and um, if I had to do it all over again, I would definitely do things differently. Um, in my mind, it was a pretty clear cut suicide. Um, and, I made some mistakes and I will own those mistakes that, that I made um, I, they have some, obviously, the supervisors that that brought these to light, have some valid concerns and like everything else in my career, um, I will take responsibility for those and, and I will, I will do a better job to make sure that those don't, don't happen again. Um, as far as when the, the uh, complaint came against me, um, you know, I, I feel like uh, the stress of leading up to the, the, the sergeants' test and the timing of it and stuff maybe I didn't react um, the way I, I normally would, um because of the, uh, I was upset about just the whole timing and how hard I've worked to get uh, to have the opportunity to promote and, and feeling that I had jeopardized that, I guess, is all I was trying to say.

Q. So, so you feel that this was in the back of your mind while you're doing the assessment, sergeants' assessment?

A. Yeah.

Q. Which-

DR. And also, is what he's saying was how he initially when the, when he got served the notice he was being investigated, his initial response of that (inaudible) was four days before the test of here we go.

Q. Oh, okay. Okay, I see.

DR. So, so when, so when somebody comes and talks to him, he's not just saying, oh, yeah, I did make a mistake it's more of like, he, he's seen his own red light in the corner of his eye, so.

Q. Okay. If-

A. -so if, if I said things when I was initially found out about the investigation, that upset people or I, I apologize for that.

Q. Okay, that's accepted. Um, anything else, Dan, you have anything to add?

DR. No, I have nothing to add.

A. And uh, I, I don't want to you know, I, I don't want anybody be left with the opinion that, that I felt like I didn't do anything wrong out there. I, I know that I did. Um.

Q. Okay. Uh, got some, I have a few performance related questions, uh, that I need to ask. Um, and unless you want me to, I'm just gonna hit on question 1, 3, 5 and 7. Uh, question 1 is how to, how did the performance help meet our Mission, uphold our Oath of Office and show that you abided by the Code of Ethics?

A. My performance on that particular day?

Q. Yes, yeah, on that investigation?

A. Um.

Q. I mean, I, I will add that, you know, when we take the Oath of Office that's all encompassing of all of those, the Mission, the Motto, the Code of Ethics, you know, that's why we're takin' that Oath, so.

A. Um, in light of the investigation, and what happened afterwards, it's pretty clear that the, my actions out there on that day, did not reflect the Mission and the Oath of Office of the Lewis County Sheriff's Office and the expectations that I hold myself to, um and that we hold ourselves to and that in the detective office, um.

Q. Uh, question 3, was this your best performance?

A. Absolutely not.

Q. And 5, are you committed to, im' improving or-

A. -I've already started.

Q. And then the last one, what actions have you taken or will you take to correct your performance deficiency?

A. Well, I've already, I've already began um, taking more pictures, at, at scenes. I've also talked to uh, Sergeant Engelbertson about being more involved in, in the crime scene uh, part of our investigations. We all, in detectives, we all kind of have our, our specialties. Mine is, has seemed to migrate more towards the interview uh, portion of our investigations, that's just, uh, we all seem to kind of have our specialties. Gabe uh, seems to like to do more the evidence stuff and the photographs and the, and the evidence collection and I've migrated more towards taking the statements and talking to people. So, I've talked to Kevin about um, being more involved in doin' the, the crime scene stuff so, that I can get more accustomed to doing that and also get more proficient in it.

DR. You also told me in the office that you, just you covered it earlier, was just being over, more open minded on, you know, even on the, open and shut cases.

A. Yeah, so.

DR. (Inaudible) if he said that the right way.

Q. Okay. Uh, so then before concluding this hearing. I've got a few process questions to ask. Uh, prior to the incident that brings us here today, were you aware of the existence and content of the cited policies and the consequences for non-compliance?

A. Yes.

Q. Uh, during the process, did you receive proper notification in writing of the allegations against you, date and time of hearing, were you treated fairly and objectively and were you uh, and were due process rights afforded to you?

A. Yes.

Q. Did I represent to you an accurate uh, recount of the facts and circumstances in this case?

A. Yes.

Q. Have you, uh, have you been given the opportunity to be heard and present your side of the story?

A. Yes.

Q. I will now take time uh, to review the information in this case and consider the comment you uh, made by you and your rep' and during this hearing, I will contact you when I am ready to give you my decision.

A. Okay, thank you.

Q. Anything else for the good of the order?

DR. I think that's it. Anything, Jeff?

A. No, that's it, thank you.

Q. Okay, and we'll stop the recording at uh, 0113 hours, or 1313 hours.

Captain Curt Spahn, #2A6
Lewis County Sheriff's Office
Chehalis, WA

CS:la
03/05/19

PRE-DISCIPLINARY HEARING

The time is 1300. The date is March 5, 2019.

This is a PRE-DISCIPLINARY HEARING in the case of Detective Jeff Humphrey stemming from his recent investigatory interview wherein the findings now require action at my level.

I am Captain Curt Spahn, Patrol Commander.

Present Detective Humphrey and Lewis County Deputies Guild Representative Deputy Dan Riordan.

It is intended that this hearing be recorded, do you understand this and agree to the recording?

You have been through the fact-finding phase and the internal investigation interview. It is important you understand the purpose of this hearing that includes the following:

1. Allow management to convey an understanding of the events and circumstances of the case;
2. Formally notify you of the alleged violation(s);
3. Provide the correlation between your performance and the alleged violation(s);
4. Clarify issues as necessary; and
5. Provide you an opportunity to respond.

Have you had sufficient opportunity to review the investigative file? Yes No

Now I want to express my understanding of the events and circumstances of the case that brings us here today. These allegations were a result of a February 6, 2019 incident in which you were directed by Detective Sergeant Kevin Engelbertson to be the primary investigator of a death investigation. As the lead investigator you were expected to photograph, document the scene and evidence correctly, you were expected to seize evidence correctly and complete your report in a timely manner. The investigation showed you failed to properly photograph the scene, primarily the firearm, you failed to

collect receipts as evidence leaving them in the vehicle when they were in your possession and you had not completed the case narrative prior to the autopsy. The lack of a proper investigation was noticed by the medical examiner and other Coroner personnel along with Sergeant Engelbertson and Chief Dustin Breen.

Did I provide an accurate summary of the case? Yes/No

Next I will cite the alleged policy violations.

- Lewis County Civil Service Rule 9, Section 1, a) Incompetence, inefficiency, or inattention to or dereliction of duty;
- Lewis County Sheriff's Office Oath, Mission, Motto, Code of Ethics, and Core Values;
- Lewis County Sheriff's Office Policies:
01.05.090 – Competent Performance
- 01.~~11~~⁰⁵.110 – Efficient, Effective and Safe Performance

Do you understand the correlation between your performance and the alleged violation(s)? Yes/No

Employee shall have the necessary competence (i.e., knowledge, work skills, and fitness) to perform all assigned or assumed tasks, functions, duties, and work responsibilities per management's established standards. This standard assumes employees intend to perform competently.

All employees are expected to contribute in a positive manner. As a result of these positive contributions, the office will benefit from employee's employment with the office. To receive a return for the finances expended to hire and retain an employee, the employee must work in an effective, safe, and productive manner for their entire work shift.

Another purpose of this hearing is to allow you a chance to be heard.

I will now offer you the opportunity to express whatever you feel is important for me to consider before I make my decision on discipline.

WORK HARD IN CAREER - OVER 3 YEARS TO BE READY TO PROMOTE
SGT'S ASSESSMENT -

Does anyone else have anything to add?

I have a few performance-related questions I would like to ask:

(Always ask questions 1,3,5 and 7)

1. How did the performance help meet our Mission, uphold your Oath of Office and show that you abided by the Code of Ethics?
2. How did your performance adversely affect this organization's business necessity? (i.e. efficiency, effectiveness, and safety)
3. Was this your best?
4. Do you agree your performance needs improvement?
5. Are you committed to improve?
6. What would have to occur for you to improve?
7. What actions have you taken or will you take to correct your performance deficiency?
8. What supervisory assistance, if any, do you need

Before concluding this hearing I have a few process questions:

1. Prior to the incident that brings us here today, were you aware of the existence and content of the cited policies and the consequences for non-compliance?
 Yes/ No
2. During this process, did you receive proper notification in writing of the allegations against you, the date/time of hearings, were you treated fairly and objectively, and were due process rights afforded you? Yes/ No
3. Did I present to you an accurate recount of the facts and circumstances in this case? Yes/ No
4. Have you been given the opportunity to be heard and present your side of the story? Yes/ No

I will now take time to again review the information in this case and consider the comments made by you (and your rep) during this hearing. I will contact you when I am ready to give my decision.

Note the time hearing ends: 1313



LEWIS COUNTY SHERIFF'S OFFICE

MEMORANDUM



"Public Safety through Professional Service"

TO: Detective Jeff S. Humphrey
FROM: Captain Curtis B. Spahn *CS*
DATE: February 27, 2019
RE: Notice of Pre-Disciplinary Hearing

This memo is to advise you allegations have been made against you in reference to violations of the Lewis County Sheriff's Office Policy Manual and the Lewis County Sheriff's Office Civil Service Rules.

These allegations were a result of a February 6, 2019 incident, in which you failed to document and conduct a proper investigation, you failed to photograph a firearm at a death scene, and you failed to meet and comply with expected standards.

You are alleged to have violated the following policy manual provisions:

- Lewis County Civil Service Rule 9, Section 1, a) Incompetence, inefficiency, or inattention to or dereliction of duty;
- Lewis County Sheriff's Office Oath, Motto, Mission, Code of Ethics, and Core Values;
- Lewis County Sheriff's Office Policies:
01.05.090 – Competent Performance
01.05.110 – Efficient, Effective and Safe Performance

In accordance with Lewis County Sheriff's Office Policy 01.17.150, Section I, a pre-disciplinary hearing is scheduled for Tuesday, March 5, 2019, at 1300 hours, in my office. You may have a Guild representative accompany you to this hearing, if you so desire. The disciplinary file will be made available for your review at least one hour prior to the hearing.

cc: Sheriff Robert R. Snaza
Undersheriff Wes H. Rethwill
Chief Bruce F. Kimsey
Detective Sergeant Kevin M. Engelbertson
Deputies Guild President, Sergeant Jeff 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: Captain Curt Spahn
FROM: Detective Sergeant Kevin Engelbertson
DATE: 2-25-2019
RE: Internal Investigation on Detective Jeff Humphrey

On 2-6-19 I responded to a deceased subject located in his vehicle along Interstate 5 near mile post 59.5 (19C1459). I also called Detective Humphrey and asked he respond as well. Deputies Adkisson and Jacobo were already on-scene. I was told Washington State DOT workers had found and checked on the individual in the vehicle and he appeared deceased. Deputy Adkisson made forced entry into the vehicle to check the subject, who was confirmed to be deceased. Detective Humphrey and I arrived after Deputies had made entry into the vehicle.

When I looked at the scene, I saw an Asian male sitting in the driver's seat, with what appeared to be a gunshot wound to his forehead. It was also pointed out to me, there was a bullet sitting on the floor of the trunk, which was open to the passenger compartment (PT cruiser). I saw a pistol resting on the driver's right side and a shell casing resting near his chest. I could see numerous items in the vehicle including a duffel bag with clothing and a bag of money (coins) in it. I did mention to Detective Humphrey there was money inside the bag.

After viewing the deceased, I spoke with Detective Humphrey. I had been told Deputy Jacobo had taken photographs of the scene. I advised Detective Humphrey he was the lead investigator on the case. I advised Detective Humphrey to view Deputy Jacobo's photographs, which were the initial overall photographs taken, and to make sure they were detailed. Detective Humphrey was expected to take additional photos of the deceased subject once moved, as well as the firearm, to document it's condition. I also mentioned he may want to take more photographs on top of Deputy Jacobo's to document the overall scene. Detective Humphrey asked me about taking certain items of evidence, including the gun, bullet, shell casing etc. I told Detective Humphrey to continue searching the vehicle including the back seats/floorboard areas. I cleared the scene a short time later.

On the morning of 2-7-19 I met with Detective Humphrey. I advised him I had received information from the Coroner's Office the son of the deceased subject said his father had recently left his residence after destroying household items. The son indicated a

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possible dispute had occurred and thought his father may have stolen his pistol before leaving. I told Detective Humphrey to call the son and get a statement as to what occurred.

On 2-8-19 I received a call from the Lewis County Coroner's Office and was told an external exam was being performed on the deceased subject from the vehicle. I was told two bullet entry/exit holes were located on the subject. I responded to the Lewis County Coroner's Office and contacted coroner personnel. It was decided an autopsy would be performed, which I attended. The subject had a gunshot wound to the front of his neck as well his forehead. The pathologist requested to see photographs of the firearm found inside the vehicle to match up wound patterns on the subject, as well as to view the condition of the firearm. As there were no detectives in the office, I called Chief Breen to have him obtain the photographs of the firearm from the case files. I then learned there were no photographs documenting the firearm after it was moved from the resting position it was found in. I informed the pathologist we did not have the photographs of the firearm he was inquiring about.

I contacted Evidence Director Williams and had her remove the firearm from evidence and bring it to the Coroner's Office. I opened the firearm box and found the unloaded pistol and magazine which still held numerous rounds of ammunition. The pathologist asked about the firearm being loaded or not when found. I could not answer his question as there were no photographs documenting the condition of the firearm and there was no report entered by Detective Humphrey at that time.

Due to the subject having two bullet wounds in him, the vehicle was brought back to evidence and a search warrant was obtained for additional evidence. Detective Mohr and I searched the vehicle. We found two bullet holes in the driver's seat, an additional bullet which was removed from inside the seat, a shell casing between the passenger seat and center console and several receipts indicating recent purchases, one being dated 2-6-19. We also removed the bag of money inside the duffel bag in the front seat.

I was instructed by Chief Breen he was making a supervisory complaint on Detective Humphrey and to conduct a fact finding hearing with him. On 2-12-19 I conducted a fact finding hearing with Detective Humphrey. I asked him if he took any photographs to document the firearm and its condition, which includes close up photographs of blood spatter, the manner in which it was loaded/unloaded, round counts etc. Detective Humphrey said he did not take any such photographs. Detective Humphrey said now that he had looked at his photographs he took, which were six (6) photographs of the driver's seat, he realized they were not very good. I asked him if he remembered me telling him he needed to check Deputy Jacobo's photographs and he said he did. Detective Humphrey said he did not actually check them, and was told by Deputy Adkisson they were good photos, so he did not actually look at them himself. Detective Humphrey said now that he had looked at them, he realized he probably should have taken additional photographs.

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I asked Detective Humphrey about why he did not take the receipts found in the vehicle. Detective Humphrey said he had Deputy Jacobo photograph them, but thought the photographs would be sufficient. I asked Detective Humphrey if he remembered the money in the duffel bag and he said he remembered seeing it or it being mentioned, but did not take the money into safekeeping. I asked Detective Humphrey if the firearm was in fact loaded with a live round and asked where that particular round was at now. Detective Humphrey said he placed the live round back into the magazine before he placed it into evidence. Detective Humphrey agreed the scene was not documented properly and additional items should have been taken as evidence.

I also asked Detective Humphrey if he had called the son of the deceased. Detective Humphrey said he did not call the son. I talked to Detective Humphrey about managing his time and although I do not specifically give him an order in which to complete tasks, I expected him to call the son after our conversation. I told him there seemed to be a lack of detail and sense of urgency in his case investigations.

On 2-14 19 I served Detective Humphrey with a Notice of Formal, Non-Criminal, Type I (Internal) Investigation. We both agreed to conduct the interview on 2-21-19, which provided Detective Humphrey over 48 hours' notice. On 2-21-19 I met with Detective Humphrey and Detective Gabe Frase, who was acting as a guild representative. I began recording the interview. I went over the Lewis County Sheriff's Office Notice Of Right To Representation form, which Detectives Humphrey and Frase signed. I also went over the Lewis County Sheriff's Office Order to Cooperate form which Detective Humphrey and I both signed.

I asked Detective Humphrey if he remembered me telling him to review Deputy Jacobo's photos and at some point he may want to take more photographs. Detective Humphrey said he remembered me telling him to review Deputy Jacobo's photographs, but didn't remember me telling him he may want to take more photos. I asked Detective Humphrey if he reviewed Deputy Jacobo's photographs. He told me, "No" as he was busy collecting evidence.

I asked Detective Humphrey if he remembered a bag of money in the front seat being mentioned and he told me he did, and remembered the money in a bag. Detective Humphrey told me, "Some, some quarters, um, I, I remember sitting in the front seat of my or your patrol car with you and talkin' about the things that need to be collected and I said, really the, the only thing that I see that needs to be collected in this was the gun, the, the shell casing, his cell phone, uh, the bullet and the shell casing. I don't remember mentioning anything about collecting the, the, the change." "if I'd known if that, if that was a really significant amount of change there to collect-." I took Detective Humphrey's statement to mean since I did not instruct him at some point to actually remove the money from the vehicle, he did not do so. Detective Humphrey confirmed he did not take the money from the vehicle.

I asked Detective Humphrey if he searched the vehicle and he said he did. I asked Detective Humphrey about finding some receipts with recently dated purchases on

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them. He told me the receipts were found by the Coroner once she arrived. Detective Humphrey said the receipts were found in the pocket of the deceased and she (Coroner) handed them to him. I asked Detective Humphrey if he knew what happened with the receipts. He told me he handed them back to the Coroner. I asked him if he knew who put the receipts back into the vehicle. Detective Humphrey told me "Um, it must have been her (Coroner)." I asked Detective Humphrey if he saw the Coroner put the receipts back in the vehicle or if he had any conversation about putting them back in the vehicle. Detective Humphrey said he did not.

I had previously confirmed Detective Humphrey had taken a total of six (6) photographs of the driver's seat once the deceased was removed. I asked him if he took photographs of the pistol more closely to show the condition and contents of the pistol including the manner it was loaded once the pistol and deceased were removed from the vehicle. Detective Humphrey said he did not take any such photographs of the pistol. Detective Humphrey also confirmed the pistol was loaded, and he took the live round from the chamber and placed it back into the magazine.

I asked Detective Humphrey if he took any photographs of the deceased once the body had been moved. Detective Humphrey responded, "Um, no, it was some, like I said, it was when the Coroner got there, she put a sheet over the driver's side window of the car so that cars passing by was, was a very tight area with cars passing by on I-5 and the driver's side being up against the, the fog line of I-5, so when the funeral home got there to, when they go to, went to take the body out of the car, it was, it was kind of a tight circumstances to do that and I was not over there, um, between the Coroner and the funeral home people, they, they pulled the, the car up to the side uh, to the, to that side, the driver's side of the, the deceased's car and there wasn't a lot of room to, to be in there. It was kind of dangerous area to be in." Detective Humphrey confirmed he did not take photographs of the deceased. Detective Humphrey also advised he did not see two bullet holes in the driver's seat once he was removed either.

I asked Detective Humphrey if he remembered me telling him to call the son of the deceased the next morning (February 7th, 2019). Detective Humphrey ultimately advised he had not made contact with the son, as of the fact finding hearing on February 13th, 2019.

Detective Humphrey had commented during the interview that his report had documented some of the information the photographs, or lack of photographs, may have depicted. I asked him if his report was complete on February 9th, which was the day of the autopsy. Detective Humphrey said it was not, however, he and I had texted each other that day. I advised Detective Humphrey, "I'm just clarifying when the reports were done or not done, so." Detective Humphrey responded, "Right. I guess that what I'm saying is if you had any questions, you could have asked me about it."

Detective Humphrey did advise he wished in hindsight he had taken additional photographs and he would like to do a better job. He also stated he did not think the outcome of the case change and it didn't cause any embarrassment to the department.

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He said he didn't think it caused any harm to the investigation. I advised him of what I expect every Deputy or Detective investigating a death involving a firearm to document. I also advised Detective Humphrey the incident did cause embarrassment to the agency when the pathologist requested to see photographs of the pistol which should have been taken, which were not. Detective Humphrey ended by stating he did not want it to seem as if he were not taking responsibility for his actions and he realizes he made mistakes on this case.

On 2-22-19 I contacted Deputy Jacobo. I asked her about the receipts found at the scene which she had taken photographs of. Deputy Jacobo said she was just getting ready to clear the scene when Detective Humphrey brought her several receipts to photographs. Deputy Jacobo said she was sitting in her patrol vehicle, took the receipts, photographed them and handed them back to Detective Humphrey. I then called Lewis County Deputy Coroner Jessica Stickley. Ms. Stickley told me she found two of the receipts on the deceased subject and one in a food bag sitting on the passenger seat. Ms. Stickley said she gave all three receipts to Detective Humphrey, as she thought he would want them for evidence. Ms. Stickley said she did not get them back from Detective Humphrey and did not leave them inside the vehicle.

On 2-22-19, Detective Humphrey contacted me in my office to clarify what he had told me during the recorded interview the day prior. Detective Humphrey said he may have been mistaken about the receipts. Detective Humphrey said he may have left the receipts in the vehicle after photographs were taken by Deputy Jacobo.

I find that the following Lewis County Sheriff's Office and/or Lewis County Civil Service Commission rules/regulations have been violated:

Lewis County Civil Service Rule 9, Section 1, a) Incompetence, inefficiency, or inattention to or dereliction of duty;

This violation is a result of Detective Humphrey failing to document and conduct a proper investigation (19C1459).

Lewis County Sheriff's Office Oath, Mission, Code of Ethics and Core Values;

This violation is a result of Detective Humphrey failing to conduct a proper investigation which did not promote public safety through professional service, nor did he uphold the code of ethics and core values of our agency.

Lewis County Sheriff's Office Policy 01.05.090 Competent Performance;

This violation is a result of Detective Humphrey not documenting evidence and his performance in the investigation was below the accepted standard.

Lewis County Sheriff's Office Policy 01.05.110 Efficient, Effective and Safe Performance;

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This violation is a result of Detective Humphrey failing to meet and comply with the expected standard. Detective Humphrey has completed training and conducted numerous other investigations where these expected standards were either taught, met by Detective Humphrey, or demonstrated to him by other detectives.

I am forwarding this complaint via the chain of command to determine if any corrective action/discipline is appropriate.

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STATEMENT OF JEFF HUMPHREY/K. ENGELBERTSON/02-21-19

All right, we're recording this interview. Uh, the date is 02/21/2019. The time now is approximately 1324 hours. This is in reference an uh, internal investigation uh, myself, uh, Jeff Humphrey and Gabe Frase who is Jeff Humphrey's Guild Representative, is, are present in the room.

Q. Uh, does everybody know that this uh, conversation is being recorded?

A. Jeff Humphrey, yes.

A. Uh, Gabe Frase, yes.

Q. And, it should be noted that uh, Gabe Frase is also uh, recording this interview on a recording device that he brought with him. Um, I'm gonna go over the Lewis County Sheriff's Office Notice of Right to Representation. I've already filled out the top portion and I didn't know if you were gonna have a representative here, so we'll put in uh, Gabe Frase as your representative. I'm gonna read this off. I, I normally read these, uh, maybe a little redundant. Um, so, uh, I'm gonna paraphrase this cause I guess, I guess you did request and so pursuant to your request, the following named person is granted permission to represent you during an administrative interview that has the potential of leading to progressive disciplinary action against you up to and including determined, termination, uh, then it has Gabe Frase as your representative. Uh, you and your representative should understand that this interview's not a due process, i.e. Loudermill Hearing. The function of the representative is to observe and assist you in clarifying questions presented to you or to present, present facts that promote your best interests in a non-confrontational, threatening, intimidating or disruptive manner. Your representative will not be permitted to attempt to bargain with the interviewer. Any attempt by you or your representative to impede the interview, create a disruption or become disrespectful, will, will result in the representative being asked to leave. Um, if you, if your representative is a member of this agency, you and the representative will be subject to disciplinary action up to and including termination for such behavior. Should you or your representative wish to make a brief statement regar' statement on the reco' record regarding the manner in which the interview is, was conducted, you will be permitted to do so and then it has a spot for you, the member and the representative to sign and date. Okay, and both of you have signed and dated the form. I'm gonna go over the Lewis County Sheriff's Office Order to Cooperate and it states, uh, Jeff Humphrey, you are about to be questioned as a part of an ongoing and official administrative investigation by the Lewis County Sheriff's Office. You are the, you are a principal in the case and you are being ordered to cooperate fully and completely. Once the interview has been concluded, you're ordered to keep all information you know or have provided about the case strictly confidential. Any release or exchange of information by you or found to have flowed from you that has the potential of jeopardizing the integrity of the investigation will result in your immediate suspension and termination proceedings will be taken against you. This Order does not prohibit you from discussing your representation rights only with a labor representative

who is not a principal in the case uh, or your Constitutional Rights with an attorney. You will be asked specific questions that will relate directly, specifically, and narrowly to the performance of your official duties or fitness as an employee of this office. You are not permitted to refuse to answer all the of questions, all questions asked. Uh, this is an administrative interview, not criminal and any responses or questions asked during this interview cannot be used against you in a criminal proceeding. All information in this case is confidential and except as mandated by law, will be released only to proper authorities. You are ordered and required to answer all questions fully, truthfully and to the best of your knowledge and ability. If for your, if you refuse to answer questions specifically, directed and narrowly related to the performance of your official duties, you will be subject to agency charges that were, will result in disciplinary action up to and including termination. Uh, the allegations to which you are being directed to respond to are as follows and I'm gonna handwrite this in there. So, I just wrote in there, uh, failing to document/investigate a death scene on uh, 02/06/19 which you were the assigned case detective. Uh, it says, I acknowledge that I have been informed of the above Order and the nature of the allegations. It's got a place for you and me to sign and date. Okay, so, basically, this stems from, we've already had a fact finding hearing on this where you and I talked about kind of the, I guess the what happened in the case and some of the problems in the case. Uh, and, and what this stems from is a I believe it was case number 19C1459, it happened on February 6th, 2019 uh, which was a, and correct me if I'm wrong or if your recollection is different than mine, it was a uh, call uh, for service which where a uh, male subject was located on the side of I-5 southbound I-5 near MP 59 and a half, uh, was locked in his car, uh, appeared to have a possible bullet wound in, in his head, uh, kind of reclined back in the driver's seat of the car, uh, where ultimately uh, several deputies showed up um, I showed up for a short time and you also showed up, or responded too?

A. Yes.

Q. And I'm just tryin' to paraphrase this, so we kind of know on the tape what we're talkin' about, so.

A. Okay.

Q. Um, I think I, I think I answered the first question for you. Uh, you did respond to the scene.

A. Yes, you asked me to come there um, per a phone conversation you and I had prior to us going there.

Q. Okay, so I called you and uh, asked you to lo' to respond to the scene.

A. Yeah.

Q. And, and kinda gave you a thumbnail of what the-

A. -well, I was working patrol already, so I already knew about the call and then you and I had a conversation. I asked you if you wanted me to respond and you said, yeah, go ahead and start headin' that way and I'm, I'm going as well.

Q. Okay. Okay, so, uh, eventually, you got there, I got there, um, at some point, were you advised you were the lead investigator in the case?

A. Yes.

Q. And just so we know that I, think I told you that, that you were the, this was going to be your case?

A. I think uh, it went around to who's taking this and Duke said uh, I get off in a little while, Julie, uh, Deputy Jacobo said uh, that she didn't really want it and I said, I'll take it.

Q. Was it clear to you, that you were the-

A. -yes-

Q. -lead investigator for the case?

A. Yes.

Q. Okay. Uh, and before I asked the next question, um, and also, correct me, if I'm wrong, when, once, once you got there and I arrived, uh, Deputies Adkisson and Jacobo had already been on scene um, there had been some initial things where one of them had broke the window out to gain access to the car, um, and had checked the individual, he was deceased, um, Deputy Jacobo had taken some initial photographs of the scene, uh-

A. -that's when, when I initially got there before you, I made contact with Deputy Adkisson who was the I guess the lead deputy or in charge and Deputy Jacobo and Deputy Adkisson told me that uh, he had broke the window. I asked him and that he had also told me that uh, aid had been in and checked the, the male subject and they had um, determined that he was deceased. Um, he told me that Deputy Jacobo had taken several photographs of the inside and the outside of the car and um, he also told me that Deputy Jacobo had taken photographs of the, the vehicle before he broke the window, so that they could document that and then uh, he took me up to the car and showed me um, where, where the gun was and, and showed me you know where the subject and had also showed me a uh, a bullet casing that was on the, the subject's chest and had showed me uh, a bullet that was located in the, that you could see through the window in the back trunk hatchback area of the car.

Q. Okay. Do you remember me telling you to review Deputy Hobo's, Deputy Jacobo's photos and uh, make sure they're decent photos and sayin' something to the effect of uh, hey you probably are gonna want to take some more at some point?

A. I, I remember you saying something about uh, make sure there's good photographs of the car. Um, I don't recall you saying, I don't remember you saying uh, about taking more photographs, but I do remember you saying something about um, making sure that there's you know, good photographs.

Q. Meaning? How did you take that?

A. What do you mean?

Q. Because, because what I remember telling you, is hey, make sure you look at Deputy Jacobo's photographs and-

A. -Yeah, I, I do remember you saying something along those lines.

Q. Okay.

A. Yes.

Q. And did you review, ever review her photographs?

A. No, I, I got busy, uh, collecting uh, the evidence and I never did um, I never did review her photographs. I, I do remember like I said her, you know, her, them saying that she had taken several photographs.

Q. Okay. How many photographs ultimately did you take?

A. I took uh, six photographs.

Q. And those were of what?

A. Those were of the, the driver's seat after the subject was removed. I wanted to get photographs of the uh, there was a through and well, the, the bullet hole in his forehead the, the through and through um, bullet in the, in the seat. Um, and there was some blood um, I, what I thought was from the back of his head from the bullet, the exit wound in the back of his head, so I wanted to get that on the seat and the, the back of the driver's seat. So, I wanted to get the front and the back of the driver's seat, um, after the body was, was taken out by the Coroner's Office.

Q. So, it, so it'd be safe to say your six photographs were of the front of the driver's seat and the back of the driver's seat?

A. Yeah.

Q. After the body was removed?

A. Yes.

Q. Okay. Um, you remember being told or it being mentioned about a bag of money or coins in the front seat near the floorboard or something in the front seat?

A. I do remember there being some, some uh, change in a bag.

Q. Okay.

A. Some, some quarters, um, I, I remember sitting in the front seat of my or your patrol car with you and talkin' about the things that need to be collected and I said, really the, the only thing that I see that needs to be collected in this was the gun, the, the shell casing, his cell phone, uh, the bullet and the shell casing. I don't remember mentioning anything about collecting the, the, the change.

Q. So –

A. -if I'd known if that, if that was a really significant amount of change there to collect-

Q. -so, then it'd be safe to say that you didn't collect the money out of that-

A. -exact-

Q. -that I, it would be safe to say that you did not collect the money or the bag of change out of the car?

A. No, I did not.

Q. Okay, um, did you search the vehicle?

A. I, we went through the vehicle. I mean, I checked the glove box, we uh, you know it was, went through the, the bag, we um, I, I searched the back seat area that we hadn't looked through um, kind of with the broken glass, it was a little difficult, but we checked. There wasn't actually that much stuff in the vehicle, so, I didn't-

Q. -obviously, you didn't find a second shell casing?

A. No.

Q. Or, okay. Um, did you find some receipts that, did you find some receipts that had some recently dated uh, some of them the day of, purchases in the car?

A. Those were actually found by the Coroner once she got there. Those were found in his uh, in the, the ba' the deceased's pocket of his shirt, I mean, I asked the dec' I asked the Coroner to, to look in his pockets uh, for any notes, any suicide notes or anything like that and she found um, a couple receipts in his pocket and when she handed those to me, I then, I wanted to make sure that we got pictures of those, so I took them back to Deputy Jacobo and had her uh, snap photographs of those as the, the Coroner handed them to me.

Q. Do you know what happened to those receipts?

A. I gave them back to the Coroner. I thought she was, I assumed she was gonna take things that were on his person. I assumed that she was gonna take them back with, with her.

Q. Do you know who put those receipts back in the vehicle?

A. Um, it must have been her.

Q. Did you see her put them back or have a conversation with her about puttin' 'em back in the vehicle?

A. I did not.

Q. Okay. So, the, did you photograph and I, I think we already kind of covered this, but I'm gonna ask you, did you photograph the pistol more closely, in terms of its contents, the condition it was in, how it was loaded after it was removed from the vehicle or from the, from the body?

A. Well, the, the vehicle or the pistol was yeah, it was located kind of in between him and the, the center console of the driver's seat, um, I removed it, I, I cleared it and um, then I put it in, secured it in my patrol vehicle and I did not take any photographs of it from there, I, I took it to evidence and I placed it into, into evidence and I did not take any photographs of it, however, I did document everything I did with, with uh, the firearm in my report.

Q. Was, was the pistol loaded?

A. Yes.

Q. Well, what did you do with the rou' live round from the chamber?

A. I put it back into the, the magazine.

Q. Okay.

A. That was all documented in my report and the, the make and the model of the pistol and the serial number and um, everything and that I had taken the slide out or the, the magazine out

and then I removed the, a live round from the, the chamber of the gun and how many bullets were in the magazine.

Q. When the body was moved, did you take any photographs of the body?

A. Um, no, it was some, like I said, it was when the Coroner got there, she put a, sheet over the driver's side window of the car so that cars passing by was, was a very tight area with cars passing by on I-5 and the driver's side being up against the, the fog line of I-5, so when the funeral home got there to, when they go to, went to take the body out of the car, it was, it was kind of a tight circumstances to do that and I was not over there, um, between the Coroner and the funeral home people, they, they pulled the, the car up to the side uh, to the, to that side, the driver's side of the, the deceased's car and there wasn't a lot of room to, to be in there. It was kind of dangerous area to be in.

Q. Well, let's clarify that.

A. Um-

Q. -are, are you saying-

A. -I'm trying to-

Q. -are you saying you did not take photographs of the body because it was too dangerous or-

A. -I'm, I'm trying, what I'm trying to say, is I wasn't over there, it was a, it was, I did, I didn't take they, they were, removing him out of the car and, and putting him in the bag um, and there wasn't, you know, I mean, there wasn't uh, it's kind of a tight area, is what I'm sayin' and it wasn't, it, and cars were passing by I-5.

Q. Okay. Uh, once the body was removed and you were taking photos of the seat, did you notice two bullet holes in the seat?

A. No, I just noticed the one that was through and through.

Q. Let's fast forward to the, this, this, so this was on the 6th, to the morning of February 7th, I'm, I'm guessin' it was somewhere eight, eight-thirty, somewhere shortly after I came to work and you had come to work, you remember havin' a conver', me having a conversation with you about uh, calling the son, contacting the son because um, there was information that the deceased individual from the vehicle from the night before, had had a dispute with the son and kind of tore the house up and the thon, and the son had insinuated or thought that maybe his dad had stolen his pistol?

A. Yes, I said, I remember havin' a conversation with you about contacting the son.

Q. Okay. And as of, I believe it was February 13th, which was when I did the fact finding on you, have you cont' have you, had you contacted the son and talked to him?

A. Um, I, I know that, that next morning, when I came in um, well, that night, I, I had told the, I'd asked the Coroner to let me know or text me when um, the son or they'd made notification to the, to the next of kin because I didn't want to call him before obviously, he was notified um, I'd never, I hadn't received a text yet that he had been notified, um, and then I got that information from you and I had not made contact with him yet, no.

Q. Okay.

A. Um, then we had-

Q. -so, so the answer, so, cause you said a lot of and the answer is no, you had not made contact by February 13th, when we had the fact finding?

A. No.

Q. Okay.

A. And I, there was a lot of things that were involved and during that meantime, I was, I was off and we had an agency meeting and stuff. I know there was some time that and-

Q. -getting, getting back to um, you documenting in your report, I think I asked you the question of whether you, took photos of the, of the gun and its condition when it was removed and how it was loaded and you know the magazine and uh-

A. -I, I did not take photos of the gun.

Q. But you'd mentioned that, that was all documented in your report. Um, once it was discovered later that the individual had been, had two bullet wounds in him, one in his head and one in his neck, and that there were two bullet holes in the seat, and an autopsy was conducted on February 8th, uh, which would have been Friday. This happened on Wednesday evening.

A. Uh huh.

Q. Um, was your report, had you started your report or was your comport, report complete by that time?

A. My report was not in, no.

Q. Okay.

A. I was in contact with you though on that morning. You had texted me what, during the autopsy.

Q. Once we found out what had, what had happened.

A. Uh-

Q. -or once we found out that uh, once they had started their exam and the bullet holes, multiple bullet holes had been discovered, is that what you're talking about?

A. Yeah, well, I know that you were, you had texted me while you were at the autopsy and-

Q. -right-

A. -you and I were in contact with each other.

Q. Right, right, right.

A. So, I was assuming if you had any questions about it, you, had the opportunity to-

Q. -no, I'm not and I'm not saying-

A. -okay-

Q. -that, I'm just clarifying when the reports were done or not done, so.

A. Right. I guess that what I'm saying is if you had any questions, you could have asked me about it.

Q. So, we're gonna kind of, we'll wrap this up. Um, just lookin' over some notes. Um, so, taking the investigation documentation that you did as a whole, do you think your documentation was adequate, uh, adequately documented or your performance was adequate in this, in this case?

A. I think in every case you, we can look back and think and think of things that we can do better. Obviously, looking back now, and the way that this case turned out, um, there's things that I wish I would have done differently and there's obvious things that I can always improve on and things that I can do better. Um, with the, the you know, 20-20 hindsight um, I think that uh, there's definitely, like I said in this case, now, lookin' back, um, I know that, when I got there that uh, patrol's idea of, of taking you know a lot of photographs and our idea in detectives of taking a lot of photographs and stuff is, is usually two different things, um, I wish that um, that I would have uh, checked uh, Deputy Jacobo's pictures. Um, unfortunately, I, I got busy, uh, doing other things and I'd forgot to do that and also, I, I agree that I should have taken uh, photographs of the gun after I removed it. Um-

Q. -do you think that-

A. -uh, like, but like I, oh, go ahead, sorry.

Q. No, go ahead.

A. Um, uh, you know, um, I thought when you were, you and I were there, um, we, we were both in the car, I thought we had a pretty clear understanding about what had happened in the case um, we, we had talked through it and um, we both obviously missed the second bullet hole and um, you know, there were forty photographs taken, thirty-four from, from Deputy Jacobo and, and six from me. Um, which in a case like this, it, it, I don't know, it um, had it just been what it was on his face, it may have been sufficient, um, it didn't obviously change the outcome of the case, it um, didn't cause any, any um, embarrassment to the department. It didn't um, you know, cause any harm to the investigation. Um, I, obviously, I would like to do a better job. I know our expectation in, in detectives is, is held to a high standard and I want to meet that standard and I want to do the best job that, that we can do. Um, there are things that I need to do better.

Q. I only have two other follow up questions. And one is, if you were to go out to a death scene right now, whether it's a face value, you think it's a suicide, uh, homicide, whatever it is that you're investigating and you had a firearm uh, lying on a body or wherever it is and you thought it was involved in it as a detective or a deputy, um, I would expect you and I think your training would tell you that you should take a photograph of that gun, the condition it's in and that's just, that's just a standard, that's just standard documentation. Um, whether you got busy or not, I guess that's what I'm, I guess that's what I'm, I guess that's what I'm trying to say and I guess that wasn't even a question, so, uh-

A. -I, I get-

Q. I just want to make sure you understand that.

A. Okay, well, I, I guess I'm, I'm confused if you're talkin' about when the gun was in the car or after I removed the gun because there were photo-

Q. -oh, after, after you removed the gun-

A. -there were photographs of the gun when it was in the car, so.

Q. Well-

A. -about-

Q. -well, I'll be more specific, Jeff.

A. Okay.

Q. I'm talking about after it was removed and you made a comment about not and I'm not and I don't want to, well, this is the time or place for that, but I want to clarify that you made a comment that there was no harm, no foul basically, with the department, this didn't, nobody was embarrassed, nothing, but the pathologist that requested to see those photos during the autopsy,

and wanted to connect these photos to the body which were not in the case, which, which were not taken, in essence, do you un' do you see how that can affect our agency and the image of our agency by not having the proper documentation that he's asking for?

A. Yes.

Q. Okay. Now, uh, with all that said, do you guys well, I guess, you probably don't have to much, unless you have a clarifying question. I always give everybody the opportunity if there's anything that I've left out, something that you want to say uh-

A. -no, I-

Q. -or, somethin' that I haven't asked you-

A. -I-

Q. -or something you want to bring up?

A. No, I just want to clarify and I don't want to leave you with the opinion that, that I'm not taking responsibility for my actions because I, I am and I do know that there are mistakes that I made out there and that um, I, I want to make it clear that I do hold myself to uh, a higher standard than what I displayed out there and that I do, I did, do want to make it clear that I am taking responsibility for mistakes I made on this particular case.

Q. Okay.

A. Um, yeah.

Q. Anything?

A. (Gabe Frase) No, I don't.

Q. Anything, anything further?

A. No.

Q. Um, and one thing I did not do uh, I don't think I did. I don't think I said the time of when we actually started, I don't know if that really is gonna matter too much at this point, maybe I did. I think I did. Um, but we are gonna end the, we are gonna end the interview and the date is still February 21st, 2019 and the time is 1357 hours.

Sergeant Kevin M. Engelbertson, #2D1
Lewis County Sheriff's Office
Chehalis, WA

KME:la
02/22/19

**LEWIS COUNTY SHERIFF'S OFFICE
NOTICE OF RIGHT TO REPRESENTATION**

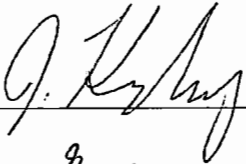

DATE:	2-21-19	CASE NUMBER:	19C1459
INTERVIEWEE:	Jeff Humphrey		
INTERVIEWER:	Kevin Engelbertson	POSITION:	Detective Sergeant
NAME OF AGENCY:	Lewis County Sheriff's Office		

Pursuant to your request, the following named person is granted permission to represent you during an administrative interview that has the potential of leading to progressive disciplinary action against you, up to and including termination.

NAME OF REPRESENTATIVE:	WABE FRASE	TITLE:	DETECTIVE
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You and your representative should understand that this interview is not a "due process" (i.e. Loudermill hearing). The function of a representative is to observe and assist you in clarifying questions presented to you or to present facts that promote your best interests in a non-confrontational, threatening, intimidating or disruptive manner. Your representative will not be permitted to attempt to bargain with the interviewer. Any attempt by you or your representative to impede the interview, create a disruption or become disrespectful will result in the representative being asked to leave. If your representative is a member of this agency, you and the representative will be subject to disciplinary action, up to and including termination, for such behavior.

Should you or your representative wish to make a brief statement on the record regarding the manner in which the interview was conducted, you will be permitted to do so.

Member's Signature:		Date:	2/21/19
Representative's Signature:		Date:	2-21-19

USE

Always complete this form when an employee is interviewed concerning an action that could be reasonably expected to result in progressive discipline, up to and including termination. Keep this form with the original case file.

**LEWIS COUNTY SHERIFF'S OFFICE
ORDER TO COOPERATE**

Jeff Humphrey, you are about to be questioned as part of an on-going and official administrative investigation by the Lewis County Sheriff's Office.

You are a principle (principle, witness) in this case and you are being ordered to cooperate fully and completely.

Once this interview has been concluded, you are ordered to keep all information you know or have provided about this case strictly confidential. Any release or exchange of information by you, or found to have flowed from you, that has the potential of jeopardizing the integrity of this investigation will result in your immediate suspension and termination proceedings will be taken against you. This order does not prohibit you from discussing your representation rights only with a labor representative who is not a principle in this case, or your constitutional rights with an attorney.

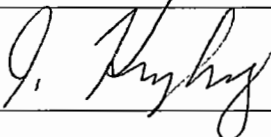
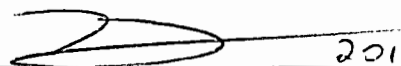
You will be asked specific questions that will relate directly, specifically and narrowly to the performance of your official duties or fitness as an employee of this Office. You are not permitted to refuse to answer all questions asked.

- This is an administrative interview, not criminal, and any responses to questions asked during this interview cannot be used against you in a criminal proceeding.
- All information in this case is confidential, and except as mandated by law, will be released only to proper authorities.
- You are ordered and required to answer all questions fully, truthfully and to the best of your knowledge and ability.
- If you refuse to answer questions specifically directed and narrowly related to the performance of your official duties, you will be subject to agency charges that will result in disciplinary action, up to and including termination.

The allegations to which you are being directed to respond are as follows (attach if necessary):

*FAILING TO DOCUMENT/INVESTIGATE A DEATH SCENE ON 2-6-19
WHICH YOU WERE THE ASSIGNED CASE DETECTIVE.*

I acknowledge that I have been informed of the above order and the nature of the allegations.

Member's Signature:		Date:	2/21/19
Interviewer's Signature:	 201	Date:	2-21-19

USE

This form is to be completed BEFORE questioning. The original copy will be placed in the original case file and a duplicate copy will be given to the employee.



LEWIS COUNTY SHERIFF'S OFFICE
MEMORANDUM



"Public Safety through Professional Service"

TO: Detective Jeffrey S. Humphrey
FROM: Special Service Chief Dustin G. Breen *DGB*
DATE: 02/14/19
RE: Notice of Formal, Non-Criminal, Type I (Internal) Investigation

This is to inform you in accordance with Lewis County Sheriff's Office Policy (01.17.140) and Lewis County Deputies Guild Collective Bargaining Agreement, 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/Jail policies and/or Lewis County Civil Service Commission rules/regulations:

- Lewis County Civil Service Rule 9, Section 1, a) Incompetence, inefficiency, or inattention to or dereliction of duty;
- Lewis County Sheriff's Office Oath, Motto, Mission, Code of Ethics, and Core Values;
- Lewis County Sheriff's Office Policies:
01.05.090 - Competent Performance
01.05.110 - Efficient, Effective and Safe Performance

The above policies/rules/regulations which may have been violated stem from an incident on or about February 6th, 2019, during which it is alleged you acted as follows:

On 02/06/19 you were responsible for a death investigation appearing to be the result of gunfire, case #19C1459. After concerns arose during an autopsy, an attempt to review case photographs was made. It was found only six photographs had been taken by you, and none of the photographs appeared to include the firearm believed to be involved, its condition upon removal, or the contents of the vehicle after removal of the deceased. The documentation of the incident, as well as processing of the scene, appear to be substandard.

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

Initial fact finding has been conducted by Detective Sergeant Kevin M. Engelbertson. After review of the fact finding information, command staff has determined further investigation is necessary. The investigation has been assigned to: Detective Sergeant Kevin M. Engelbertson.

Detective Sergeant Engelbertson 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 guild representative prior to the interview. You may also have a guild representative present during the interview.

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.

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 investigation, in which case you and your guild 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:

Sheriff Robert R. Snaza
Undersheriff Wes H. Rethwill
Detective Sergeant Kevin M. Engelbertson
Deputies Guild President, Sergeant Jeffrey R. Godbey
File - 2

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