

## GUILD INVESTIGATION CHECKLIST

<b>Employee Name:</b>	Deputy Daniel J. Riordan
<b>Type of Investigation:</b>	<input type="checkbox"/> Formal Complaint <input checked="" type="checkbox"/> Supervisory Complaint
<b>Date:</b>	01-29-2021

Disciplinary Process	Date	Time Spent
Complaint received from Captain Curtis Spahn	01-28-21	40 min
Notice to 214 of Internal Investigation	01-29-21	30 min
Internal Supervisory Investigation begins by	02-08-21	4 hours
Internal Supervisory Investigation submitted by 2D1 to 2A3 for review.	02/22/21	
Internal Supervisory Investigation returned to for: <input type="checkbox"/> Follow-Up -OR- <input checked="" type="checkbox"/> Internal Supervisory Investigation Completed	02/23/21	2 HOURS
72-Hour Notice to 214 of Pre-Disciplinary Hearing by 2A3	02/26/21	15 mins
Pre-Disciplinary Hearing with 214 and Guild representative N/A	03/08/21	30 mins
Letter of Recommendation completed by and submitted to		
Letter of Recommendation completed by and submitted to		
Final resolution completed by 2A3	03/09/21	30 mins
Post Discipline Meeting by 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.	03/08/21 2 03/09/21	10 mins
Final resolution e-mailed to Guild President	03/10/21	

*Executive Review - 202*

*3/10/21 1 hr*

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

Revised 08-07-12

**TOTAL TIME: 8:35**

**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

*WAB 3/10/21  
REVIEWED / REVIEWED / DISPUTED  
w/2AB / CONCUR w/ FINDINGS -  
RESOLUTION.*



LEWIS COUNTY SHERIFF'S OFFICE

# MEMORANDUM



*"Public Safety through Professional Service"*

**TO: Deputy Daniel J. Riordan**  
**FROM: Chief Deputy Dustin G. Breen** *DGB*  
**DATE: 02/26/2021**  
**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 an investigation occurring on or about January 22, 2021, under case # 21C967. It is alleged during the investigation of a serious felony domestic violence assault, the scene of the assault was not properly processed despite evidence of the assault being observed within the scene.

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:
  - 320.5.7 – Efficiency
  - 402 – Crime and Disaster Scene Integrity
  - 600.3 – Initial Investigation

In accordance with Lewis County Sheriff's Office Policy 01.17.150, Section I, a pre-disciplinary hearing is scheduled for March 8<sup>th</sup>, 2021, at 1800 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  
Captain Curtis D. Spahn  
Sergeant Alan C. Stull  
Deputies Guild Vice-President, Deputy Justin L. Kangas  
File - 2

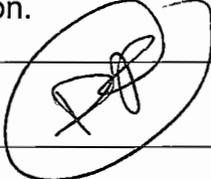
**Lewis County Sheriff's Office Mission Statement:**

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  
NOTICE OF RIGHT TO REPRESENTATION**

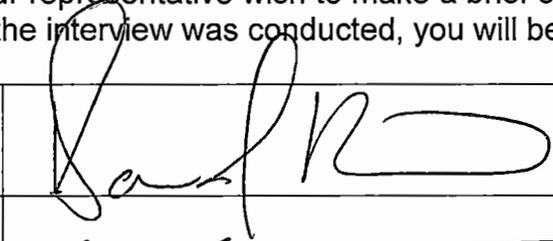
<b>DATE:</b>	02/08/2021	<b>CASE NUMBER:</b>	21C967
<b>INTERVIEWEE:</b>	Deputy Daniel J Riordan		
<b>INTERVIEWER:</b>	Gabriel J Frase	<b>POSITION:</b>	Detective Sergeant
<b>NAME OF AGENCY:</b>	Lewis County Sheriff's Office		

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.

<b>NAME OF REPRESENTATIVE:</b>	None 	<b>TITLE:</b>	
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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.

<b>Member's Signature:</b>		<b>Date:</b>	02/08/21
<b>Representative's Signature:</b>		<b>Date:</b>	02-08-21

**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**

Deputy Riordan, 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.

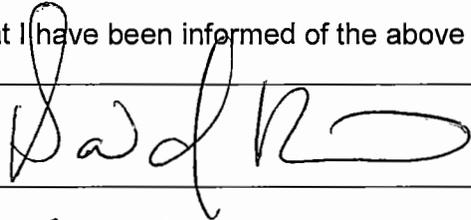
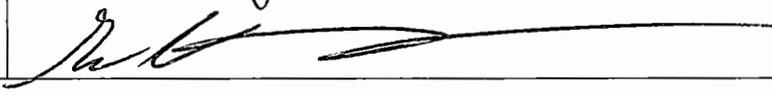
Once this interview has been concluded, you are ordered to keep all information you know or have provided about this case strictly confidential. Any release or exchange of information by you, or found to have flowed from you, that has the potential of jeopardizing the integrity of this investigation 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):

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

Member's Signature:		Date:	02/09/21
Interviewer's Signature:		Date:	02/08/21

**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  
NOTICE OF RIGHT TO REPRESENTATION**

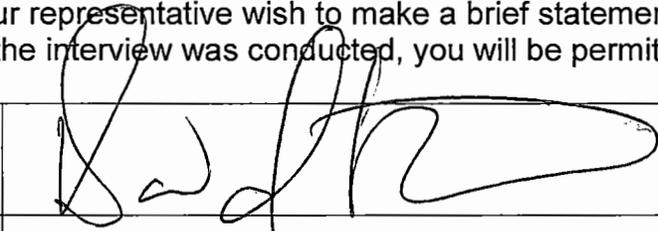
<b>DATE:</b>	2/18/21	<b>CASE NUMBER:</b>	21C967
<b>INTERVIEWEE:</b>	Deputy Daniel J Riordan		
<b>INTERVIEWER:</b>	Gabriel J Frase	<b>POSITION:</b>	Detective Sergeant
<b>NAME OF AGENCY:</b>	Lewis County Sheriff's Office		

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<b>NAME OF REPRESENTATIVE:</b>	N/A	<b>TITLE:</b>	
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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.

<b>Member's Signature:</b>		<b>Date:</b>	2-18-21
<b>Representative's Signature:</b>		<b>Date:</b>	2-18-21

**USE**

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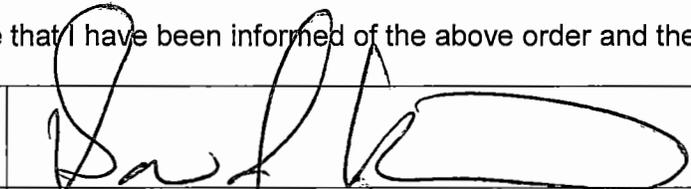
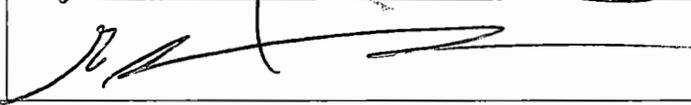
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- You are ordered and required to answer all questions fully, truthfully and to the best of your knowledge and ability.
- If you refuse to answer questions specifically directed and narrowly related to the performance of your official duties, you will 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):

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

Member's Signature:		Date:	2-18-21
Interviewer's Signature:		Date:	2-18-21

**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.

## *Standards of Conduct*

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### 320.5.5 ATTENDANCE

- (a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to the place of assignment at the time specified and fully prepared to perform duties without reasonable excuse.

### 320.5.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member's position with this office.
- (b) Disclosing to any unauthorized person any active investigation information.
- (c) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this office for personal or financial gain or without the express authorization of the Sheriff or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any office property for personal use, personal gain, or any other improper or unauthorized use or purpose.
- (e) Using office resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.

### 320.5.7 EFFICIENCY

- (a) Neglect of duty.
- (b) Unsatisfactory work performance including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.
- (c) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.
- (d) Unauthorized sleeping during on-duty time or assignments.
- (e) Failure to notify the Office within 24 hours of any change in residence address or contact numbers.
- (f) Failure to notify the agency or Department of Human Resources of changes in relevant personal information (e.g., information associated with benefits determination) in a timely fashion.

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## Crime and Disaster Scene Integrity

### 402.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a major crime or disaster.

### 402.2 POLICY

It is the policy of the Lewis County Sheriff's Office to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

### 402.3 SCENE RESPONSIBILITY

The first deputy at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Deputies shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once a deputy has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the deputy shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

### 402.4 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

- (a) Broadcast emergency information, including requests for additional assistance and resources.
- (b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
- (c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
- (d) Provide first aid to injured parties if it can be done safely.
- (e) Evacuate the location safely as required or appropriate.
- (f) Secure the inner perimeter.
- (g) Protect items of apparent evidentiary value.
- (h) Secure an outer perimeter.
- (i) Identify potential witnesses.
- (j) Start a chronological log noting critical times and personnel allowed access.

## *Crime and Disaster Scene Integrity*

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### **402.5 SEARCHES**

Deputies arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once deputies are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Deputies should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

#### **402.5.1 CONSENT**

When possible, deputies should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

### **402.6 AGENCY RESPONSIBILITIES**

The agency is responsible for ensuring procedures are established that are consistent with the Washington State Patrol Crime Laboratory Division Crime Scene Procedures Manual, including, but not limited to:

- (a) Ensuring reasonable access to qualified personnel, equipment and supplies for processing crime scenes.
- (b) Establishing procedures for collecting, processing and preserving physical evidence in the field.
- (c) Establishing procedures for photographing, video-recording and other imaging used to collect and preserve evidence.
- (d) Establishing procedures for processing, developing, lifting and labeling fingerprints.
- (e) Establishing procedures for the safe collection, storage, transportation and submission of biological and other evidence for DNA testing and evaluation.

### **402.7 EXECUTION OF HEALTH ORDERS**

Sworn members of this agency shall enforce all lawful orders of the local health officer, issued for the purpose of preventing the spread of any contagious, infectious or communicable disease (RCW 70.05.070; WAC 246-100-040(2)).



## Investigation and Prosecution

### 600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

### 600.2 POLICY

It is the policy of the Lewis County Sheriff's Office to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

### 600.3 INITIAL INVESTIGATION

#### 600.3.1 DEPUTY RESPONSIBILITIES

A deputy responsible for an initial investigation shall complete no less than the following:

- (a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:
  - 1. An initial statement from any witnesses or complainants.
  - 2. A cursory examination for evidence.
- (b) If information indicates a crime has occurred, the deputy shall:
  - (a) Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
  - (b) Determine if additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
  - (c) If assistance is warranted, or if the incident is not routine, notify a supervisor.
  - (d) Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
  - (e) Collect any evidence.
  - (f) Take any appropriate law enforcement action.
  - (g) Complete and submit the appropriate reports and documentation.
- (c) If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available, and advise the informant or complainant of this information.

#### 600.3.2 NON-SWORN MEMBER RESPONSIBILITIES

A non-sworn member assigned to any preliminary investigation is responsible for all investigative steps, except making any attempt to locate, contact or interview a suspect face-to-face or take any enforcement action. Should an initial investigation indicate that those steps are required, the assistance of a deputy shall be requested.

## Investigation and Prosecution

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### 600.3.3 ARRESTS BY PRIVATE PERSONS

Private persons may make a common law arrest for crimes constituting a breach of the peace or may detain a person under the authority of RCW 9A.16.020 (felonies, retail theft, etc.) Any deputy presented with a private person wishing to make an arrest must determine whether there is probable cause to believe that such an arrest would be lawful.

- (a) Should any deputy determine that there is no probable cause to believe that a private person's arrest is lawful, the deputy should take no action to further detain or restrain the individual beyond that which reasonably appears necessary to investigate the matter, determine the lawfulness of the arrest and protect the public safety.
  1. Any deputy who determines that a private person's arrest appears to be unlawful should promptly release the arrested individual. The deputy must include the basis of such a determination in a related report.
  2. Absent probable cause to support a private person's arrest or other lawful grounds to support an independent arrest by the deputy, the deputy should advise the parties that no arrest will be made and that the circumstances will be documented in a related report.
- (b) Whenever a deputy determines that there is probable cause to believe that a private person's arrest is lawful, the deputy shall take a written statement from the person who has made the arrest. In addition, the deputy may exercise one of the following options:
  - (a) Take the individual into physical custody for booking.
  - (b) Release the individual subsequent to the issuance of a citation for the individual to appear in the appropriate court, or by referral to the Lewis County Prosecutor's Office.

### 600.4 CUSTODIAL INTERROGATION REQUIREMENTS

Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies. Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy.

#### 600.4.1 AUDIO/VIDEO RECORDINGS

Any custodial interrogation of an individual who is suspected of having committed any violent felony offense should be recorded (audio or video with audio as available) in its entirety. Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

Consideration should also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Special Services Chief. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording,

## *Investigation and Prosecution*

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provided the copies are true, accurate and complete and are made only for authorized and legitimate law enforcement purposes.

Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

### **600.5 DISCONTINUATION OF INVESTIGATIONS**

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

- (a) All reasonable investigative efforts have been exhausted, no reasonable belief that the person who committed the crime can be identified, and the incident has been documented appropriately.
- (b) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.
  - 1. In these cases, the investigator shall document that the person was warned and why prosecution was not sought.
  - 2. Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.
- (c) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.
- (d) The case has been submitted to the appropriate prosecutor, charges have been filed, and further investigation is not reasonable, warranted or requested, and there is no need to take the suspect into custody.
- (e) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.
- (f) Investigation has proven that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

The Domestic Violence, Child Abuse, Sexual Assault Investigations and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

### **600.6 COMPUTERS AND DIGITAL EVIDENCE**

The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, deputies should request that computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, deputies should take reasonable steps to prepare for such seizure and use the resources that are available.

## *Investigation and Prosecution*

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### **600.7 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES**

Use of social media and any other Internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and civil liberties. Information gathered via the Internet should only be accessed by members while on-duty and for purposes related to the mission of this Office. If a member encounters information relevant to a criminal investigation while off-duty or while using his/her own equipment, the member should note the dates, times and locations of the information and report the discovery to his/her supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using office equipment.

Information obtained via the Internet should not be archived or stored in any manner other than agency-established record keeping systems (see the Records Maintenance and Release and Criminal Organizations policies).

#### **600.7.1 ACCESS RESTRICTIONS**

Information that can be accessed from any agency computer, without the need of an account, password, email address, alias or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

Accessing information from any Internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of nongovernment IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Accessing information that requires the use of a third party's account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the related investigative report.

Information gathered from any Internet source should be evaluated for its validity, authenticity, accuracy and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an Internet source should be documented in the related report. Documentation should include the source of information and the dates and times that the information was gathered.

#### **600.7.2 INTERCEPTING ELECTRONIC COMMUNICATION**

Intercepting social media communications in real time may be subject to federal and state wiretap laws. Deputies should seek legal counsel before any such interception.

### **600.8 MODIFICATION OF CHARGES FILED**

Members are not authorized to recommend to the prosecutor or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of agency

*Investigation and Prosecution*

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command. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.



**Robert R. Snaza**  
Sheriff

OFFICE OF THE LEWIS COUNTY  
**SHERIFF**

345 W. Main Street  
Chehalis, WA 98532-1900  
Phone: (360) 748-9286 • Fax: (360) 740-1476 • TDD: (360) 740-1480  
www.lewiscountywa.gov/sheriff

**"Public Safety through Professional Service"**

**Wes H. Rethwill**  
Undersheriff

**Dustin G. Breen**  
Field Operations Chief

**Chris J. Sweet**  
Corrections Chief

**Kevin M. Engelbertson**  
Special Services Chief

March 9th, 2021

Deputy Daniel J. Riordan  
Field Operations Bureau

Deputy Riordan:

On January 22, 2021, it is alleged during the investigation of a serious felony domestic violence assault, the scene of the assault was not properly processed despite evidence of the assault being observed within the scene.

After reviewing the file, and information provided during the pre-disciplinary hearing on March 8<sup>th</sup>, 2021, I have determined your performance did not meet agency standards and violated the Lewis County Sheriff's Office Mission, Oath of Office, Core Values, and violated the following policies and Civil Service Rule:

- Lewis County Civil Service Rule 9, Section 1, a) incompetence, inefficiency, or inattention to or dereliction of duty;
- Lewis County Sheriff's Office Policies:  
320.5.7 – Efficiency  
600.3 – Initial Investigation

I expect you to follow all agencies 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 will result in further discipline, up to and including removal from your position.

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

Sincerely,

ROBERT R. SNAZA, SHERIFF

Dustin G. Breen, Field Operations Chief

cc: Sheriff Robert R. Snaza; Undersheriff Wes H. Rethwill; Field Operations Captain Curtis B. Spahn; Sergeant Alan C. Stull; Deputies Guild President, Deputy Daniel J. Riordan;  
File – 2

All right, the time is 1755 hours on March 8<sup>th</sup>, 2021. This is a pre-disciplinary hearing in the case of Deputy Dan Riordan, stemming from his recent investigatory-interview wherein the findings now require action at my level. I am Dusty Breen, Field Operations Chief with the Sheriff's Office. No one else is present during this interview. It is intended that this hearing be recorded.

1 Q. Is that being done so with your permission?

2

3 A. Yes, sir.

4

5 Q. All right, um, so we have this little script we kind of go through. So, bear with me. Uh,  
6 you have been through the Fact Finding Phase and the Internal Investigation Interview. It is  
7 important you understand the purpose of this hearing that includes the following: allows  
8 management (me) to convey an understanding of the events and circumstances of the case,  
9 provide a-a synopsis basically, formally notify you of the alleged violations, uh, provide the  
10 correlation between your performance and the alleged violations, clarify issues as necessary and  
11 provide you an opportunity to respond. So, that's the purpose of today's, um, I know being uh,  
12 involved with the Guild, that you've been through these before-

13

14 A. -yes, sir-

15

16 Q. -the other side of the house. I'm not saying you were the principle, but being there as  
17 well. Um, I know I offered you an opportunity to review the investigative file.

18

19 A. True.

20

21 Q. Um, but you declined that, correct?

22

23 A. Correct.

24

25 Q. Okay. And but you were aware you had the opportunity to review it-

26

27 A. -yes, sir-

28

29 Q. Okay. Uh, so, now, is the time when I give kind of a-a synopsis, my understanding of  
30 what occurred that day. So, um, it occurred on January 22<sup>nd</sup> of 2021. The case number involved  
31 was 21C967. Um, essentially that morning, uh, deputies were dispatched to report of an assault  
32 that had occurred. Originally, the male half calls in, who ends up being the suspect. Uh, later,  
33 the female calls in. Um, aid's initially getting ready to transport um, both you and-and Deputy  
34 Teitzel, I believe uh, go en route and my understanding is that uh, I think Deputy Scrivner was  
35 originally or I'm sorry, Detective Scrivner, was originally dispatched, however, because of his  
36 response time, I think he-

37

38 A. -he actually, he actually signed in uh, twenty minutes ahead of his regular schedule.

1  
2 Q. Okay.  
3  
4 A. Uh, he had to stop and get fuel um, but yeah, so he signed in, I, some right before the call  
5 came out.  
6  
7 Q. Okay.  
8  
9 A. And then they gave it to him, but obviously, he was still down and-  
10  
11 Q. -further south, so-  
12  
13 A. -south yeah-  
14  
15 Q. -so, you two responded. Um, from my understanding, originally, Deputy Teitzel  
16 responds to the hospital while you're en route, um, aid is not uh, be-it-it wasn't necessary to  
17 transport immediately and so, it sounds like you met them along the way. Uh, got a brief uh,  
18 outline from her of what had occurred, uh, knew there was some pretty significant injuries at that  
19 point, um, and that uh, Mr. Sawyer was a suspect. Uh, you guys proceed up to the scene, um,  
20 once there, my understanding is you originally go to the location the assault occurred uh, do a-a  
21 security safety sweep, making sure that there's no one still located-  
22  
23 A. -the children, yes-  
24  
25 Q. -uh, the children in there, um, while you're in there um, you observe signs of struggle uh,  
26 it sounds like some blood evidence.  
27  
28 A. Yes.  
29  
30 Q. Um, and-and so forth inside that scene. Um, you go to locate the suspect uh, suspect I  
31 believe is located by Deputy Teitzel initially um, as you guys are checking the area, he gets taken  
32 to custody. Uh, I know at that point, at that point, um, there's kind of two separate parts to this.  
33 Um, you guys obviously have a discussion on where you're goin' from there because you end up  
34 going back to the hospital to re-interview the victim. Uh, Deputy Teitzel, I believe, interviews-  
35  
36 A. -the children-  
37  
38 Q. -the children and then um, responds to the jail with-with the suspect as he's in custody.  
39 The part of it where the, the accounts differ is um, Deputy Teitzel states he had a conversation  
40 with you specific to going inside. I know from your interview, you don't recall that  
41 conversation. I'm not delving into specifics of that, I'm just stating that for the sake of recapping  
42 what occurs here.  
43  
44 A. Yes.  
45

1 Q. Um, my understanding is that, and-and now, from that point, I'll go to your perspective  
2 um, from-from the rest of the investigation, um, my-uh, my understanding is you-you finish up,  
3 go home cause it's right at, towards the end of your shift.  
4  
5 A. Yes.  
6  
7 Q. Um and then later, when you wake up, you have that, oh-  
8  
9 A. -(unintelligible)-  
10  
11 Q. -this is not good-  
12  
13 A. -cause I have brain function, yes.  
14  
15 Q. Okay. So, and then there's-there's the issue there with reaching uh, um, I think there's  
16 some phone calls that were attempting to be at that point. Um, and obviously, you're not aware  
17 at that point that-  
18  
19 A. -no, he actually-  
20  
21 Q. -(unintelligible) back out-  
22  
23 A. -yeah, when I contact Blake to tell him, hey, I need you just to run up there and get some  
24 photographs. I understand, I told him, I go, hey, the scene's not gonna be the way it's supposed  
25 to be, but at least it will give us a-  
26  
27 Q. -somethin-  
28  
29 A. -a-a general layout of what the-the area looked like, um, and that's when he said, hey, I  
30 guess you didn't get the email from, from uh-(clicking noise) uh, Sergeant Frase that they did a  
31 search warrant and they're just asking us to go uh, do the uh, swabs.  
32  
33 Q. Okay.  
34  
35 A. And that's when I pulled up my computer and looked and said, I saw that the message  
36 from Sergeant Frase.  
37  
38 Q. Okay. Um, so, uh, I know you had some clarifying, but did I provide an accurate  
39 summary-  
40  
41 A. -yes-  
42  
43 Q. -of-  
44  
45 A. -yes-  
46

1 Q. -of all the information to-to your knowledge?  
2  
3 A. Yes.  
4  
5 Q. Okay. (paper shuffling) So, next, uh, I'm supposed to go over the alleged policy  
6 violations, um, which you-you were served in the initial investigation notice as well as on the-the  
7 pre-disciplinary hearing notice, correct, of the list?  
8  
9 A. Yeah.  
10  
11 Q. Um, it of course, has the-the Lewis County Civil Service Rule 9, which has to do really  
12 with efficient uh, work, the Sheriff's Office Oath, Motto, Mission, Code of Ethics and Core  
13 Values and then there's three policies that are listed. Um, the first one is Efficiency, uh, 320.5.7  
14 which is the one that's basically that they'll be a-a satisfactory work um, product and that it's  
15 efficient in the way it's carried out. Um, and then the other two, 402's kind of a vague one. It  
16 talks about, did you have a chance to review these?  
17  
18 A. No.  
19  
20 Q. Okay. 402's kind of vague. It talks about crime and disasters, scene response and  
21 basically about scene security um, cause I-I guess I'll add in the summary when the deputies get  
22 up there and detectives to do the search warrant, maintenance workers are already been inside  
23 and altered and then the last one's initial investigation which is 603 and that has to do with  
24 properly documenting crime scene, photographs, collection of evidence, things of that nature.  
25 Um, you understand the correlation between your performance and those alleged violations?  
26  
27 A. In the sense that uh, that they-that-that wasn't done, the search warrant for-to the room  
28 wasn't done, that but, it, obviously, it wasn't my intent to-  
29  
30 Q. -okay-  
31  
32 A. -to do that, so that's what I-that's my only caveat to it is I understand there's correlation  
33 between the two because it did fall through the cracks. It did and it was a big part-  
34  
35 Q. -okay-  
36  
37 A. -however, obviously, never was my intent to not get that done.  
38  
39 Q. And I-I know usually in these pre-disciplinary hearings, it's not, this isn't an interview-  
40  
41 A. -I understand that-  
42  
43 Q. process is done. Based on what you said though, I'm gonna ask one question. And I  
44 don't, if you-if you're uncomfortable answering, that's fine too. Is the reason you state that is  
45 because of, the-the portion where Deputy Teitzel says the conversation happened-  
46

1 A. -yes-  
2  
3 Q. -okay. Um, so, you-you don't dispute the fact that the scene should have been processed,  
4 it wasn't-  
5  
6 A. -if it, let me put it this way. If it would have been at eleven o'clock at night on my  
7 regular shift, that box would have been checked.  
8  
9 Q. Okay.  
10  
11 A. I have no question in my brain.  
12  
13 Q. Okay.  
14  
15 A. That box would have been checked. Um, unfortunately, working in completely different  
16 shift, drained, that box did not get checked.  
17  
18 Q. Okay.  
19  
20 A. I check that box hundreds of times, uh, that box didn't get checked there.  
21  
22 Q. Okay.  
23  
24 A. Uh, again, never was intentional.  
25  
26 Q. Okay.  
27  
28 A. I mean, the moment I woke up, got some brain function, I called him and said, hey, we  
29 need to document.  
30  
31 Q. Okay.  
32  
33 A. Cause I knew that yes, I knew that we had missed that box.  
34  
35 Q. Okay. Sorry, gonna turn this down. So, the other portion of this hearing purpose is for  
36 you to be heard or allowed to be heard um, on anything you feel I need to know, take into  
37 account before making decision and so forth.  
38  
39 A. (clicking noise) Like I-I think we just covered everything that-  
40  
41 Q. -okay-  
42  
43 A. -truly, I was, I understand that we didn't check that box in the investigation. I understand  
44 why we're here and why we're talkin' about it, but again, never was it my intention not to check  
45 that box.  
46

1 Q. Okay. You mentioned and again, this is your opportunity to provide information. You-  
2 you mentioned I picked up a couple times, mentioning as far as uh, I think you used the term  
3 brain function to-to use your own quote or functioning of that, is there anything and I'm not  
4 asking you delve into anything you don't want to, is there anything else you think I need to be  
5 aware of-of that-

6  
7 A. -no-

8  
9 Q. -just the way you state it-

10  
11 A. -other-

12  
13 Q. -okay-

14  
15 A. -than just being, just exhausted from the shift change and-

16  
17 Q. -okay-

18  
19 A. -and then the-the lack of, honestly, the, for me, it's the lack of work, (train in  
20 background) because we're so short, I was, it's actually, makes me more exhausted not to have  
21 work.

22  
23 Q. Okay.

24  
25 A. Cause it time, lasts forever (laugh).

26  
27 Q. Okay. All right. Um, so I have a few questions, uh, I'm gonna ask and I'm gonna ask the  
28 only required ones on here. There's actually eight of them, but four are required, so I'm just  
29 gonna focus on those. Um, how did the performance help meet our Mission, uphold your Oath  
30 of Office and show that you abided by the Code of Ethics?

31  
32 A. Okay, I'm gonna kind of answer it kind of the way I just previously did. At the time, the  
33 capacity that I was in, I-I did the best I could.

34  
35 Q. Okay.

36  
37 A. Um, again, we flip it, put me back on my regular shift, I'm runnin' it, a fu-the full show,  
38 so, at that time, my capacity cause my intent definitely was never to-

39  
40 Q. -okay.

41  
42 A. My intent's to do a good investigation so we can get a good outcome in court.

43  
44 Q. Right.

45  
46 A. That's totally my, that's what I'm based on.

1  
2 Q. Okay. So, not at the time, but in retrospect, did your performance meet-  
3  
4 A. -well, unfortunately, again, that goes back to what I was actually at at that time.  
5  
6 Q. Okay.  
7  
8 A. If and that's how I have to answer it.  
9  
10 Q. Okay.  
11  
12 A. I-I-I'm-I'm not avoiding the question. I'm just saying that at that time, obviously, that  
13 was the best that I-I could give at that point.  
14  
15 Q. Okay. Uh, was this your best?  
16  
17 A. My best work?  
18  
19 Q. Best work performance, yeah.  
20  
21 A. It, obviously, it's not my best work performance, but again, uh, I have to go back to my  
22 capacity at that time.  
23  
24 Q. Okay. Uh, are you committed to improve?  
25  
26 A. Of course I am.  
27  
28 Q. Okay. Uh, what actions have you taken or will you take to correct your performance  
29 deficiency?  
30  
31 A. Well, uh, we actually, Alan and I have talked about, I got my old detective book out and  
32 I'm gonna be copying off the sheet for initial crime scene-  
33  
34 Q. -the checklist?  
35  
36 A. Yes, the checklist for everybody. Alan and I have talked about that, trying to mitigate  
37 these type of situations. Uh, the last sergeants' uh, meeting, you guys actually talked about this  
38 scenario and so, if we're running into a switch over like that than we'll have the dayshift handle  
39 the-the call and the nightshift needs to stay out for minor calls, than that's what will happen.  
40  
41 Q. So-  
42  
43 A. -that's a huge thing there. Um, obviously, for me, uh, now, having this incident is okay, I  
44 have my checklist. I am going to now, I will break it down and obviously, own-own everything  
45 from that point, uh, if that means just because I'm the senior deputy on scene, than I'm makin'  
46 that decision, I'm makin' that decision.

1  
2 Q. Okay.  
3  
4 A. And so, uh, so I have worked, like I said, with Alan, just try to mitigate issues and stuff  
5 like that.  
6  
7 Q. Okay.  
8  
9 A. And Alan, we've, cause we saw that there was a huge difference in the different shift and  
10 how much there was and that's where we both got to kind of look at okay, if I have to do that  
11 again or anybody, we just kind of have to be that-that guy has to be aware of the potential issues  
12 especially at the very end of your shift.  
13  
14 Q. Okay. Um, so, another question. Again, you don't have to answer cause this is, the  
15 purpose is not to be investigatory, but si-si-one of the, a couple of the comments you've made,  
16 so, I know when you're up there you-you in retrospect, later you realize, I'm at the end of the  
17 shift, I'm kind of spent, everything else, when you were responding, was that a-was that a  
18 concern, did you realize there might be a-  
19  
20 A. -actu-  
21  
22 Q. -a deficit there-  
23  
24 A. -actually, no, uh-  
25  
26 Q. -okay-  
27  
28 A. -the problem was when we got the call, it was crazy foggy. So, we didn't even get the  
29 call updates as mu-as much as it was putting in cause we were just trying to get up there in a-a  
30 safe fashion because fire was on scene, so-uh, Jence is in the wind and knowing Jence, we don't  
31 know what he's capable of doing. Um, so we were pretty much, both of us, well, I'll speak for  
32 myself, I can't speak for him. Uh, keepin' it on the road, I took Spencer Road out to, all the way  
33 to the end uh, at to Fuller Road-  
34  
35 Q. -Fuller Road-  
36  
37 A. -and got and then shot up that way um, like I said, everything seemed loo-to be working  
38 really well. Like I said, uh-it, we got to the top of Peterman, he pulled off at Morton, I'm thinkin'  
39 uh, of hey, let's, cause they still hadn't left yet, so that's the reason why I asked, hey, is it BLS or  
40 ALS? And they're like, BLS, I go, can they meet us? So, we were able to meet and get the  
41 information instead of-  
42  
43 Q. -right-  
44  
45 A. -dragging it on, um, everything was going good until-until we got to Packwood. And  
46 then it just seems like everything kind of got a little too busy.

1  
2 Q. Okay.  
3  
4 A. And a little to-  
5  
6 Q. -and honestly, the reason I ask that and like I said, I-I preface this-this is not-  
7  
8 A. -right-  
9  
10 Q. -I know this is-this is more just clarification for me because you did have Scrivner  
11 coming in, who was fresh. I know he would have been a little bit behind-  
12  
13 A. -yeah-  
14  
15 Q. -yet you didn't realize that there were any issues at the time-  
16  
17 A. -no-  
18  
19 Q. -obviously-  
20  
21 A. -uh, no-  
22  
23 Q. -okay-  
24  
25 A. -for, I mean specially with the-Blake and I were both communicating, um, again, he has a  
26 version of communication, I have a different version of communication.  
27  
28 Q. Right.  
29  
30 A. Um, and so, I mean, I honestly didn't realize how tired I was until again, I talked to you  
31 on the phone, well, I-I guess the first time was the what, when I called and talked to uh-  
32  
33 Q. -when Will was talkin'-  
34  
35 A. -Will-  
36  
37 Q. -to you and we're yeah, we were both in the room-  
38  
39 A. -well, previously, when I said-  
40  
41 Q. -yeah-  
42  
43 A. -hey, uh, we're, we were lookin' at Attempted Manslaughter and he's like, Dan, there's  
44 no such thing as Attempted Manslaughter. I go, okay, this is what I have, this is now, and I-and I  
45 was meaning homicide-  
46

1 Q. -right-  
2  
3 A. -uh, and he's like, okay, so this is what it is and so I pulled over, found it and attached it,  
4 um and so, came back, putting in her clothes into evidence uh, and just briefing the guys that  
5 came in at that point, Hump and all them um, and then talking to you and Will on the phone,  
6 that's when I-cause I was like tryin' to clarify, cause-  
7  
8 Q. -yeah-  
9  
10 A. -I didn't want-I didn't want us to get jammed up cause we were doin'-we were gonna go  
11 home and sleep-  
12  
13 Q. -right, exactly and-  
14  
15 A. -and that's when I talked to Blake face-to-face at that point and-and Blake was exhausted  
16 and so and I-and then I'm like, okay, we were both, let's just get home at this point-  
17  
18 Q. -yeah-  
19  
20 A. -yeah.  
21  
22 Q. Okay. Uh, before concluding the hearing, I have a few questions. Prior to the incident  
23 that brings us here today, were you aware of the existence and content of the cited policies and  
24 consequences for non-compliance?  
25  
26 A. Yes, sir.  
27  
28 Q. Okay. And I know that you may not have known those specific ones verbatim, but  
29 obviously, um-  
30  
31 A. -common sense-  
32  
33 Q. -been in business as long as we have-  
34  
35 A. -yeah, common sense-  
36  
37 Q. -correctly document things, yes. During this process, did you receive proper notification  
38 in writing of the allegations against you, day and time of hearings, were you treated fairly and  
39 objectively and were due process rights afforded you?  
40  
41 A. Yes, sir.  
42  
43 Q. Okay. On all those?  
44  
45 A. Yes.  
46

1 Q. Okay. Did, I know that's a long sentence, but did I present to you an accurate recount of  
2 the facts and circumstances in this case?

3

4 A. Yes, sir.

5

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

7

8 A. Yes, sir.

9

10 Q. Okay, uh, so, I will be making um, recommendation here. I'm gonna try and wrap this up  
11 as soon as possible tomorrow. Um, obviously, we do our administrative roundtable in these type  
12 of cases, just to make sure that the group is in consensus um, and it's not one administrator  
13 looking at things completely different so, um, that's my intent. Uh, the hearing is now going to  
14 end. It is approximately 1813 hours on Monday, March 8th.

15

16 Field Operations Chief D. Breen, 2A3

17 Lewis County Sheriff's Office

18 Chehalis, WA

19

20 DGB:la

21 03/09/21



LEWIS COUNTY SHERIFF'S OFFICE  
**MEMORANDUM**



*"Public Safety through Professional Service"*

**TO:** Field Operations Chief Dustin G. Breen  
**FROM:** Detective Sergeant Gabriel J. Frase *JS*  
**DATE:** 02/22/21  
**RE:** Deputy Riordan Formal, Non-Criminal Investigation

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### Nature of Allegation

Deputy Riordan allegedly violated the following;

- 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:  
320.5.7 Efficiency  
402 Crime and Disaster Scene Integrity  
600.3 Initial Investigation

### History of the Investigation

Mentioned Names:

Nute, Holly A	09/30/1983	(360)206-4259	12880 US Hwy 12; 2 Packwood
Sawyer, Jence S	09/02/1991		12880 US Hwy 12; 9 Packwood

On Friday 01-22-21 at around 0447 hours Deputy Teitzel and Deputy Riordan were dispatched to an assault which reportedly occurred at 12880 US Hwy 12 in Packwood, Wa. Jence Sawyer called in telling dispatch he was hit with a beer bottle and toilet lid by a neighbor named Holly who lives in Apartment #2. He also told dispatch she had threatened to kill him and he was now in the woods. At approximately 0449 hours the other party, Holly Nute called in saying the male had tried to strangle her, she was bleeding from the head and mouth and she was requesting aid. Lewis County Fire District 10 (Packwood) responded to the scene and shortly after their arrival began transporting Nute to Morton General Hospital.

When aid arrived in the Randle area they stopped at the District 14 (Randle) main station. While there Deputy Riordan spoke with Holly Nute in the back of the ambulance. Nute

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told him she had been in a dating relationship with Sawyer since approximately November of 2020. She went on to tell him that during the assault Sawyer continuously threatened to kill her, struck her numerous times on the head with a beer bottle, punched her with his hands and choked her among other things. While speaking with her he observed what appeared to be a large amount of blood in her hair and swelling to her face. Photographs and a statement were taken from Holly Nute. After the conversation with Nute and the observations of her injuries, it was determined they had probable cause for the arrest of Jence Sawyer for the assault.

Deputies Riordan and Teitzel then departed for the scene in Packwood while the ambulance drove to Morton General Hospital. They arrived at 12880 US Hwy 12 #2 in Packwood at around 0551 hours. When they arrived at #2 they noticed there was blood on the doorframe and the door was ajar. Deputies Riordan and Teitzel then entered to check the residence for Nute's children who they believed may still be inside. When they entered they found no one was inside, and noticed the bedroom was in disarray and there was blood in both the bedroom as well as on the bathtub, toilet and bathroom floor. After determining the children were not inside they exited the apartment and closed the door.

Nute's children were then located with the neighbors in apartment #1. Deputies spoke with Nute's son about what he had witnessed. After speaking with the son, Deputies Riordan and Teitzel began looking for the suspect, Jence Sawyer.

Jence Sawyer was located at apartment #9. Deputy Teitzel spoke with Sawyer about what happened and took photographs of him. At approximately 0606 hours Sawyer was taken into custody and secured in Deputy Teitzel's patrol vehicle. Soon after Sawyer was arrested Deputy Riordan departed for Morton General hospital to follow up with the victim, while Deputy Teitzel took a recorded statement from Nute's son. Once the statement was complete, Deputy Teitzel left as well, transporting Sawyer to the jail.

Several hours later it was determined the scene of the crime had not been properly processed and documented. Deputy Mauermann was requested to drive to the apartment and secure it until additional resources arrived and a search warrant was granted. He arrived at around 1100 hours and discovered maintenance workers had already been inside the apartment where the crime occurred. They had removed the broken toilet and moved other items within the scene as they prepared to install a new toilet. Deputy Mauermann had the maintenance workers exit the scene, and he secured the apartment until the arrival of an additional investigator and the authorization of a search warrant. Once the warrant was authorized, photographs were taken in the scene and items from inside and now outside (toilet) were collected as evidence. The photographs of the interior of the apartment documented the condition of the room and locations of suspected blood.

Later in the day on 01-22-21 Sergeant Stull was assigned a fact finding concerning the original investigation. The fact finding was to determine why a search warrant was not obtained for the apartment so that any evidence could be photographed and collected

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while deputies were still present, and prevent the possibility of the scene being contaminated or compromised.

On Friday 01-29-21, I, Detective Sergeant Frase, was assigned investigations on Deputy Riordan and Acting Sergeant Humphrey, who I was told had talked with Deputy Riordan the morning of the assault about the call. Both Deputy Riordan and Acting Sergeant Humphrey (Green Team) were served with their notice of investigation the same day.

### **Deputy Riordan Interview**

On (the next day Green Team worked during the week) Monday 02-08-21 at approximately 1315 hours, I met with Deputy Riordan in my office and he told me he did not want a guild representative. We then both started recording our conversation. We went over the Notice of Right to Representation and the Order to Cooperate and signed both documents. Once the initial paperwork was complete I asked Deputy Riordan about the assault call in Packwood.

Deputy Riordan told me about getting dispatched to Packwood for an assault complaint, and then the female half calling in as well saying she was assaulted and was requesting aid. He said Packwood Fire transported the female (Nute) from the scene in Packwood and met him at the Randle Fire Hall. While there he met with her in the ambulance and noticed a large laceration on her scalp as well as other injuries. He took photographs of her injuries and took a taped statement from her. At this point after speaking with Nute and seeing her injuries, he believed there was probable cause for the arrest of Nute's boyfriend Jence Sawyer for Assault 1<sup>st</sup> or 2<sup>nd</sup> DV.

Deputy Riordan said that after speaking with Nute, he and Deputy Teitzel drove to Packwood to try and locate Sawyer. When they initially arrived in Packwood they drove past the address because they had a different motel in mind. It was around this time that Acting Sergeant Humphrey called and spoke with Deputy Riordan for the first time. During the conversation Acting Sergeant Humphrey was briefed on the information available at the time, and he asked if they needed more resources. Deputy Riordan said at this point they did not know if they were going to find the suspect and he did not know if they were going to need any help.

When Deputy Riordan and Deputy Teitzel arrived they went to the apartment (#2) where Nute said the assault occurred to check to make sure Nute's children were not still there. They entered and quickly looked around for the children. Deputy Riordan was in front and when he entered the bathroom he noticed blood on the floor and that the toilet was leaking. He said that once they were sure the children were not inside they immediately exited the apartment.

Deputy Teitzel then located Nute's children next door. After briefly speaking with Nute's son, they left to try and find Jence Sawyer. Deputy Riordan said he missed Sawyer's apartment and came back when he heard Deputy Teitzel speaking with someone who turned out to be Sawyer. Once Sawyer was taken into custody they discussed what to do

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next. They decided that Deputy Riordan would head to the hospital where Nute was located while Deputy Teitzel interviewed the children.

After Deputy Riordan left Packwood he spoke with Deputy Teitzel and then Acting Sergeant Humphrey on the phone while on the way to the hospital. He remembered mentioning to Acting Sergeant Humphrey that they possibly had "Attempted Manslaughter" when he actually meant Attempted Murder and briefing him about the incident. I asked Deputy Riordan if he remembered what he had initially told Acting Sergeant Humphrey, and he told me he did not. Acting Sergeant Humphrey was then going to brief the Captain while Deputy Riordan spoke with a prosecutor.

Deputy Riordan then collected additional evidence from the victim at the hospital before heading to Evidence. Once there he processed the clothes and answered questions about saying "Attempted Manslaughter." He then briefed those present and he and Deputy Teitzel were both exhausted and went home.

He mentioned waking up later in the afternoon or evening going through a checklist in his head and realizing they had not processed the inside of the residence. Deputy Riordan said he called Deputy Teitzel to make arrangements for further processing at the scene, and to document that the scene could have changed since they had been there earlier. He also mentioned that he has run homicides by himself and knows there was going to be evidence inside that would be relevant to the case.

When I asked about his schedule, Deputy Riordan told me he normally works swing shift type hours, but at the time this occurred he was covering the late shift and had been for several days. He told me both he and Deputy Teitzel were extremely tired at the time and mentioned that if it the call occurred on his normal shift the (investigation) step would not have been missed.

We then ended the recorded statement. For more detailed information and Deputy Riordan's exact words, please see his recorded statement.

### **Acting Sergeant Humphrey Interview**

On Tuesday 02-09-21 at approximately 0755 hours I met Acting Sergeant Humphrey in my office for an interview concerning this investigation. He told me he did not intend on having a guild representative present for his interview. After a brief conversation I turned on the recorder and we started our interview. We went over the Notice of Right to Representation and the Order to Cooperate and signed both documents. Once the initial paperwork was complete I asked Acting Sergeant Humphrey what time he came to work on Friday 01-22-21. He told me he was covering one of the early shifts and had probably come in shortly before 0600. (He signed in service at 0538 according to his radio log.) I then asked him how he first became aware of the call in Packwood. He told me he was not sure if he overheard radio traffic, or just saw the call on the screen when he booted up his computer. He said that one of the first things he remembers hearing over the radio was Deputy Riordan saying they were going to be out in a wooded area looking for the

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suspect on foot. After hearing this he wanted to call and get a better idea of what was going on before they possibly had bad cell reception in the woods. Acting Sergeant Humphrey told me believes he tried to call Deputy Riordan, Deputy Riordan called him back, and then they had a very short conversation. During the conversation he remembers being told something to the effect of, 'they were looking for the suspect trying to arrest him.' He did not remember anything being mentioned about the crime itself.

Acting Sergeant Humphrey told me he spoke with Deputy Riordan again after the suspect was in custody. He estimated the second conversation occurred 45 to 50 minutes after the first. During the second conversation he was told that it was a pretty serious assault and he remembered Deputy Riordan mentioning charging the suspect with "Attempted Manslaughter," which puzzled him. Acting Sergeant Humphrey said he remembers quizzing Deputy Riordan about the charges telling him they did not make sense. He asked him if he had talked with a prosecutor or suggested he speak with one, and he asked Deputy Riordan if they needed any help. Deputy Riordan told him no, he thought they had everything covered, and that he was going to the hospital while Deputy Teitzel transported the suspect to jail. He did mention that Deputy Teitzel may need help at evidence. During the conversation Deputy Riordan mentioned they went into the cabin to do a security sweep looking for the children and noticed there was blood in the cabin and that a toilet seat was ripped off. The children were then located next door. Acting Sergeant Humphrey mentioned that during this conversation Deputy Riordan "was pretty wound up" and was "kind of blurting stuff out." He said that at this point he had not picked up in the conversation that the cabin had not been processed. After Deputy Riordan left the hospital there was another phone call between Deputy Riordan and Acting Sergeant Humphrey where the two of them discussed the charges, and then they met at evidence.

Acting Sergeant Humphrey said that it was not until later while speaking with Captain Spahn near Ritchie Brothers that he realized the scene may not have been processed. He mentioned he was going over his conversations with Deputy Riordan and Deputy Teitzel in his head, and remembers them telling him about the evidence they saw during the security sweep, but he did not remember either of them mentioning actually processing the scene. Acting Sergeant Humphrey told me as soon as he realized the scene may not have been processed he brought it to the attention of Captain Spahn and the two of them worked on a plan to secure the scene as soon as possible and correct the issue. He told me he needs to "do a better job asking questions to the deputies," "it's ultimately my responsibility," and "my fault that it didn't get done."

We then ended the recorded statement. For more detailed information and Acting Sergeant Humphrey's exact words, please see his recorded statement.

### **Phone Records**

After speaking with Acting Sergeant Humphrey, I spoke with purchasing and requested a copy of the cell phone bill for 360-880-2910 (Acting Sergeant Humphrey's cell phone)

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covering the time of this incident. I have since attached a copy of the phone bill and a time line to this case. (It appears only completed calls are visible on the phone bill.)

### **Deputy Teitzel Interview**

On Friday 02-12-21 I was assigned an investigation on Deputy Teitzel's involvement in this incident. On Wednesday 02-17-21 at approximately 1930 hours I met Deputy Teitzel in my office for an interview concerning this investigation. Deputy Teitzel did not have a guild representative with him and I asked if he wanted one. He told me he did not. I briefly explained the interview process to him and that at the beginning of the interview we would be completing two forms. I then turned on the recorder and we started our interview. We went over the Notice of Right to Representation and the Order to Cooperate and signed both documents. Once the paperwork was complete I transitioned to the main part of the interview.

During the interview Deputy Teitzel told me about the original details of the call, meeting the victim and Deputy Riordan at the Randle Fire Hall and developing probable cause for the arrest of Jence Sawyer after speaking with Holly Nute and observing her injuries. He said they then drove to Packwood to the correct motel after initially going to the wrong location. When he and Deputy Riordan arrived they entered Nute's apartment to check on her kids and see if Sawyer was possibly inside. Deputy Riordan went in first followed by Deputy Teitzel. When they entered Deputy Teitzel said there was not much space in the bedroom and although Deputy Riordan was able to go into the bedroom and bathroom, he himself was not able to get all the way inside. He did notice the bedroom was in disarray and he could see blood here and there.

Deputy Teitzel said after clearing the apartment he located Nute's children next door. He spoke with the Nute's son and then he and Deputy Riordan continued looking for Sawyer. He located Sawyer at apartment # 9, and after briefly speaking with Sawyer Deputy Teitzel took him into custody and secured him in his patrol vehicle.

Once Sawyer was secured in handcuffs in the back of a patrol vehicle Deputy Riordan and Deputy Teitzel discussed the case and what else needed to be done. Deputy Teitzel told me Deputy Riordan wanted to go to Morton General to speak with the victim. Deputy Teitzel said he then commented to Deputy Riordan that they needed to get back in the apartment because of all the blood inside and that they would need a search warrant. Deputy Riordan replied that they were going to have to deal without. When I later asked again about the conversation, Deputy Teitzel made a comment about Deputy Riordan being his superior, mentioning to Deputy Riordan that they needed to get a search warrant and get back inside to take photographs. Deputy Teitzel said Deputy Riordan responded by saying they were going to have to go without. He told me he did not believe this was the right choice because the evidence was merely fifty feet in front of him behind a closed door, and he could have done a search warrant in under thirty minutes. He also mentioned to me they could have asked for help or at least had someone stay at the residence to maintain security.

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Deputy Teitzel told me that after this conversation, Deputy Riordan left for Morton General. Deputy Teitzel then took a statement from Nute's son, and took photographs of the exterior of the residence (#2). He then departed for the jail. Deputy Teitzel told me that while on the way to the jail he made two stops, one was back near the scene to retrieve his notebook and the second was for fuel in Randle.

While driving to the jail Deputy Teitzel spoke with Deputy Riordan on the phone. He was briefed about Deputy Riordan's conversation with a prosecutor and he was told that Acting Sergeant Humphrey had been briefed as well. Later while still driving to the jail Deputy Teitzel also spoke with Acting Sergeant Humphrey. He told Acting Sergeant Humphrey about the call, charges and mentioned possibly needing help at the jail and evidence, but does not remember the specifics. When he arrived at the jail he was told Sawyer would need a medical clearance. Sawyer was handed off to Detective Brown for transport to the hospital, while Deputy Teitzel drove to evidence.

Once at evidence Deputy Teitzel met with Deputy Riordan who he believed was already there. He asked Deputy Riordan more questions about his conversation with Nute at the hospital. When Acting Sergeant Humphrey arrived he spoke with him about the charges and whether to book Sawyer on attempted murder or simply assault 1<sup>st</sup> or 2<sup>nd</sup> and let the prosecutor increase the charge if they wanted to. He said he did not remember if he told Acting Sergeant Humphrey what investigative steps had or had not been completed.

We then ended the recorded statement. For more detailed information and Deputy Teitzel's exact words, please see his recorded statement. Deputy Teitzel and I then departed.

At about 2027 hours I called Deputy Teitzel back. While on the phone I asked him if Deputy Riordan called him later in the day after he went home, but before he went back to work. Deputy Teitzel told me no, and that he turns his (work) phone off when he is not working. I asked him if Deputy Riordan asked him to go back to Packwood to process the scene. Deputy Teitzel said no, and that the next thing he heard about the case was from me when he read the email I sent him telling him what we had done and requesting he obtain a buccal swab from Nute. I thanked him and we ended our call.

#### **Deputy Riordan Follow Up Interview**

On 02-18-21 at 1112 hours I sent Deputy Riordan an email telling him I had some follow up questions. Deputy Riordan responded at 1137 hours telling me he could meet at 1320 today. (A copy of the email is attached to the file.)

At approximately 1317 hours Deputy Riordan arrived in my office for the follow up interview. Soon after he arrived I turned on the recorder and we started our interview. We went over the Notice of Right to Representation and the Order to Cooperate and signed both documents. Once we finished filling out the documents, I asked him several follow up questions primarily centered on his conversation with Deputy Teitzel after

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Sawyer was in custody and the phone call he had mentioned with Deputy Teitzel when he woke up prior to the next shift.

When I asked Deputy Riordan about the conversation he had with Deputy Teitzel, he told me that he did not remember anything being mentioned about needing to get back in the apartment or a search warrant, and that it was not until he woke up later that he realized they had missed a step. I read Deputy Riordan a portion of Deputy Teitzel's statement where he talked about needing to go back in the apartment and needing a search warrant and being told by Deputy Riordan that they were gonna have to deal without. Deputy Riordan said he would never tell someone not to get a warrant or ever question someone if it was brought up. Deputy Riordan went on to tell me that if Deputy Teitzel thinks he made that statement, or made that statement, Deputy Riordan didn't hear it or listen to it because he does not remember it.

I also talked with Deputy Riordan about the phone call he made to Deputy Teitzel after he woke up. When asked he told me he does not remember if he used his work phone or personal phone to call Deputy Teitzel and does not remember if he called Deputy Teitzel's work phone or personal phone. During our conversation Deputy Riordan said his call to Deputy Teitzel was after he (Deputy Riordan) woke up, but it could have been after Deputy Teitzel was already back at work.

We then ended the recorded statement. For more detailed information and Deputy Riordan's exact words, please see his recorded statement.

#### **Alleged 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, Motto, Mission, Code of Ethics, and Core Values;**
- **Lewis County Sheriff's Office Policies:**
  - 320.5.7 Efficiency**
  - 402 Crime and Disaster Scene Integrity**
  - 600.3 Initial Investigation**

#### **Conclusion**

During the investigation I spoke with the two deputies who were originally present at the scene, Deputy Riordan and Deputy Teitzel. Both deputies stated they observed the crime scene while checking apartment #2 for the victim's two children and noticed it contained evidence that would be relevant to the case.

Deputy Teitzel said that after locating and arresting the suspect, he had a conversation with Deputy Riordan where he mentioned the need to obtain a search warrant to reenter

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the crime scene and collect evidence from inside. He said that when he mentioned this, Deputy Riordan responded by saying they were going to have to deal without. Deputy Teitzel told me they both left without obtaining a search warrant and processing the crime scene. He said after leaving the scene he had at least two conversations with Acting Sergeant Humphrey, one on the phone and one at evidence. He remembers talking with him about the case but does not remember if it was ever mentioned that the interior crime scene was not processed.

Deputy Riordan said that after backing out and later locating and arresting the suspect, he and Deputy Teitzel discussed what else they needed to do. They decided he would go to the hospital to follow up with the victim while Deputy Teitzel took a statement from the victim's son and then transported the suspect to jail. Deputy Riordan told me after leaving the scene and prior to signing out of service he had several conversations with Acting Sergeant Humphrey about the case. He said it was not until he later woke up after sleeping at home and he was going over the case in his head that he realized they had not processed that actual crime scene. Deputy Riordan said he does not remember Deputy Teitzel saying anything about needing to process the apartment and told me if he heard him say this, they would not have missed the step.

During my interview with Acting Sergeant Humphrey he told me he had several conversations the morning of the call with both Deputy Riordan and Deputy Teitzel. He remembers speaking with them about the call but does not remember anything being mentioned about the scene being processed. He said that later when thinking about what he had been told, he remembered being told about potential evidence that had been seen when the deputies checked the scene for the victim's children, but not a mention of them doing anything with this information. When he realized the scene may not have been processed he immediately notified Captain Spahn and the two of them worked on a solution. Acting Sergeant Humphrey said he needs to "do a better job asking questions to the deputies," "it's ultimately my responsibility," and "my fault that it didn't get done."

Based on the above information I believe it is clear that the crime scene was not initially processed as is required for a basic investigation and because of this was compromised and altered by maintenance personnel. Although they agree the crime scene was not properly processed, Deputy Riordan and Deputy Teitzel have differing statements as to whether this was an oversight or intentional.

I have found the following violations did occur:

- Lewis County Civil Service Rule 9, Section 1, a) Incompetence, inefficiency, or inattention to or dereliction of duty. Specifically, Deputy Riordan investigated a serious assault and became aware of the existence of relevant evidence in the scene where the assault occurred. Deputy Riordan failed to take the appropriate steps to lawfully collect the evidence or at least secure the scene until other law enforcement personnel were able to respond to do so. Because of this the scene was entered by maintenance personnel who unknowingly altered the scene and

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compromised evidence before additional law enforcement personnel who later learned the investigation was not properly completed were able to arrive.

- Lewis County Sheriff's Office Oath, Motto, Mission, Code of Ethics, and Core Values. Specifically, Deputy Riordan investigated a serious assault and became aware of the existence of relevant evidence in the scene where the assault occurred. Deputy Riordan failed to take the appropriate steps to lawfully collect the evidence or at least secure the scene until other law enforcement personnel where able to respond to do so. Because of this the scene was entered by maintenance personnel who unknowingly altered the scene and compromised evidence before additional law enforcement personnel who later learned the investigation was not properly completed were able to arrive.
- LCSO Policy 320.5.7 Standards of Conduct – Efficiency. Specifically, Deputy Riordan investigated a serious assault and became aware of the existence of relevant evidence in the scene where the assault occurred. Deputy Riordan failed to take the appropriate steps to lawfully collect the evidence or at least secure the scene until other law enforcement personnel where able to respond to do so. Because of this the scene was entered by maintenance personnel who unknowingly altered the scene and compromised evidence before additional law enforcement personnel who later learned the investigation was not properly completed were able to arrive.
- LCSO Policy 402 Crime and Disaster Scene Integrity. Specifically, Deputy Riordan investigated a serious assault and became aware of the existence of relevant evidence in the scene where the assault occurred. Deputy Riordan failed to take the appropriate steps to lawfully collect the evidence or at least secure the scene until other law enforcement personnel where able to respond to do so. Because of this the scene was entered by maintenance personnel who unknowingly altered the scene and compromised evidence before additional law enforcement personnel who later learned the investigation was not properly completed were able to arrive.
- LCSO Policy 600.3 Investigation and Prosecution - Initial Investigation. Specifically, Deputy Riordan investigated a serious assault and became aware of the existence of relevant evidence in the scene where the assault occurred. Deputy Riordan failed to take the appropriate steps to lawfully collect the evidence or at least secure the scene until other law enforcement personnel where able to respond to do so. Because of this the scene was entered by maintenance personnel who unknowingly altered the scene and compromised evidence before additional law

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enforcement personnel who later learned the investigation was not properly completed were able to arrive.

I am forwarding my investigative findings via the chain of command in order to determine, and render, appropriate discipline.

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# Time Line

- 0448- 232 assigned to the call.
- 0452- 214 en route to the call.
- 0505- Packwood Fire arrived with the victim at 12880 US Hwy 12; 2 in Packwood.
- 0515- Packwood Fire departed with the patient en route to Morton General Hospital BLS.
- 0517- 232 was at MGH waiting for the patient's arrival.
- 0520- 214 requested FD10 meet at Randle Fire.
- 0522- 232 en route Randle Fire.
- 0531- 214 arrived at Randle Fire awaiting ambulance.
- 0533- Ambulance/Patient arrived at Randle Fire with 214.
- 0535- 232 arrived at Randle Fire as well.
- 0538- 213 signed in service.
- 0540- 214 said they had PC for Assault 1 DV.
- 0540- 214/232 departed to go to the scene in Packwood.
- 0551- 214/232 said they were in the area on foot.
- 0552- 214 called 213 for (1.0000 Units per US Cellular document).
- 0601- 214/232 said they located the suspect.
- 0606- 232 had suspect in custody.
- 0611- 214 departed en route to MGH.
- 0627- 232 departed with suspect en route to the jail.
- 0645- 214 called 213 for (4.0000 Units per US Cellular document).
- 0653- 213 called 232's personal cell for (4.0000 Units per US Cellular document).
- 0658- 214 arrived at Morton General Hospital.
- 0701- 232 stopped in Randle for fuel.
- 0701- 213 called 2A6 for (6.0000 Units per US Cellular document).
- 0704- 232 was back en route to the jail.
- 0734- 214 was en route evidence.
- 0754- 213 called 214 for (3.0000 Units per US Cellular document).
- 0801- 232 arrived at the jail.
- 0812- 213 called 232 on his work cell for (2.0000 Units per US Cellular document).
- 0815- 213 called 2A6 for (2.0000 Units per US Cellular document).
- 0819- 214 arrived at evidence.
- 0819- 214/232 (radio log said 75).
- 0830- 213 called 2A6 for (2.0000 Units per US Cellular document).
- 0836- 213 called 232 on his work cell for (4.0000 Units per US Cellular document).
- 0847- 213 called 232 on his work cell for (4.0000 Units per US Cellular document).
- 0855- 214 (radio log said 8).
- 0911- 232 (radio log said CMPLT).
- 0920- 214 Off duty.
- 0921- 232 Completed call.
- 1100- 211 arrives at 12880 US Hwy 12; 2 in Packwood to secure the scene and finds workers inside.

\* Non-highlighted entries are from the cad log, while highlighted entries are from the US Cellular phone bill associated with phone number 360-880-2910 which is Acting Sergeant Humphrey's issued phone number.

Subscription : 3608802910

Events

Event Type	Start Time	Period	Roaming Indicator	Serving SID	Serving Area	Int.	City Called	State	Feature	M2M	Number Called	Unit	Msgs	Air	Toll	Add'l	Surcharge	Tax	Total
Voice	01/21/2021 08:26:56	AT	N	01784	LONGVIEW		Incoming		0	M	3608802914	3.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 08:30:36	AT	N	01784	LONGVIEW		CHEHALIS WA		0	M	3608802915	5.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 08:40:08	AT	N	01784	LONGVIEW		Incoming		0	M	3608802914	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 10:22:03	AT	N	01784	LONGVIEW		Incoming		0	M	3608802897	2.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 10:23:57	AT	N	01784	LONGVIEW		CHEHALIS WA		0	M	3608802815	2.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 10:39:16	AT	N	01784	LONGVIEW		Incoming		0	M	3608802899	3.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Data	01/21/2021 10:49:59		N	00000					0	NA	000000000000000000	7.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 10:51:51	AT	N	01784	LONGVIEW		CHEHALIS WA		0	NA	3607401105	2.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
LTE	01/21/2021 10:57:17		N	01784					0	NA	000000000000000000	542.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 11:18:38	AT	N	01784	LONGVIEW		Incoming		0	M	3608802815	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 11:33:45	AT	N	01784	LONGVIEW		GORDON NE		0	NA	3083601844	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 11:43:42	AT	N	01784	LONGVIEW		Incoming		0	NA	3607401341	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 12:16:59	AT	N	01784	LONGVIEW		Incoming		0	M	3608802914	2.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 12:19:51	AT	N	01784	LONGVIEW		CHEHALIS WA		0	M	3608802915	2.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 12:43:50	AT	N	01784	LONGVIEW		CHEHALIS WA		0	NA	3603049724	7.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 12:48:10	AT	N	01784	LONGVIEW		Incoming		3	NA	3607401303	2.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 12:50:57	AT	N	01784	LONGVIEW		Incoming		0	NA	3603049724	2.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 13:15:05	AT	N	01784	LONGVIEW		Incoming		0	M	3608802896	2.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 13:19:03	AT	N	01784	LONGVIEW		CHEHALIS WA		0	M	3608801686	3.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 13:22:06	AT	N	01784	LONGVIEW		CHEHALIS WA		0	M	3608802914	2.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Data	01/21/2021 13:23:32		N	00000					0	NA	000000000000000000	824.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
LTE	01/21/2021 13:29:07		N	01784					0	NA	000000000000000000	120.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
LTE	01/21/2021 13:48:08		N	01784					0	NA	000000000000000000	6.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
LTE	01/21/2021 13:57:18		N	01784					0	NA	000000000000000000	2168.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 14:00:38	AT	N	01784	LONGVIEW		Incoming		0	M	3608802914	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 14:01:22	AT	N	01784	LONGVIEW		CHEHALIS WA		0	M	3608802914	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 14:38:13	AT	N	01784	LONGVIEW		Incoming		0	M	3608802914	2.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
LTE	01/21/2021 14:50:44		N	01784					0	NA	000000000000000000	98.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 14:55:21	AT	N	01784	LONGVIEW		CHEHALIS WA		0	M	3608802896	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 14:57:10	AT	N	01784	LONGVIEW		Incoming		0	M	3608802896	2.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
LTE	01/21/2021 15:17:37		N	01784					0	NA	000000000000000000	185.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 15:25:32	AT	N	01784	LONGVIEW		CHEHALIS WA		0	M	3608802899	4.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
LTE	01/21/2021 16:01:21		N	01784					0	NA	000000000000000000	368.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/21/2021 16:16:16	AT	N	01784	LONGVIEW		Incoming		0	NA	3607401199	13.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
LTE	01/21/2021 17:02:17		N	01784					0	NA	000000000000000000	6.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
LTE	01/21/2021 17:29:18		N	01784					0	NA	000000000000000000	137.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
LTE	01/21/2021 18:29:10		N	01784					0	NA	000000000000000000	112.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

LTE	01/21/2021 19:24:08	N	01784		0	NA	0000000000000000	19.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Data	01/21/2021 19:35:56	N	00000		0	NA	0000000000000000	21.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
LTE	01/21/2021 19:47:21	N	01784		0	NA	0000000000000000	392.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Voice	01/22/2021 05:52:42	AT	N	01784	LONGVIEW	Incoming		0	M	3608802917	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/22/2021 06:45:38	AT	N	01784	LONGVIEW	Incoming		0	M	3608802917	4.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/22/2021 06:53:51	AT	N	01784	LONGVIEW	CHEHALIS WA		0	NA	3605202985	4.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/22/2021 06:59:04	AT	N	01784	LONGVIEW	CHEHALIS WA		0	M	3608802815	3.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/22/2021 07:01:52	AT	N	01784	LONGVIEW	CHEHALIS WA		0	M	3608802915	6.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
LTE	01/22/2021 07:47:42	N	01784		0	NA	0000000000000000	690.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Voice	01/22/2021 07:53:54	AT	N	01784	LONGVIEW	CHEHALIS WA		0	M	3605209942	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/22/2021 07:54:50	AT	N	01784	LONGVIEW	CHEHALIS WA		0	M	3608802917	3.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/22/2021 07:56:36	AT	N	01784	LONGVIEW	Incoming		3	M	3605209942	8.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/22/2021 08:12:27	AT	N	01784	LONGVIEW	Incoming		0	M	3608801506	2.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/22/2021 08:14:36	AT	N	01784	LONGVIEW	CHEHALIS WA		0	M	3608802891	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/22/2021 08:15:29	AT	N	01784	LONGVIEW	CHEHALIS WA		0	M	3608802915	2.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/22/2021 08:30:44	AT	N	01784	LONGVIEW	CHEHALIS WA		0	M	3608802915	2.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/22/2021 08:35:31	AT	N	01784	LONGVIEW	CHEHALIS WA		0	NA	3607401351	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/22/2021 08:36:11	AT	N	01784	LONGVIEW	Incoming		3	M	3608801506	4.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/22/2021 08:47:23	AT	N	01784	LONGVIEW	Incoming		0	M	3608801506	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/22/2021 08:59:45	AT	N	01784	LONGVIEW	Incoming		0	M	3608802815	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Data	01/22/2021 09:19:51	N	00000		0	NA	0000000000000000	23.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Voice	01/22/2021 09:31:10	AT	N	01784	LONGVIEW	CHEHALIS WA		0	M	3605206819	2.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
LTE	01/22/2021 09:34:20	N	01784		0	NA	0000000000000000	556.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Voice	01/22/2021 10:14:00	AT	N	01784	LONGVIEW	CHEHALIS WA		0	M	3608802899	2.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/22/2021 10:14:20	AT	N	01784	LONGVIEW	Incoming		3	NA	3602815406	2.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Data	01/22/2021 11:01:53	N	00000		0	NA	0000000000000000	97.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Voice	01/22/2021 11:11:17	AT	N	01784	LONGVIEW	Incoming		0	NA	3607401266	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/22/2021 11:21:52	AT	N	01784	LONGVIEW	Incoming		0	M	3605203954	15.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
LTE	01/22/2021 11:30:51	N	01784		0	NA	0000000000000000	160.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Voice	01/22/2021 11:36:11	AT	N	01784	LONGVIEW	CHEHALIS WA		0	M	3608802918	4.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/22/2021 11:49:39	AT	N	01784	LONGVIEW	Incoming		0	NA	4126857526	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/22/2021 12:28:50	AT	N	01784	LONGVIEW	Incoming		0	M	3608802815	2.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Data	01/22/2021 12:33:03	N	00000		0	NA	0000000000000000	281.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
LTE	01/22/2021 12:36:20	N	01784		0	NA	0000000000000000	26.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
LTE	01/22/2021 12:42:15	N	01784		0	NA	0000000000000000	144.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Voice	01/22/2021 13:03:16	AT	N	01784	LONGVIEW	Incoming		0	M	3608802891	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
LTE	01/22/2021 13:21:23	N	01784		0	NA	0000000000000000	83.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Voice	01/22/2021 13:58:57	AT	N	01784	LONGVIEW	Incoming		0	M	3608802815	2.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/22/2021 14:08:32	AT	N	01784	LONGVIEW	Incoming		0	M	3608802915	2.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice	01/22/2021 14:10:46	AT	N	01784	LONGVIEW	CHEHALIS WA		0	M	3608801686	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00
Voice		AT	N	01784	LONGVIEW	Incoming		0	M	3608801686	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00

	01/22/2021																			
	14:17:07																			
Voice	01/22/2021	AT	N	01784	LONGVIEW	CHEHALIS WA	0	M	3605203954	4.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	14:24:52																			
LTE	01/22/2021		N	01784			0	NA	000000000000000000	80.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	14:30:28																			
LTE	01/22/2021		N	01784			0	NA	000000000000000000	1015.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	15:09:02																			
Voice	01/22/2021	AT	N	01784	LONGVIEW	Incoming	0	NA	3607401302	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	15:12:24																			
LTE	01/22/2021		N	01784			0	NA	000000000000000000	1530.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	15:23:15																			
Voice	01/22/2021	AT	N	01784	LONGVIEW	Incoming	0	M	3608801686	3.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
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Voice	01/22/2021	AT	N	01784	LONGVIEW	CHEHALIS WA	0	M	3608801686	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	15:30:43																			
LTE	01/22/2021		N	01784			0	NA	000000000000000000	14.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	15:35:02																			
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Voice	01/22/2021	AT	N	01784	LONGVIEW	Incoming	0	M	3608802899	13.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
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Voice	01/22/2021	AT	N	01784	LONGVIEW	Incoming	0	M	3608802912	1.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	18:07:15																			
Data	01/22/2021		Y	00000			0	NA	000000000000000000	12.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	18:17:51																			
Data	01/22/2021		N	00000			0	NA	000000000000000000	25.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	18:33:24																			
Voice	01/22/2021	AT	N	01784	LONGVIEW	Incoming	0	NA	3607486385	4.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	18:40:53																			
Data	01/22/2021		N	00000			0	NA	000000000000000000	14.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	18:44:43																			
Data	01/22/2021		Y	00000			0	NA	000000000000000000	64.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
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LTE	01/22/2021		N	01784			0	NA	000000000000000000	97.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	19:13:34																			
Data	01/22/2021		N	00000			0	NA	000000000000000000	26.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	19:37:44																			
LTE	01/22/2021		N	01784			0	NA	000000000000000000	34.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	19:40:28																			
LTE	01/22/2021		N	01784			0	NA	000000000000000000	425.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	19:46:31																			
Voice	01/23/2021	AT	N	01784	LONGVIEW	CHEHALIS WA	0	M	3608802911	13.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	11:45:32																			
Voice	01/23/2021	AT	N	01784	LONGVIEW	Incoming	0	M	3608802911	16.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	12:05:42																			
LTE	01/23/2021		N	01784			0	NA	000000000000000000	44.0000	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	20:16:51																			

Totals:

MZM:	Unit:	Msgs:	Air:	Toll:	Add'l:	Surcharge:	Tax:	Total:
49.0	0.0	0.0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

STATEMENT OF DANIEL RIORDAN/G. FRASE/02-08-21

This is a recorded interview with Deputy Daniel Riordan of Lewis County Sheriff's Office. Today's date is 02/08/21 and the time now is approximately 1319 hours. Uh, this is in reference an investigation uh, that pertains to Lewis County case number 21C967. My name is Detective Sergeant Frase, Lewis County Sheriff's Office. Also present is Deputy Riordan.

1 Q. Do you understand this interview is being recorded?

2

3 A. Yes. And do you understand its being recorded?

4

5 Q. Yes.

6

7 A. Okay.

8

9 Q. Okay. Um, we're gonna start off with I, when you first came in here you said you don't  
10 have a, a representative with you.

11

12 A. Correct.

13

14 Q. Okay. Um, I'm gonna go ahead and read this anyway, just because I do. Uh, Lewis  
15 County Sheriff's Office Notice, Notice of Right of Representation. The date is 02/08/21, case  
16 number 21C967 or related to that case number. Interviewee is Deputy Daniel J. Riordan,  
17 interviewer is Gabriel J. Frase, position/Detective Sergeant of the Lewis County Sheriff's Office.  
18 Pursuant to a request, the following named person is granted permission to represent you during  
19 an administrative interview that has a potential of leading to progressive disciplinary action  
20 against you up to and including a termination. Name of representative, I have printed in there  
21 none. Is that correct?

22

23 A. Yes.

24

25 Q. Okay. Um, you and your representative should understand that this interview is not a due  
26 process, i.e., Loudermill Hearing. The function of a representative is to, representative is to  
27 observe and assist you in clarifying questions presented to you or to present facts that promote  
28 your best interest in a non-confrontational, threatening, intimidating or disruptive manner. Your  
29 representative will not be permitted to attempt to bargain with the interviewer. Any attempt by  
30 you or your representative to impede the interview, create a disruption or become disrespectful  
31 will result in the representative being asked to leave. If your representative is a member of this  
32 agency, you and the representative will be subject to disciplinary action up to and including  
33 termination for such behavior. Should you or your representative wish to make a brief statement  
34 on the record regarding the manner in which the interview was conducted, you will be permitted  
35 to do so. Again, may I get your signature there at the bottom, sir, (unintelligible, paper shuffling)  
36 um, just indicating the (unintelligible) part. (signing document) And once that's done, I will sign  
37 it myself.

38

39 A. Date today is-

1  
2 Q. -uh, today is the 8<sup>th</sup>. (signing document) Thank you, sir. (signing document, paper  
3 shuffling).  
4

5 Q. Okay. We're now gonna jump over to the Lewis County Sheriff's Order to Cooperate.  
6 Uh, Deputy Riordan, you are about to be questioned as part of an ongoing and official  
7 administrative investigation by the Lewis County Sheriff's Office. You are a principle in this  
8 case and you are being ordered to cooperate fully and completely. Once this interview has been  
9 concluded, you're ordered to keep all information you know or have provided about this case  
10 strictly confidential. Any release or exchange of information by you or found to have flowed  
11 from you, that has the potential of jeopardizing the integrity of this inves- sorry, of this  
12 investigation will result in your immediate suspension and termination proceedings will be taken  
13 against you. This order does not prohibit you from discussing your representation rights only  
14 with a labor representative who is not a principle in this case or your constitutional rights with an  
15 attorney. You will be asked specific questions that will relate directly, speci- sorry, specifically  
16 and narrowly to the performance of your official duties or fitness as an employee of this office.  
17 You are not permitted to refuse to answer all questions asked. This is an administrative review  
18 interview, sorry, not criminal and any responses to questions asked during this interview cannot  
19 be used against you in a criminal proceeding. All information in this case is confidential and  
20 except as mandated by law, will be released only to proper authorities. You are ordered and  
21 required to answer all questions fully, truthfully and to the best of your knowledge and ability. If  
22 you refuse to answer questions specifically ordered, sorry, specifically directed and narrowly  
23 related to the performance of your official duties, you will be subject to agency charges that will  
24 result in disciplinary action up to and including termination. The allegations to which you are  
25 being directed to respond are as follows and they're not actually on this form. We're looking at  
26 the attached Memorandum that you were-

27  
28 A. - -

29  
30 Q. -served with.

31  
32 A. Yes.  
33

34 Q. You responded to a complaint um, regarding case number 21C967, which occurred at  
35 12880 US Highway 12, the Tatoosh Motel, where you investigated a felony physical assault,  
36 domestic violence. You contacted both persons involved, subsequently making an arrest, but  
37 failed to complete the investigation. From that initial informa- sorry, investigation, information  
38 was obtained that the crime had occurred in the victim/suspect's cabin. The victim, I'm  
39 guessing, this is supposed to be had been, the victim had been transported via ambulance and the  
40 suspect had fled on foot prior to your arrival. It is alleged you did not obtain a search warrant for  
41 the cabin to investigate and obtain evidence of a crime. Subsequently, the crime scene was  
42 contaminated by maintenance workers and caused additional personnel to obtain a search  
43 warrant and collect evidence of the crime. So, um, could I get your signature here. (paper  
44 shuffling) It says you acknowledge or -  
45

1 A. -I have been informed of the above Order and the nature of the alleged- (signing  
2 documents)  
3  
4 Q. -allegations, thank you.  
5  
6 A. (unintelligible) sorry.  
7  
8 Q. No, not, not a problem. (paper shuffling) I, my problem is trying not to write 2020, 2020  
9 instead of '01. (signing documents, paper shuffling) Okay, so, you remember the incident we're  
10 talkin' about?  
11  
12 A. Yes.  
13  
14 Q. Yes, okay. So, um, on that morning, you were dispatched to or, either you or Deputy  
15 Teitzel were dispatched to a call in Packwood or made aware of a call in Packwood um, what did  
16 you see on the screen? I mean, what, what type of call in general was it, to the best of your  
17 recollection?  
18  
19 A. Um, well, Blake and I were working uh, uh, a case, a stolen vehicle case for State,  
20 suspects had fled so we had been in Toledo most of that early morning, um, uh, so we were just  
21 hangin' out down there. I don't know, somewhere right around five o'clock, something like that,  
22 uh, Dispatch put out a uh, (clicking noise) assault complaint uh, up in Ran' up in Packwood, uh,  
23 the reporting party was Jence Sawyer, um, said that people had, somethin' like assaulted him and  
24 he's in the woods and he's scared that they're gonna kill him, um, (clicking noise) Blake  
25 answered up for it because Jence Sawyer we know, is a uh, drug user and has hallucinations and  
26 has issues. So, he just answer- he's gonna answer up for it and try to call and then uh, a few  
27 minutes later if, if that, uh, additional RP, I believe the victim, called in, saying that she was  
28 assaulted and was requesting aid. I don't remember looking at the screen past that point because  
29 if was so foggy and we just, we knew that we had to respond out there. Um, and then we-we-we  
30 make- we began responding. He was on I-5 and I took uh, Jackson/Spencer.  
31  
32 Q. Okay.  
33  
34 A. I believe.  
35  
36 Q. Um, did you ever meet the reporting party? And when I say the reporting party, there's  
37 two of them. Did you ever meet the female? Ms. uh, the lady in this thing-  
38  
39 A. -the victim?  
40  
41 Q. Thank you.  
42  
43 A. Yes, yes. Uh, they started transporting her when we got, Blake got into Morton, got into  
44 the area of Morton and Dispatch advised cause I said, while we're en route there, I was like, hey,  
45 let me know, only update I was truly worried about at that point was if there was any more  
46 assault that had occurred and if aid was gonna transport. Uh, they advised aid was transporting

1 so Blake said, hey, I'm just gonna wait at the hospital um, for them to get there. Um, since we  
2 had a lo- we already had a long response to the area, uh and the weather was nasty, uh, I asked  
3 Dispatch if, if it was ALS or BLS and they said it was BLS and I said, are they able to meet me  
4 somewhere in between so I can get a, at least an initial because we didn't know what we had at  
5 this time. And they said that they would meet me in uh, Randle Fire.

6  
7 Q. Okay. (train in background)

8  
9 A. So, I told Blake to continue and meet me there and that's where I met her. (train in  
10 background) I arrived on scene and they pulled in within a minute.

11  
12 Q. I'm just, were you able to talk with her?

13  
14 A. Yes.

15  
16 Q. Okay. And did, I mean, did it look like she had been assaulted and-

17  
18 A. -yes, yes. There was uh, major lacerations to her scalp, appeared to be upon her face,  
19 unknown that I couldn't, I couldn't, there was so much blood, I couldn't tell if there was a  
20 laceration on ov-over her eyebrow. Aid said there was, but I couldn't tell, but I knew there was a  
21 huge laceration to her uh, top of her head. It looked, she had uh, extra skin rolls on her neck but  
22 it looked right at the trach' uh, that it was bruised there. So, I grabbed a, a digital statement from  
23 her and also took su- just some quick photographs of her.

24  
25 Q. Okay. At that point, had you deti- determined that something may or may not have  
26 happened?

27  
28 A. Yes.

29  
30 Q. Did you believe that there was probable cause for some type of crime?

31  
32 A. Yes. Actually, I believe at that point that we had Assault 1<sup>st</sup> or Assault 2<sup>nd</sup> at that time.

33  
34 Q. Okay.

35  
36 A. Because of the choking and the inj- the injuries.

37  
38 Q. Okay.

39  
40 A. And I believe sh- he had used a, a beer bottle, I believe that she told me that during that  
41 time so, a weapon involved and then the choking, I said, Blake and I both agreed at least Assault  
42 2, if not Assault 1 DV.

43  
44 Q. Okay. Um, was there more interaction there or did you guys, then you head to  
45 Packwood?

46

1 A. Yeah, we just immediately went to Packwood.  
2  
3 Q. Okay, what happened when you arrived in Packwood?  
4  
5 A. Uh, we actually blew by the address (ding noise) for some reason, I, in our head, it was  
6 Packwood Inn that we were going to instead of the cabins. So, we went by it, stopped at the  
7 Packwood Inn uh, that's when Jeff called me the first time, asked me what I had and I said that,  
8 this is, I gave him the information what she told me there and then uh, he asked if we needed  
9 more resources and I said, I don't know, even know if we're gonna find Jence at this point, so I  
10 don't know. And so, that uh, we were, at that point, we realized hey, we're, at, back down the  
11 road, so we went back to the cabins.  
12  
13 Q. Okay, so just to clarify, um, when you say, Jeff-  
14  
15 A. (unintelligible)  
16  
17 Q. -we're talking, Je-Jeff, you spoke with Jeff Humphrey before you actually arrived, you  
18 were in the area but-  
19  
20 A. -yes-  
21  
22 Q. -missed the, missed the actual address-  
23  
24 A. -right-  
25  
26 Q. -okay, okay. So, um, when you backed up to the cabin-  
27  
28 A. -so, the initial, the first thing that we got on scene was that, what she had made uh,  
29 statement, everything, she had made a statement that um, that this occurred in the apartment or  
30 the cabin and that her son and daughter were there and witnessed it and screamed and that's the  
31 reason why he stopped what he was doing. So, uh, when we got on scene, we located the  
32 apartment. We made entry into it just to make sure the kids were not there and then immediately  
33 backed out. Um, uh, Blake went next door and located the kids next door um, talked to the son, I  
34 believe, uh, her son just for a quick second. He confirmed that uh, that he did witness some  
35 assault and Jence was a suspect. And that, at that point, um, we told them to- to secure in their  
36 apartment and we started lookin' for Jence.  
37  
38 Q. Was he found?  
39  
40 A. Yes.  
41  
42 Q. Okay. Where was he found at?  
43  
44 A. Uh, well, I believe, we passed, cause the numbers were all kind of weird, so I had passed  
45 uh, I believe nine where he's, his mom lives and that's where he, I guess he lives uh, I passed

1 nine, went around the corner and uh, Blake actually started talkin' to a guy, so I came back  
2 around the corner (ding noise) and it was Jence.  
3  
4 Q. Okay. And was he taken into custody?  
5  
6 A. Yes.  
7  
8 Q. At some point, okay. Um, when you were inside the, the apartment, did you see anything  
9 of evidentiary value or anything to be documented or collected?  
10  
11 A. Um, yeah, yeah. When we went in, we saw uh, we were in there very quick like so, we  
12 went in for lookin' for persons, uh, the one thing that I noticed was there was blood on the uh,  
13 bathroom floor and the toilet was leaking. Um, and then, come to find out that that's what she  
14 used as a weapon to get him off and she had mentioned it to me before that, I didn't hear it, but  
15 uh, and then when Blake, I'm sorry, go ahead-  
16  
17 Q. -no-  
18  
19 A. -so, yes, that's, I, I saw the toilet in the bathroom.  
20  
21 Q. Okay. And was it just you or you and Blake that were inside-  
22  
23 A. -uh, Blake was behind me-  
24  
25 Q. -okay-  
26  
27 A. -and like I said, we went in lookin' for people and then we backed out. At the time in my  
28 brain, uh, Jence lived there-  
29  
30 Q. -umm hmm-  
31  
32 A. -however if I, when I woke up the next morning, forget it, uh, anyways, so-  
33  
34 Q. -okay-  
35  
36 A. -yes, I thought Jence was there so we backed out.  
37  
38 Q. You, okay, you realized the kids weren't inside-  
39  
40 A. -and we-  
41  
42 Q. -and there was no-  
43  
44 A. -okay-  
45

1 Q. -so, again, I guess this kind of goes into my, my next question, um, well, did you collect  
2 or photograph anything while inside?  
3  
4 A. No.  
5  
6 Q. Okay. And follow up-  
7  
8 A. -just the exterior door and the doorjamb.  
9  
10 Q. Okay. And then you may have already answered this, but why or why not? When you  
11 in, why or why not did you collect anything-  
12  
13 A. -I didn't have a lawful right at the time, in my brain, I didn't have a lawful right to do that  
14 um, because in my head, the way she had spoke to me, Jence lived there; however, when I wake  
15 up later in the day, Jence Sawyer's a registered sex offender at number 9. He's not, doesn't live  
16 there. So, that's an argument, but-  
17  
18 Q. -umm hmm.  
19  
20 A. We could have done that at that point, but again, that's after I woke up.  
21  
22 Q. Okay. Uh, when you investigate assaults, um, domestic violence assaults, assaults or any  
23 type of assault, what steps do we usually take to investigate the crime?  
24  
25 A. Just depends on the incident.  
26  
27 Q. Okay. On an incident like this, I mean, I know that we're now looking back at it, not at  
28 the time-  
29  
30 A. -okay-  
31  
32 Q. -but what in, in hindsight-  
33  
34 A. -in a perfect world-  
35  
36 Q. -in a perfect world-  
37  
38 A. -in a perfect world, we would have been able to get consent verbally from her, saying that  
39 he doesn't live there and do or what we needed to do once we got him into custody there. In a  
40 non-perfect world, believin' that he possibly lived there, we could have got a search warrant for  
41 that location, secured it, documented it quick, quick enough and then got the people in there to  
42 shut off the water.  
43  
44 Q. Okay. Did you and, you and/or Deputy Teitzel talk about needing a warrant-  
45  
46 A. -no-

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
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41  
42  
43  
44  
45  
46

Q. -did you, okay, that was okay.

A. We had a discussion uh, right before I le- once he got Jence's into custody, we took a minute uh, we're both at the end of our shift uh, take a minute, said, okay, what do we need to do next um, it was, it was just decided that he was going to get a statement from uh, the kids, if he could get one. We didn't know how old the daughter was at the time, but he got a statement from the boy and then I believe somebody else and then he also took exterior photographs. Uh, I cleared the scene and responded to the victim to get her sign uh, Smith Affidavit, uh, and something else, I can't, oh, Medical Release and once I got on scene there, I had a, I saw that her injuries were, were uh, becoming more significant. She's had "raccooning" of the eyes and things like that, so, I got another digital statement from her with information that the son said that she's being drowned and choked at the same time which she corroborated in her statement. Um, so.

Q. Okay. Um-

A. -so, everything we did, other than getting a search warrant, clo- doing the, the apartment everything was done correctly there, collecting of clothes, drying of the clothes, uh, collection of the uh, the statements, people signing off on stuff um, and then the witnesses that we had at the time, Blake was pretty sure that he got everybody he-he needed.

Q. Do you know why some stuff wasn't made to, like you, you mentioned, if you know, if you knew that she was the only person there and was there in a perfect world, you could get consent, but do we know, I mean, do you have a reason why either someone wasn't left behind to secure it until someone else could, I mean, other (unintelligible) the sec' the scene wasn't secured or a warrant wasn't-

A. -oh, well-

Q. -requested or-

A. -are you, are you, okay, cause now, you're kind of askin' an open ended question there, so. At the time-

Q. -umm hmm-

A. -my brain, we had done everything that we needed to do.

Q. Okay.

A. I was exhausted. I don't remember I-I and like I said, this is not something, if it happened on my regular shift at eleven-thirty at night, I'm still firing. I'm still able to, I'm going through the whole checklist. I mean, I ran homicides by myself. I'm not bragging, but I'm just saying, I ran homicides by myself. This was, immediately, when I got done with evidence, went to bed, woke up at six-thirty that night, I called, I-I called Blake immediately and said, or whenever I woke up, I don't, I don't remember some' I called Blake and said, I need you to go

1 immediately up to the location and get photographs, we'll document the location, make our  
2 statements that this isn't how it was at the time, this is how, several hours after the fact, but I  
3 knew that once, when I woke up, I was like, we have a issue here.

4  
5 Q. Umm hmm.

6  
7 A. Uh, I also made that issue (ding noise) that was something to clear up the issue, I had  
8 made that statement at evidence too, to simple subjects that now everything that, that gone with  
9 processing my evidence, I'm like, okay, when do we, my brain starts going through the checklist  
10 and I'm like, we missed a box.

11  
12 Q. Okay. Um, you said that you spoke with Humphrey on the phone (phone ringing). You  
13 spoke with Humphrey on the phone uh, after you'd missed, missed the apartment.

14  
15 A. Yes.

16  
17 Q. Did he ever try to call you back?

18  
19 A. Yes, he talked to me actually, he talked to me two other times at least that, that I know of  
20 after that. He called me in Glenoma and I told him that uh, I was, uh, like I said, I was so  
21 exhausted, I said, a hey, everything that what I believe the way cause we're working through  
22 this as we're going. Cause it starts out as a, as a Jence Sawyer complaint, now we're working  
23 into a DV, now we're getting to a 'seriouser' DV and by the time I get to Glenoma, my brain's  
24 going to the point that hey, this is actually a, attempted murder. But, I used the word attempted  
25 manslaughter. So, I called, that's when I talked to, to uh, Hump and I'm like hey, this is what  
26 we're thinkin' and he's like, okay, okay, uh, I'll brief Curt (unknown noise). So, then um, he  
27 had made a comment to me, saying something like well, the Prosecutor's Office probably won't  
28 go with that, so, with that, triggered my brain, I called Will, cause I'm like, hey, this is what I got  
29 and uh, Will's like, well, Dan, it's not attempted manslaughter, and I, and I go, I go, yeah, I  
30 know, and so, then, I actually pulled over right outside of Morton with Will on the phone and  
31 went through and said, hey, attempted uh, attempted murder and what I believe it was with the  
32 hands or somethin' like that or a tool and he goes, yeah, that's what you want. So, I actually put  
33 that charge in at that point. Uh, met with her and then on the way back, way back down uh,  
34 (ding noise) cause I put my notes in the comments that I briefed Will or briefed prosecutor and  
35 (sigh) I believe at least one or two other times, uh, Humphrey called me because Curt still had  
36 more questions about uh, Captain Spahn, had more questions about who I actually talked to.  
37 And I said, I talked to Will and he's like, okay, okay. Um, so, I believe it was, those were the  
38 phone calls before I actually saw him a-at evidence.

39  
40 Q. Okay. Um, when you called um, Acting Sergeant Humphrey on the way back, you said,  
41 Glenoma-ish, well-

42  
43 A. -he called me, yes.

44  
45 Q. He called you.

46

1 A. Yeah.  
2  
3 Q. Oh, the second time, okay.  
4  
5 A. Yeah, I believe that he, he was, he initiated the calls, I, I can't tell you if he did or didn't-  
6  
7 Q. -okay-  
8  
9 A. -I know that we called while I was in Glenoma.  
10  
11 Q. You, you at no point saw a missed call and went, oh, crap, I need to call him back,  
12 nothing like that?  
13  
14 A. I have no idea.  
15  
16 Q. You, okay.  
17  
18 A. I know that we talked in Glenoma because I called Will and I was just coming into  
19 Morton, so it was that timeframe.  
20  
21 Q. And do you remember what you told um, initially told Acting Sergeant Humphrey?  
22  
23 A. No.  
24  
25 Q. No?  
26  
27 A. Not at all.  
28  
29 Q. Not at all? Okay.  
30  
31 A. I told him that I believe we had PC for this. I have no, I, that was what we I didn't, he-we  
32 didn't talk about the case, we talked about the PC.  
33  
34 Q. Okay. And um-  
35  
36 A. -as far as I remember-  
37  
38 Q. -exactly. When you realized what time of crime you might have, I mean, how long after  
39 that was it that you spoke with Humphrey?  
40  
41 A. What do you mean?  
42  
43 Q. When you put two and two together, thinking, you know, you said you were leaving  
44 Packwood, and look' you know, playing it over in your head, what it was that you, you know,  
45 what had just happened-  
46

1 A. -uh-  
2  
3 Q. -you know what-  
4  
5 A. -I was working-  
6  
7 Q. -kind of crime we had-  
8  
9 A. -through it, I was well, we had to, I had to drive through Randle uh and talk to Blake and  
10 say, hey, Blake, I think we have, what do you think about this? I was talkin' to Blake and he's  
11 like, yeah, that's what I was kind of thinkin' too course we're usin' the wrong terminology-  
12  
13 Q. -umm hmm-  
14  
15 A. -at the point, but uh, uh, he's like, yeah, that's what I think and then, then, I think Hump  
16 called me or I called Hump, one of the two, I don't know.  
17  
18 Q. Umm hmm.  
19  
20 A. But, in Glenoma, so.  
21  
22 Q. Okay. So, it was pretty much soon, very soon after you realized this might be somethin'  
23 more serious-  
24  
25 A. -it, probably Randle is when I started-  
26  
27 Q. -right-  
28  
29 A. -pickin' up, started thinkin' about it.  
30  
31 Q. And what um, what shift were you working that night?  
32  
33 A. Uh, I was covering the uh, 1920 to 06 shift that week, that was my fourth day of it.  
34  
35 Q. Okay. (unintelligible) what shift do you normally work?  
36  
37 A. Uh, I covered the uh, 1320 to midnight.  
38  
39 Q. Okay. And if you remember, how much sleep did you get before, that night before hand?  
40  
41 A. Sleep's not the issue with that shift.  
42  
43 Q. Okay.  
44  
45 A. The, the issue with that shift was we're short.  
46

1 Q. Umm hmm.  
2  
3 A. So, we could not work, so when we got to a certain time period in the evening, we, you  
4 couldn't do anything. You were just reactive. So, that's exhausting for me. Um, I don't like just  
5 sitting around. I like to work. It keeps me going. So, by the fourth day of that, I was exhausted.  
6 It wasn't ss-tired, I mean, I sleep good, I have no issues with that. I get up and a, uh, go to the  
7 gym, but I didn't even go to the, wasn't going to the gym that week because I was so exhausted  
8 from the shift change and then that shift, that shift with no coverage, no assistance. Wouldn't be  
9 bad, if you have a full squad and then you can work, but pretty much driving around, making,  
10 just being reactive and there's nothing happening, it's exhausting for me.  
11  
12 Q. Oh, okay-  
13  
14 A. -for me-  
15  
16 Q. -I just want to clar- it took me a min- I wasn't quite following-  
17  
18 A. -okay-  
19  
20 Q. -when you say because you're shorthanded, it's ba- basically, everybody's, I don't want  
21 to say told, but you're being reactive instead of trying to be proactive because you don't have the  
22 bodies in case someone does get into something-  
23  
24 A. -correct-  
25  
26 Q. -to deal with it.  
27  
28 A. Yes.  
29  
30 Q. Okay, okay.  
31  
32 A. Yes.  
33  
34 Q. Um, obviously hindsight's twenty-twenty.  
35  
36 A. Well, so I got down to evidence, um, and again, I started checkin' my boxes-  
37  
38 Q. -Umm hmm-  
39  
40 A. -cause I'm not, cause now I'm now in evidence mode because truly, that's what, when I  
41 get, I collect the, her clothes from, from Morton and I'm working back and I'm comin' in, I'm  
42 running through, running through the case, but I get to the, i-evidence and I'm like, okay, this is  
43 I- I think we have issue. And so, uh, talk to Kevin, I talked to Chief Engelbertson and he said,  
44 hey, you got a cluster up there and I kind of, kind of said, yeah, and then uh, went in, processed  
45 the clothes, uh, group of people were there. I called Will um, I can't remember, oh, cause there  
46 was question about do we book along the attempted murder or do we book on the assault for the

1 PC instead of, cause we weren't having our reports in and I wanted also clarify, we need our  
2 reports in. So, I called and left a- a message for Will um, before I left evidence, uh, everybody  
3 was kind of gathered outside cause Blake was, we talked about doin' our reports. Blake was  
4 exhausted uh, and worse than me, um, and so, at that point as I was walking out, Will called me  
5 and uh, Chief Breen was there and uh, I said, hey, this is what we're doin' what, what do you  
6 want and he goes, so, he started talk to me and they're like, yeah, well, just go with the assault,  
7 refer the attempted murder and we'll go with that and then they questioned me at that point why I  
8 said the words attempted manslaughter and I said, that's, I was tired and that's the reason why I  
9 called you worked that out. Um, and then we went out to the parking lot and we uh, discussed  
10 the case real quick, not very long cause we were both uh, Blake and I were both exhausted and  
11 so, uh, there was several dayshift guys there uh, uh, Acting, uh, Acting Humphrey was there.  
12 There was a lot of people that were there.

13  
14 Q. Oh.

15  
16 A. So, uh, we briefed it up and then we went home.

17  
18 Q. Okay. So, like you had, you had mentioned earlier a perfect world, you know, you would  
19 have been able to go in there and-

20  
21 A. -well, like I told Alan-

22  
23 Q. -(unintelligible)

24  
25 A. -like I told Alan, uh, if it was on my shift, if it popped on my shift, my regular shift,  
26 there's, there's no question, I mean, uh, at eleven-thirty at night, I'm, cause I'm, I'm, that, that's  
27 a busy shift and you're working through it. Uh, I can hon- like I said, when I woke up the next  
28 morning, I was like, we have to clean-

29  
30 Q. -Umm hmm-

31  
32 A. -we have to clean this up. Uh, was it detrimental to me in the brain of what, what I  
33 believed, I-I got a body of, she was my body of evidence, yes, there's gonna be some evidence in  
34 there that's gonna be helpful, no question. Uh, did I believe it was gonna take my case, no, but I  
35 did want to document the scene as best I could after the fact, since we did miss that, so.

36  
37 Q. Okay. Well, I appreciate it. Is there anything else you'd like to add?

38  
39 A. No.

40  
41 Q. No? Okay. I will now end this interview. The date is still 02/08/21 and the time now is  
42 approximately 1348 hours.

43  
44 Detective Sergeant Gabriel J. Frase, #2D1  
45 Lewis County Sheriff's Office  
46 Chehalis, WA

1  
2 GJF:la  
3 02/09/21  
4

STATEMENT OF JEFF HUMPHREY/G. FRASE/02-09-21

This is a taped interview with Acting Sergeant Jeffrey Humphrey of the Lewis County Sheriff's Office. This interview is regarding an incident pertaining to case number 21C967. My name is Detective Sergeant Frase, Lewis County Sheriff's Office. This interview is being conducted in the Sheriff's Office in the Detective/Sergeant's Office. The date is now 02/09/21 and the time now is approximately 0801 hours.

1 Q. Uh, Acting Sergeant Humphrey, do you understand this interview's being recorded?  
2

3 A. Yes, I do.  
4

5 Q. Is this being done with your permission?  
6

7 A. Yes.  
8

9 Q. Okay. I'm gonna start by going over the Lewis County Sheriff's Office Notice of, of  
10 Right to Representation. Um, I asked you earlier, when you came in a few minutes ago, um, if  
11 you wa-wanted or, or were going to have a Guild Representative and you told me, no. So, I'm  
12 gonna still go ahead and read uh, through this. The date is 02/09/21, case number/related case  
13 number 21C967, Interviewee is Active Ser- sorry, Acting Sergeant Jeffrey S. Humphrey,  
14 Interviewer is Gabriel J. Frase, my position is Detective Sergeant of the Lewis County Sheriff's  
15 Office. Pursuant to your request, the following named person is granted permission to represent  
16 you during an administrative interview that has the potential of leading to progressive  
17 disciplinary action against you up to and including uh, termination. Name of representative , I  
18 went ahead and wrote, none because you didn't say, you said you didn't want one or didn't need  
19 one.  
20

21 A. That's correct.  
22

23 Q. Thank you. Uh, you and your representative should understand that the interview is not a  
24 due process, i.e. Loudermill Hearing. The function of a representative is to observe and assist  
25 you in clarifying questions presented to you or to present facts that promote your best interest in  
26 a non-confrontational, threatening, intimidating or disruptive manner. Your representative will  
27 not be permitted to attempt to bargain with the interviewer. Any attempt by you or your  
28 representative to impede the interview, create a disruptive or become district, sorry, create a  
29 disruption or become disrespectful will result in the representative being asked to leave. If your  
30 representative is a member of this agency and you and the representative will be subject to  
31 disciplinary action up to and including termination for such behavior. Should you or your, your  
32 representative wish to make a brief statement on the record regarding the manner in which the  
33 interview was conducted, you will be permitted to do so. You understand those, that form that I  
34 read to you?  
35

36 A. I understand the parameters that you read to me.  
37

1 Q. Okay, thank you. Could I get your signature and the member's signature block here sir  
2 and the date next to it and today is the 9<sup>th</sup>. (signing document) Thank you and I'm gonna go  
3 ahead and sign it as well. (paper shuffling, signing document)  
4

5 Q. Okay. (paper shuffling) And now, we're gonna jump over here to the uh, Lewis County  
6 Sheriff's Order to Cooperate. Active, Acting Sergeant Humphrey, you are about to be  
7 questioned as part of an ongoing and official administrative investigation by the Lewis County  
8 Sheriff's Office. You are a principle in this case and are being ordered to co- uh, cooperate fully  
9 and completely. Once this interview has been concluded, you're ordered to keep all information  
10 you know or have provided about this case strictly confidential. Any release or exchange of  
11 information by you or found to have flown, flowed sorry, from you, that has the potential of  
12 jeopardizing the integrity of this investigation will result in your immediate suspension and  
13 termination proceedings will be taken against you. This order does not prohibit you from  
14 discussing your representative rights, representation rights only with a labor representative who  
15 is not a principle in this case or your constitutional rights with an attorney. You will be asked  
16 specific questions that will relate directly, specifically and narrowly to the performance of your  
17 official duties or fitness as an employee of this office. You are not permitted to refuse to answer  
18 all questions asked. This is an administrative interview, not criminal and any responses to  
19 questions asked during this interview cannot be used against you in a criminal proceeding. All  
20 information in this case is confidential and except as mandated by law, will be released only to  
21 proper authorities. You are ordered and required to answer all questions and fully, all questions  
22 fully, truthfully and to the best of your knowledge and ability. If you refuse to answer questions  
23 specifically directed and narrowly related to the perf- performance of your official duties, you  
24 will be subject to agency charges that will result in disciplinary action up to and including  
25 termination. The allegations to which you are being directed to respond are as follows (paper  
26 shuffling) and this is, I'm reading this directly off the um, page that you should have received,  
27 the Memorandum you should have received, referencing a complaint regarding case number  
28 21C967 which occurred at 12880 US Highway 12, the Tatoosh Motel, you felt that there was a  
29 need to call Deputy Daniel Riordan to gain additional information and what help was needed.  
30 Subsequently, you received a call, a return call from Deputy Riordan approximately fifty-three  
31 minutes later. You learned from the call, the investigation was in reference to a felony physical  
32 assault domestic violence. You asked Deputy Riordan what help did he need and you were  
33 requested to have another deputy help with the admittance of evidence collected from the victim  
34 and suspect. It is alleged you were informed by Deputy Riordan, the victim and suspect were not  
35 at the cabin when Deputy Riordan and Deputy Teitzel arrived. The cabin, being the crime scene,  
36 both deputies had made entry into the cabin to merely conduct a welfare check on a juvenile.  
37 You were also informed photographs were not obtained while in the cabin. You failed to  
38 recognize a search warrant was needed to gain entry into the cabin to investigate and obtain  
39 evidence of the crime. Subsequently, the crime scene was contaminated by maintenance workers  
40 and caused additional personnel to obtain a search warrant and collect evidence of the crime.  
41 Are you familiar with uh, what this is referring to?  
42

43 A. Yes.  
44

1 Q. Okay. And then the next part here on the Order to Cooperate, I acknowledge that I have  
2 been informed of the above Order and the nature of the allegations. Could I get this, your  
3 signature right there (paper shuffling) please, thank you. (signing document)

4  
5 A. -today the 9<sup>th</sup>-

6  
7 Q. - Thank you. (paper shuffling, signing document) Okay, on the morning of, uh, January  
8 22<sup>nd</sup>, 2021, um, what shift were you, again, that was a Friday morning. Do you remember what  
9 shift you were working?

10  
11 A. I was working dayshift as Acting Sergeant.

12  
13 Q. Okay and what time did you come in that day, if, I mean, what shift were you working  
14 that day?

15  
16 A. Dayshift.

17  
18 Q. What-

19  
20 A. -oh, what, what time was the shift?

21  
22 Q. Yes.

23  
24 A. So, our squad has been shorthanded so, I have chose to adjust my regularly scheduled  
25 shift and come in at six so that I'm the other early car, uh, versus comin' in at six-twenty, which  
26 is my regularly scheduled shift. So, I was in shortly before six, probably, um, some, I usually  
27 sign in around uh, five-fifty, five-forty-eight. I think that day, I actually signed in a little bit  
28 earlier, um, maybe even a, a half hour early. I'm not, I'm not one hundred percent, I don't have  
29 the times in front of me.

30  
31 Q. No problem and just to clarify, when you said, um, you were the other early car, and that  
32 you were, (unintelligible) came in at six, but you made sure you were in by six, is that because  
33 one of the night shift people gets off at six?

34  
35 A. Yes. Both the night shift people are supposed to get off at si- at six.

36  
37 Q. At six?

38  
39 A. There's two, two night shift people that um, work 'til six o'clock.

40  
41 Q. Okay, okay. So, on that morning, when you came in, do you remember what it was that  
42 first cued you in on their being a call up in Packwood?

43  
44 A. I don't recall if I overheard some radio traffic from Deputy Riordan and Deputy Teitzel  
45 or if I saw it when I, when I booted up my computer. It was one of those two, um, uh, I know  
46 when I booted up my computer I, I was able to read the, the call details.

1  
2 Q. Do you happen to know, um, at that point, were the deputies already on scene, still en  
3 route or do you remember?  
4  
5 A. When I signed in service?  
6  
7 Q. Right.  
8  
9 A. Well, when I signed in service, the first thing I remember hearing is Deputy Riordan  
10 saying over the radio that he and Deputy Teitzel would be out in a wooded area on foot, looking  
11 for the suspect which prompted me to I, I wan- I want to try and call him before they actually got  
12 out into the woods cause I was worried about cell reception and different stuff or them being  
13 actively involved in trying to apprehend the suspect just so I could try and get a better idea of  
14 what was goin' on.  
15  
16 Q. Okay. Did you ever talk with, did you talk with him, at any point before they arrived, that  
17 you recall?  
18  
19 A. Not that I recall.  
20  
21 Q. Okay. Um, based on the call, the call notes, what, what did you believe the call probably  
22 was?  
23  
24 A. It, it appeared to me that it was a domestic violence assault um, I didn't know the severity  
25 of it, um, until later on.  
26  
27 Q. Okay and uh, uh, you said you tried to call Deputy, well, did you try to call ever try to  
28 call Deputy Teitzel?  
29  
30 A. I wasn't, uh, maybe later.  
31  
32 Q. Okay.  
33  
34 A. But, but not originally.  
35  
36 Q. Did you ever talk, I'm, I'm kind of jumping ahead.  
37  
38 A. Uh huh.  
39  
40 Q. But did you ever talk with Deputy Teitzel at any point that morning?  
41  
42 A. Yeah.  
43  
44 Q. About the case?  
45

1 A. Yeah, I took, well, I talked to him when uh, Deputy Teitzel and Deputy Riordan and I  
2 met over at, over at evidence, when they were, when they were clearing.  
3  
4 Q. Okay. So, and-  
5  
6 A. -they were over at evidence and I stopped by-  
7  
8 Q. -in person?  
9  
10 A. Yeah.  
11  
12 Q. Okay and that was later? Um, jumping back so, when uh, you said you tried to call  
13 Deputy Riordan? Did he answer?  
14  
15 A. No.  
16  
17 Q. Okay. Did um, did you, when he didn't answer, did you leave any type of message or  
18 was it just a missed call?  
19  
20 A. I think it was a, I don't, I don't recall leaving a message. Um, and I can't remember if he,  
21 he called me back, it, it seems like I called him, he didn't answer and if I had my, my cell phone  
22 logs, I think he called me back and we had a very short like, forty-five second conversation. Uh,  
23 basically, he was I think he told me he was, they were lookin' for the suspect and uh, they were  
24 trying to arrest him. So, I knew that they were actively out in or ha- out of their cars, on foot. I  
25 didn't want to-  
26  
27 Q. -okay-  
28  
29 A. -you know.  
30  
31 Q. And, and during that conversation, do you remember him telling you anything about any  
32 details of the crime?  
33  
34 A. (sigh)  
35  
36 Q. Or alleged crime?  
37  
38 A. Yeah, I don't, I don't recall that, no.  
39  
40 Q. Okay. Just approxima- again, I know that we're not looking at call logs or times or  
41 whatever, but approximately how long between your first short conversation with Deputy  
42 Riordan, when they were out looking for him and when you were able to speak with him again  
43 the second time.  
44  
45 A. After they got him in custody?  
46

1 Q. Right. I, I mean just –

2  
3 A. -yeah-

4  
5 Q. -approximately how long was that?

6  
7 A. I want to say forty-five minutes to fifty minutes um, by the time he called me back after  
8 they had, had got him in custody.

9  
10 Q. And um, what were you told on that, during that second conversation?

11  
12 A. I was told that they had a pretty serious assault um, a matter of fact, I think Deputy  
13 Riordan, even said something to the effect of just so you know, we're chargin' him with  
14 attempted manslaughter which kind of threw me off um, I, I remember quizzin' him a little bit  
15 about the charges. Um, and sayin' that it didn't really make sense to me. And I-I think at that  
16 point, I asked him if he had talked to a Prosecutor or if he'd, or, or I told him he should talk to a  
17 Prosecutor, something of that nature. Uh, he, I asked him if they needed anything up there, if  
18 they needed any help from us, to help get, get them out of there or, you know, get them any help  
19 they needed and he told me, no. He thought that they had it pretty much everything covered and  
20 that Deputy Teitzel was going to transport the suspect to the jail and that he was going to go back  
21 to a hospital and get more information from the victim and re-interview her and collect any  
22 evidence from her. And he, at the time, at that time, I think the only thing he told me that they  
23 would need help with is that Deputy Teitzel may need some help uh, entering evidence from the  
24 suspect, when he arrived at the jail.

25  
26 Q. Okay, um, did you ask or did the conversation come up about the apartment itself, what  
27 was seen inside, or anything about that?

28  
29 A. Yeah, there was a conversation about uh, Deputy Riordan had said something about uh,  
30 there was blood on the inside of the cabin. He had told me, I, I believe he told me that they went  
31 in and went into the cabin and did a, a security sweep, if you will. Um, he said that there was  
32 some minor children that had lived there and that they had figured out that the children were over  
33 at the neighbors. Um, he said that there was some blood inside the cabin. He, he I remember  
34 him telling me that there was a, a toilet seat that had been ripped off. Um and, and stuff, so.

35  
36 Q. And during that conversation, did it come up or um, that besides the walking into the  
37 cabin to do a security sweep or check the kids' welfare, if they were there, that they um, anything  
38 else happened down there or had not been done?

39  
40 A. Um, he was pretty (laugh) Deputy Riordan was pretty wound up. He was kind of,  
41 blurting stuff out um, I don't recall anything else coming up about the, about the cabin, um.

42  
43 Q. So, at that point, were you aware that photographs hadn't been had not been taken inside  
44 the cabin and you know, potential evidence had not been collected from inside the cabin?

45  
46 A. Not, not at that point.

1  
2 Q. Okay.  
3  
4 A. Not, not that I remember.  
5  
6 Q. And, again, that conversation was after both is cle- I'm making sure I understand, that  
7 conversation occurred after both Deputy Riordan and Deputy Teitzel had left the scene?  
8  
9 A. Yeah, they, they located the suspect away from the scene.  
10  
11 Q. Uh huh.  
12  
13 A. So, they, they were, it was my understanding they were not at the scene. They had  
14 located him in another location.  
15  
16 Q. Okay.  
17  
18 A. And, and the victim was at Morton General Hospital.  
19  
20 Q. But, what I'm saying is, um, when you had your conversation with Deputy Riordan, is it  
21 your understanding that they was still, him and you know, Deputy Riordan and Deputy Teitzel  
22 were still in Packwood or were they driving in vehicles between here and there? If you know?  
23  
24 A. I don't know.  
25  
26 Q. Okay. Okay.  
27  
28 A. Yeah.  
29  
30 Q. After, what was your next interaction with either Deputy Riordan or Deputy Teitzel after  
31 that phone conversation with Deputy Riordan? I mean, was there additional phone calls or was it  
32 the next time you met them at evidence or something else?  
33  
34 A. Um, I (noise) I remember, you know, obviously notifying the Captain, uh, about what we  
35 had. I recall um, uh, at that point, that, that particular day, Detective Scrivner was covering for  
36 patrol and so I, I made uh, phone calls to Deputy Scrivner to tell him to go assist Deputy Teitzel  
37 when he got back to the jail with the evidence uh, portion what Deputy Riordan had asked me to,  
38 to help them with. Um, I may have had another brief conversation over the phone with Deputy  
39 Riordan after he cleared the hospital. Um, but I don't recall. I, it seemed to me like I had  
40 another conversation with him and we again talked about the charges of the, of the uh, suspect  
41 and then the next thing I remember is, is talking to them at evidence.  
42  
43 Q. When did you become aware that they you know, hadn't photographed inside of the  
44 scene, hadn't uh, you know, collected anything that may be relevant inside the scene? And what  
45 I'm-  
46

1 A. -so-  
2  
3 Q. -referring to inside, when I say the inside the scene, I'm referring to inside the actual  
4 residence.  
5  
6 A. Right. So, after evidence, I had left. I went down and I met uh, Captain Spahn at Ritchie  
7 Brothers and as I'm talking to him more about the incident, it clicked in my head, I don't think  
8 they processed the scene. And so, at that point, I told Captain Spahn, I said, I don't, I don't think  
9 they processed the scene. I don't think they took pictures and I said, we probably should get  
10 back up there and write a search warrant and process the, the cabin and of course, then, I mean,  
11 you know what happened from there.  
12  
13 Q. So, what was it in your, I mean, what was it you were thinking about in your head that  
14 you kind of put together that-  
15  
16 A. -well-  
17  
18 Q. -had you come to that conclusion?  
19  
20 A. Yeah, I, I have to think and never in any of my conversations with them at, you know, my  
21 original conversations with Deputy Riordan, my secondary conversation with Deputy Riordan  
22 and in talking to him and Deputy Teitzel at evidence, it, it clicked that none of them mentioned  
23 anything about processing, actually processing the scene. It was a fairly fluid and dynamic  
24 situation, um, so, that's when I, that's just when it registered with me.  
25  
26 Q. Okay. So, just to clarify, you're saying that um, at no point, do you remember either of  
27 them mentioning that hey, we have not done this, it was simply talking about the steps that had  
28 been done and then later, evaluating those and going wait a second, there's step number three  
29 here-  
30  
31 A. -right-  
32  
33 Q. -was not mentioned?  
34  
35 A. Right.  
36  
37 Q. Okay, so, um-  
38  
39 A. -I-I do remember Deputy Riordan and I don't remember if it was originally or, or my, my  
40 other conversation, I think it was originally him telling me that they just went into the cabin to do  
41 a security sweep and that there was evidence inside the cabin of the assault. (phone ringing) oh,  
42 um-  
43  
44 Q. -no harm, if it rings again, not a big deal.  
45

1 A. So, you know, um, I, I guess to answer your question, it could be indirectly inferred, I  
2 guess, had I caught it.  
3  
4 Q. Uh huh.  
5  
6 A. But I didn't catch it.  
7  
8 Q. Okay. And again, another question, but I think it's, so, when you realized the issue-  
9  
10 A. -mm hmm-  
11  
12 Q. -you said you were road siding or with Captain Spahn at the time?  
13  
14 A. Yes.  
15  
16 Q. And you, at, at that point, you immediately told him?  
17  
18 A. Yes.  
19  
20 Q. Okay, okay. So, it's not like you know about it and then later told someone, it was  
21 immediate.  
22  
23 A. No.  
24  
25 Q. Okay.  
26  
27 A. Yeah, it as immediate.  
28  
29 Q. When you realized that there was an issue, what did you do to remedy this situation?  
30  
31 A. Uh, so, Captain Spahn and I came up with a plan. From there, I called uh, Deputy  
32 Mauermann and had Deputy Mauermann, who's my east end deputy, immediately respond to  
33 the scene to secure it. Uh, Deputy or correction, Captain Spahn and I then came here to the  
34 courthouse and we got ahold of you and we got ahold of uh, the Detective Division to assist in  
35 writing a search warrant to go back up there and process the scene and collect the evidence.  
36  
37 Q. Is there anything else about this situation that we have not discussed that you believe is  
38 important to know or that you would like to add?  
39  
40 A. Um, the only thing I would say is you know in reading the, the violation um, summary,  
41 um, it, it states in here you failed to recognize a search warrant was needed to gain entry to the  
42 cabin to investigate and obtain evidence of the crime. I don't believe that's accurate because I  
43 did recognize that. I didn't maybe recognize it as soon as I would have liked or as soon as I  
44 should have, but I did recognize it and it, we did, we were able to go up there, get the evidence.  
45 It wasn't completely lost, so, um, the, the only thing I would say is I need to do better. I need to  
46 do a better job asking questions to the deputies, um, it's ultimately my responsibility and my, my

1 fault that it didn't get done. I understand that. Um, and you know, in the future, now, obviously,  
2 I'm going to uh, make sure that I have all the details and slow down whoever's working crime  
3 scene and ask them to explain to me what has and hasn't been done in a systematic way so that I  
4 know what needs to be done still.

5  
6 Q. Okay. And I'm just gonna, going back to that, the comment you made about the you  
7 know, what was written there about not recognizing a search warrant was needed or something  
8 along those lines, I guess to be more accurate on that, I didn't write that, but more accurate  
9 would probably uh; didn't recognize that it hadn't been done and the step needed to be taken i.e.,  
10 obtaining lawful authority of some sort.

11  
12 A. Right.

13  
14 Q. You know, in other words, whether search warrant or some other legal means to enter  
15 and a-finish processing you know, the scene, i.e., take photographs, collect evidence cause again,  
16 if she had been home, but they, the victim had been home, and since the suspect doesn't live  
17 there, we could have, you know, lot, we could have con- ca- um-

18  
19 A. -sure-

20  
21 Q. -obtained consent, even though-

22  
23 A. -sure-

24  
25 Q. -obviously, a search warrant is the best-

26  
27 A. -sure-

28  
29 Q. -route to take. So, is there anything else that you'd like to add?

30  
31 A. I think that's it, unless you have any other questions for me?

32  
33 Q. I don't believe so at this point. I will now end this interview. The date is 02/09/21 and  
34 the time now is approximately 0825 hours.

35  
36 Detective Sergeant Gabriel J. Frase, #2D1  
37 Lewis County Sheriff's Office  
38 Chehalis, WA

39  
40 GJF:la  
41 02/09/21

STATEMENT OF BLAKE TEITZEL/G. FRASE/02-17-21

This is a taped interview with Deputy Teitzel, Lewis County Sheriff's Office. This interview is being conducted or is reference case number 21C967. My name is Detective Sergeant Frase, Lewis County Sheriff's Office. This interview is being conducted in the Detective Sergeant's Office. The date is now 02/17/21 and the time now is approximately 1937 hours.

1 Q. Uh, Deputy Teitzel, do you understand this interview is being recorded?  
2

3 A. Yes, sir.  
4

5 Q. Is this being done with, with your permission?  
6

7 A. Yes, sir.  
8

9 Q. Okay. Sir, I'm gonna start by reading over the Lewis County uh, Sheriff's Office Notice  
10 of Right of Representation. Um, the date is 02/17/ of 2, 2021, case number 21C967, Interviewee  
11 is Deputy Blake Teitzel, Interviewer is Gabriel J. Frase, my position is Detective Sergeant.  
12 We're both of the Lewis County Sheriff's Office. Pursuant to your request, the following  
13 named person is granted permission to represent you during an administrative interview that has  
14 the potential of leading to progressive disciplinary action against you up to and including  
15 termination. Um, the name of the representative, I put N/A, um, cause you don't have one here  
16 and said you didn't need one. So, there isn't one. Uh, you and your representative should  
17 understand that this interview is not a due process, i.e. Loudermill Hearing. The function of a  
18 representative is to observe and assist you in clarifying questions presented to you or to present  
19 facts that promote your best interest in a non-confrontational, threatening, intimidating or  
20 disruptive manner. Your representative will not be permitted to attempt to bargain with the  
21 interviewer. Any attempt by you or your representative to impede the interview, create a  
22 disruption or become disrespectful will result in the representative being asked to leave. If your,  
23 if your representative is a member of this agency, you and the representative will be subject to  
24 disciplinary action up to and including termination for such behavior. Should you or your  
25 representative wish to make a brief statement on the record, sorry, on the record, regarding the  
26 manner in which the interview was conducted, you will be permitted to do so. If I could you're  
27 your signature there on that first line, sir, you have a pen (signing documents) -17, thank you.  
28 (paper shuffling) Now, the second form is a Lewis County Sheriff's Office Order to Cooperate.  
29 Deputy Teitzel, you are about to be questioned as part of an ongoing and official administrative  
30 investigation by the Lewis County Sheriff's Office. You are a principle in this case and are  
31 being ordered to cooperate fully and completely. Once this interview has been concluded, you're  
32 ordered to keep all information you know or have provided about this case strictly confidential.  
33 Any release or exchange of information by you or found to have flown from you, that has the  
34 potential of jeopardizing the integrity of this investigation will result in your immediate  
35 suspension and termination proceedings will be taken against you. This order does not prohibit  
36 you from discussing your representation rights only with a labor representative who is not a  
37 principle in this case or your constitutional rights with an attorney. You will be asked specific  
38 questions that will relate directly, specifically and narrowly to the performance of your official  
39 duties or fitness as an employee of this office. You are not permitted to refuse to answer all

1 questions asked. This is an administrative review, sorry, interview, not criminal and any  
2 responses to questions asked during this interview cannot be used against you in a criminal  
3 proceeding. All information in this case is confidential and except as mandated by law, will be  
4 released only to proper authorities. You are ordered and required to answer all, answer all  
5 questions fully, truthfully and to the best of your knowledge and ability. If you refuse to answer  
6 questions specifically directed and narrowly related to the performance of your official duties,  
7 you will be subject to agency charges that will result in disciplinary action up to and including  
8 termination. The allegations to which you are being directed to respond are as follows: you  
9 responded to complaint, 21C967 that occurred at 12880 US Highway 12, the Tatoosh Motel  
10 where you investigated a filo-I'm sorry, a felony physical assault domestic violence. You  
11 contacted both persons involved, subsequently making an arrest, but failed to complete the  
12 investigation. From the initial investigation, information was obtained that the crime had  
13 occurred in the victim/su-suspect's cabin. The victim had been transported via ambulance and  
14 the suspect had fled on foot prior to your arrival. It is alleged you did not obtain a search warrant  
15 for the cabin to investigate and obtain evidence of the crime. Subsequently, the crime scene was  
16 contaminated by maintenance workers. This caused additional personnel to obtain a search  
17 warrant and collect evidence of the crime. And then it says, I acknowledge that I have been  
18 informed of, of the above order and the nature of the allegations. (paper shuffling) If I could get  
19 your signature on that, please. (signing documents, paper shuffling) Okay, um, Blake, we're  
20 talking about the incident, again, we just read about it, but um, the assault involving Jence  
21 Sawyer and Holly Nute up at 12880 US Highway 12 um, the Tatoosh Motel Apartment or Motel  
22 Room #2.

23  
24 A. Yes, sir.

25  
26 Q. Uh, are you familiar with the situation we're talking about?

27  
28 A. Yes, sir.

29  
30 Q. Okay. Um, on the morning of January 22<sup>nd</sup>, 2021, it's my understanding and correct me  
31 if I'm wrong, you were in the Toledo area and were dispatched to an assault, initially Jence  
32 Sawyer called in. Is that correct?

33  
34 A. Uh, correct. Actually, initially, it was dispatched to I believe uh, Detective Scrivner who  
35 was workin' the road.

36  
37 Q. Okay.

38  
39 A. Uh, but he had signed in early, he was thirty minutes early before his shift due to the  
40 travel time. Um, I was in the Toledo area and I was towards the end of my shift and then I  
41 basically um, uh, yes, assigned myself to the call.

42  
43 Q. Okay. So, what happened from there?

44  
45 A. Um, initially, Jence Sawyer called in. Um, and I've had several uh, (tongue clicking  
46 noise, sigh) encounters with Jence and know him pretty well, um, just from because uh, he was

1 below me in school and then I've arrested him several times. Uh, I know he's a drug user, I  
2 know he's been recent-recently released from prison. Uh, initially, he called in, saying that he  
3 was assaulted and that he was out in the woods hiding. Um, so, I began drifting that way. Uh, I  
4 tried calling uh, his phone cause he was initial RP, uh, got no answer. Uh, then Dispatch advised  
5 that the female half, Holly Nute was also calling in to report an assault, that she had been  
6 strangled and was requesting aid, so, I therefore stepped up my response and responded from uh,  
7 I believe I was on Jackson Highway, uh, Toledo area.

8  
9 Q. Okay, at some point, um, the ambulance went, picked Holly up and drove her to Randle.  
10 Is that correct?

11  
12 A. Uh, correct. So, I was responding from Toledo, so was, it was a coded response, um, I  
13 began responding. Uh, Deputy Rior-Riordan was I believe on Spencer Road, uh, when I was  
14 going to Jackson Highway, so I was a little bit ahead of him on Highway 12. Um, I requested  
15 aid or I requested Dispatch to keep me informed on what the, what was going on because aid was  
16 responding. They were much closer than I was. Uh, State Patrol had nobody in the area at the  
17 time. Uh, so, while I was going, I believe I was going over uh, like Mo-Mossyrock, Peterman  
18 Hill and they said that they were dispat- or they were transporting the female to Morton General  
19 BLS. Um, so at that time, I uh, advised Radio I'd be out Morton General, Code 4, awaiting for  
20 the arrival of Holly Nute. Um, while waiting, uh, Deputy Riordan got on the radio and uh,  
21 confirmed that they were uh, transporting BLS, not ALS, um, after being notified that they were  
22 being transported BLS, Deputy Riordan requested they uh, meet him at or meet us at the Randle  
23 Fire Station um, in Randle and uh, that we would contact the female uh, victim there.

24  
25 Q. Okay. When you got there, did you see her or speak with her?

26  
27 A. Yeah. So, Deputy Riordan arrived uh, just a couple minutes before me. Uh, when I  
28 showed up, Deputy Riordan was in the back obtaining a recorded statement from Holly Nute.  
29 Uh, I entered through the side of the ambulance and basically, stood over Holly as he or as she  
30 gave uh, a statement to uh, Deputy Riordan. Um, I just kind of looked at her injuries, um,  
31 listened to the statement to kind of establish my probable cause as well and then um, again,  
32 looked at her lacerations and then once that statement was co-concluded, Deputy Riordan kind  
33 of, we talked about what she had said and then um, he stated he had grabbed uh, quick photos of  
34 her injuries as well.

35  
36 Q. Okay, um, based on what you heard in your conversation with uh, Deputy Riordan at that  
37 point, did you believe you had probable cause for some crime?

38  
39 A. At this point, yeah. There was um, most like-it was probable cause for a felonious  
40 assault. Uh, it was pretty obvious that somethin' happened. She had indentations around her  
41 neck, she had a pretty good lacerations um, she said that she was assaulted. Um, granted bu-at  
42 this time, both parties had claimed they were assaulted, so I had not talked to the male half, uh, I  
43 do not know the extent of his injuries or even talked to him. I tried talkin' over the phone, he  
44 didn't answer. Um, so based on my contact with her, yeah, there was probable cause at this time.

45  
46 Q. Okay, so, I'm just kind of, I'm guessing you drove to Packwood?

1  
2 A. Yes. So, after the ambulance left, Deputy Riordan and I spoke real quick. We  
3 established that we had probable cause for an arrest and that we were gonna go con-talk to Jence  
4 Sawyer together. So, we left Randle Fire and called en route to the Tatoosh Motel.  
5  
6 Q. Okay. Um, when you arrived in from, did you find the Tatoosh Motel immediately or did  
7 something else happen?  
8  
9 A. Uh, so, (clearing throat) I had never been to the Tatoosh Motel, I was thinkin' somewhere  
10 else, but I was followin' behind Deputy Riordan. We went into Packwood, we pulled over at uh,  
11 one of the motels there near uh, (tongue clicking noise) near the intersection there and uh, we  
12 ended up being at the wrong address, therefore, we got back in our patrol vehicle and then drove  
13 back probably about a mile and then went down to the To-Tatoosh Motel which was kind of  
14 hidden off the road on the right hand side.  
15  
16 Q. Okay. Did you have any communication with um, Acting Sergeant Humphrey up to this  
17 point?  
18  
19 A. No, sir.  
20  
21 Q. Okay.  
22  
23 A. At this time, there was nobody else in service other than me, Deputy Riordan and uh,  
24 Detective Scrivner.  
25  
26 Q. Okay. So, tell me, when you arrived at the, the Tatoosh Motel, what occurred then?  
27  
28 A. Uh, upon arrival, it was kind of mayhem due to all the residents. Um, they were all  
29 outside, um, everybody was kind of telling me what they heard, nobody really said they saw  
30 anything. Um, as I walked up, I could see the apartment that was in a, question and I could see  
31 blood on the front door and blood on, on the porch. Um, it was my understanding from talkin' to  
32 Holly earlier that her son, um, or her children were present during the assault. Um, so, uh,  
33 initially, we called uh, myself, Deputy Riordan, told the residents to kind of to back up, give us  
34 some space. Uh, we then uh, cleared out the residence to make sure that the kids, checked for  
35 the welfare of the kids and see if Jence Sawyer was possibly still inside of some sort. Um, we  
36 quickly went inside the residence, cleared it out, made sure that the kids were not in there and  
37 that they were safe and we did find out they were actually um, in the, opposite apartment or uh,  
38 the space next to 'em. Um, so, after we come back outside, I went and talked to the people next  
39 door that had the kids. Uh, realized that one of the kids I believe was uh, (tongue clicking noise)  
40 twelve years old, not sure exactly and the other one was about three or four. Um, so I talked to  
41 the, the son of the victim. I do not recall his name at this time. Um, but I spoke to him real  
42 briefly because again, Jence Sawyer, had not been located at this time and we were surrounded  
43 by woods. I wasn't really sure of his location. So, I spoke to the son real quick and just kind of  
44 um, furthered my PC. I asked him what he had actually saw. He stated that he had witnessed the  
45 assault and uh, he was present and he also tried to intervene by breaking up the fight and was  
46 unsuccessful. Um, I did not grab a statement at that time. I merely just wanted to uh, further my

1 PC and then find Jence Sawyer. So, I asked him to go back inside with the, uh, family friends, I  
2 assumed they were and uh, Deputy Riordan and I continued to look for Jence.

3  
4 Q. Okay. Just takin' a couple steps back. Um, when you and Deputy Riordan went into the  
5 apartment, I believe it was number two. Anyway, uh, che-checked for the kids-

6  
7 A. -yes-

8  
9 Q. -do you remember who went in the door first, who went in the door second?

10  
11 A. Uh, Deputy Riordan was (clearing throat) was ahead of me. Uh, he went in, uh, so the  
12 layout of the building or the apartment was it had one room directly in front and then it had uh, a  
13 bedroom to the left. So, we entered the apartment. I could see that there was a, a disarray uh, it-  
14 it was messy. Uh, when we went in the bedroom, I was unable to go all the way in the bedroom.  
15 Deputy Riordan went inside, I maintained uh, cause there was lack of room and there was stuff  
16 pushed over that we couldn't even uh, get the door opened all the way. Um, but I could see a  
17 little bit of blood here and there, but I could not enter the bedroom fully and Deputy Riordan's  
18 one that went into the bedroom, cleared the bathroom, made sure that nobody was in there and  
19 then returned back to me and then we exited the apartment.

20  
21 Q. Okay. Uh, while in the apartment or afterwards, did um, Deputy Riordan make any  
22 comments about his observations in the area that you couldn't see? Like the, the part of the  
23 bedroom and the bathroom?

24  
25 A. I don't recall anything specifically. I remember when we got out, um, I think we had  
26 made some comments that-that yeah, the assault had occurred there. We both observed some  
27 blood. Um, as far as what was in the bathroom, uh, I did not, I don't recall anything specifically  
28 he said regarding to that.

29  
30 Q. Okay. So, after the two of you, again, you then left, you came out, you found the kids  
31 next door in number one?

32  
33 A. Correct.

34  
35 Q. Talked with them, didn't get a statement at that point because you were trying to develop  
36 more PC.

37  
38 A. Correct.

39  
40 Q. What happened from there?

41  
42 A. Um, (clearing throat) so, again, Jence, when he called in, said he was hiding out in the  
43 woods. Um, so, still, we did not know his location. Um, but upon talking to Holly, when she  
44 was in the ambulance, uh, initially, she had stated that Jence uh, currently lives with his mother  
45 on I think, believe apartment number nine. I can't remember the exact number, but um, so uh, I  
46 kind of figured that he'd, could possibly be there or he could be outside. So, we began sweeping

1 the area, kind of looking through, uh, looking uh, illuminating uh, vehicles as we went, kind of  
2 lookin' uh, in the cracks like, there were separate buildings. We would check in between and we  
3 just kind of began sweeping the area towards uh, Jence's mom's apartment. Um, Deputy  
4 Riordan kept on going a little bit past cause there's more vehicles and more apartments further  
5 down. Um, I went and just simply knocked on the door to rule out the possibility and Jence just  
6 so happened to answer the door.

7  
8 Q. Okay, did he say anything at that point?

9  
10 A. Jence?

11  
12 Q. Yeah.

13  
14 A. Uh, he answered the door and he immediately recognized me from our contacts and uh,  
15 he was wearing clothes. He had appeared, to be a nose injury, uh, some blood on his face and he  
16 had a little bit of blood on his sweatshirt in his chest area. Um, again, he also called in to report  
17 an assault. We had not spoken to him at this time. Um, so I asked him to, if he wanted to exit  
18 the apartment, which he said, yeah. I asked him if he had any weapons on him, he said, no. I  
19 conducted a frisk for my safety, um, I asked if he, to tell me what was goin' on and he-he seemed  
20 to be kind of in shock. His hands were shakin', um, it was cold out. So, I had him uh, sit down  
21 in a lawn chair right next to the chair, right next to the apartment door. Um, and at that point, he  
22 began speaking to me.

23  
24 Q. Did he tell you his side of the story?

25  
26 A. Yeah, yeah. He basically uh, started sayin' that he was beat up and that he was part of an  
27 assault and, and this and that and uh, (tongue clicking noise) that he was in a uh, a kind of dating  
28 relationship with the, the victim, uh and she was accusing him of cheating and, and kind of just,  
29 just blabbered about their relationship problems and about the assault.

30  
31 Q. Okay, so after speaking with him, did you end up arresting him?

32  
33 A. Correct, yes. I continued to ask to him, um, some questions, um, when I believed that  
34 they were beginning to become criminal and that probable cause was well established, um,  
35 advised him he was under arrest. Uh, he did not say anything. He stood up, I placed him in  
36 wrist restraints. Um, I escorted him back to my vehicle and uh, read him his Miranda Rights,  
37 which he said he was uh, he was aware of and he wished to talk to me, but yeah.

38  
39 Q. Okay. So, was he placed in your car or-

40  
41 A. -yes-

42  
43 Q. -okay-

44  
45 A. -he was placed in my vehicle.

46

1 Q. Um, at that point, did you and Deputy Riordan talk about anything or make any game  
2 plan?  
3

4 A. Not at that point because I was the one speaking to Jence. Uh, when I was speaking to  
5 Jence outside his apartment, uh, Deputy Riordan was standing right behind him.  
6

7 Q. Okay.  
8

9 A. Uh, kind of in a cover standpoint. Uh, so once I made the arrest I han-did the handcuff, I  
10 walked him back to my vehicle, placed him in, read him his Rights. He agreed to speak. I shut  
11 the door. Deputy Riordan was right there still as my cover officer and that's where we began  
12 speaking about the case.  
13

14 Q. So, what did the two of you decide at that point?  
15

16 A. Um, at that point, uh, it was kind of uh, uh, what do we do now moment. Uh, I think that  
17 many people encounter in a law enforcement career at that spot, uh, so, once he-had him under  
18 arrest, um, obviously, the scene was under control. We had uh, things were slowing down a little  
19 bit. Uh, so, Deputy Riordan and I began talking about the case and what we needed to do. Um,  
20 he had mentioned that he wanted to go to Morton General to speak to the victim and re-obtain  
21 another recorded statement and medical release form. Um, I had made the comment that we  
22 need to get back into the apartment, um, because of all the stuff and all the blood inside and that  
23 we needed to get a search warrant and uh, Deputy Riordan had commented back that we're  
24 gonna have to deal without. Um, at that point, uh, it was decided that he was gonna go to  
25 Morton General to do what I just said he would do and then I would transport Jence back to  
26 (Amber Alert noise) –  
27

28 Q. -for the record, it's an Amber Alert on a phone, sorry.  
29

30 A. Um, it was decided that I would be-  
31

32 Q. -sorry for that interruption.  
33

34 A. It was decided that I would be the one transporting Jence back to the Lewis County Jail,  
35 um, (clearing throat).  
36

37 Q. Okay, so did you do anything else before you left, after Jence was in the back of your car,  
38 you had a discussion with Deputy Riordan and before you transported him?  
39

40 A. Yes. Once Deputy Riordan had left, um, I had Jence secured in my vehicle. I already  
41 conducted a search incident to arrest, so uh, I followed my investigation a little bit further. I  
42 obtained a recorded statement from the victim's son, who witnessed the incident. Um, after  
43 doin' that, I photographed the exterior of the residence or of the mo-uh, apartment and all the  
44 blood um, on the ex-exterior.  
45

1 Q. And I don't know if I'm just, I'm still thinkin' about that lovely Amber Alert, did you  
2 men- did you talk about a statement or anything, did you take a statement from someone?  
3  
4 A. From, yes, the, the victim's son.  
5  
6 Q. And if you just said that, I apologize-  
7  
8 A. -yes-  
9  
10 Q. -it's still, my head's going-  
11  
12 A. -yes, sir.  
13  
14 Q. So, after you took the statement, you took the photographs, did you do anything else  
15 before leaving?  
16  
17 A. No, sir, I do not believe so.  
18  
19 Q. Okay. And from there, what happened?  
20  
21 A. Uh, from there, I got back in my patrol vehicle, um, I called en route to the jail uh, I made  
22 it to about the Randle flats and then realized I lost my notebook, uh, that I had written all my  
23 notes in. Um, and it was not in my passenger seat and Jence was sleeping uh, so I turned my  
24 patrol vehicle around, went back to the scene. My logbook was not there, it had actually fallen  
25 off my vehicle, when I got onto Highway 12. Luckily, I found it, put it back in my vehicle, went  
26 back en route to the jail. Uh, while I was driving from Packwood um, back west, uh, I had  
27 contacted Deputy Riordan over the phone. He said he had contacted uh, Lewis County  
28 Prosecutor's Office and uh, they were okay with doing the charging of Attempted Murder. Um,  
29 Deputy Riordan also advised that he had contacted Hump and made the notification and that he  
30 was still en route to Morton General as he was probably twenty, thirty miles ahead of me still.  
31  
32 Q. Okay. Did you um, other than your communication with Deputy Riordan, did you have  
33 any communication with Acting Sergeant Humphrey?  
34  
35 A. Correct. So, after that phone call, I continued west. It was a long drive. Um, I believe as  
36 I hit Glenoma, um, I believe it was around Glenoma, um, I did receive a call from uh, Acting  
37 Sergeant Humphrey and he was asking uh, kind of what was goin' on. I told him, I said, you  
38 know, this is our case so far. I know you've talked to Dan already. Um, and uh, (tongue  
39 clicking noise) uh, Sergeant Humphrey asked me what I needed. I told him um, at this point Dan  
40 was with the victim. He was, I think he just signed out of Morton General at that time. I told  
41 him I was en route to the jail. Uh, I kind of told him that we were both over our shift. Um, the  
42 original call had come out I believe at, around five o'clock am. I was supposed to be off at 0600,  
43 um, at this point I was well over my shift and-and I asked him that, I might need help with the  
44 transport. It was unknown if I needed medical clearance at this point and uh, I know that Dan is  
45 gonna have some evidence and that I had evidence as well for Jence's clothing.  
46

1 Q. Okay. So, on the way back, did you, did you go anywhere else? Did you have to make  
2 any other (unintelligible) stops?  
3  
4 A. Oh, I did uh, almost run out of gas, uh, when I was comin' back. I had to stop at Randle  
5 uh, due to my gas light coming on, so I stopped real quick. I did advise Dispatch of my location  
6 and uh, that I fueled up real quick within probably three minutes and continued back en route  
7 west to the jail and Jence was still sleeping in the back of the vehicle.  
8  
9 Q. Okay. Do you remember any phone calls that um, were made during that drive besides  
10 the one with um, Deputy 'Humphrey' and the one with Acting Sergeant Humphrey? You said  
11 you, if you know?  
12  
13 A. Between Humphrey and Riordan?  
14  
15 Q. No, no-  
16  
17 A. -could you repeat your question?  
18  
19 Q. Yeah, I'm sorry. On your way back-  
20  
21 A. -umm hmm-  
22  
23 Q. -I believe we discussed two telephone calls.  
24  
25 A. Yes.  
26  
27 Q. One with Riordan?  
28  
29 A. Yes, sir.  
30  
31 Q. And one with Humphrey?  
32  
33 A. Yes, sir.  
34  
35 Q. Are you familiar, are you, are you aware of any others?  
36  
37 A. I don't recall any other phone calls, they, I don't think anybody was even really out at  
38 that point um, because uh, yeah, Scrivner was west, handlin' calls, Humphrey had just uh, signed  
39 into service and then I know he was notified by Dan, so, uh, I don't believe I called anybody  
40 else.  
41  
42 Q. And when you spoke with um, Acting Sergeant Humphrey, do you remember what you  
43 told him? You mentioned earlier, you, you briefed him. I mean, what did you-  
44  
45 A. -I just kind of told him about the situation of what we had for the, the um, charges. Um,  
46 honestly, I don't remember the specifics on what I told him. Uh, I wasn't too worried on makin'

1 a, an actual notification as Deputy Riordan al-already made that, um, (tongue clicking noise) so I  
2 just, I just talked to him about the resources I kind of needed as far um, attempting to get home  
3 on time or even remotely close because I still had uh, probable cause to do. I had evidence to do.  
4 I hadn't even made it to the jail at that point and I was already two hours over my shift at that  
5 point.  
6

7 Q. Okay. So, when you arrived at the jail, what happened?  
8

9 A. Um, I si-(clearing throat) I, I arrived at the jail, uh, I began the booking process. Uh,  
10 while doing so, I was able to uh, Jence uh, originally not wanted to give me a statement, um, not  
11 that he didn't want to talk, it's just that he said he had a headache. Um, so when we got to the  
12 jail and we were uh, told that we needed medical clearance due to him being uh, struck in the  
13 face or some sort or some sort of contusion he had on his face, I guess, um, he needed clearance.  
14 Uh, I spoke to Jence real quick. He wanted to uh, he offered to give a recorded statement right  
15 then and there. I obtained a Post Miranda statement which he uh, confessed to several of the uh,  
16 specifics within the assault. Um, after doin' so, I ended the statement, I put him back in my car  
17 um and then at that point, I called uh, Sergeant Humphrey again, advised him that I was um,  
18 being instructed to get medical clearance from the, the jail nurse. Um, he said he would make a  
19 few calls and let me know. Shortly after, I was informed that uh, Detective Brown would be  
20 assisting and would be allowing or would be transporting Jence to Centralia Providence for  
21 clearance.  
22

23 Q. Okay and did that, at some point, you met with Detective Brown or Detective Brown-  
24

25 A. -correct-  
26

27 Q. -showed up there?  
28

29 A. Yes. So, I uh, pulled out of the sally port as of, uh, door was closing, Detective Brown  
30 came walking out the door just by coincidence. I spoke to him real quick. He was already aware.  
31 He had talked to Sergeant Humphrey. Um, we decided that I would pull up next to his vehicle  
32 which was parked uh, just outside the jail there where patrol vehicles park and we would uh,  
33 exchange the prisoner. Uh, so we did, so, uh, I pulled over and I told him, informed him that uh,  
34 Jence's clothing would be needed to be seized most likely for evidence. Um, even though they  
35 weren't actually used or worn it-during the assault, um, I informed him of that. Uh, I escorted  
36 Jence out of my vehicle towards Detective Brown's, he swapped his cuffs, put his cuffs on and  
37 put Jence in his vehicle and I obtained my cuffs back.  
38

39 Q. Okay. Did you then go to evidence or somewhere else?  
40

41 A. Right. From there, um, I went to evidence because I had heard uh, via Radio that uh,  
42 Deputy Riordan was out at evidence. Um, so, uh, I wanted to speak to Deputy Riordan because I  
43 had not really heard what she had said in her statements at that time. Uh, she had her initial  
44 statement that we had obtained which I was pretty familiar with. Um, but her statement uh, for  
45 at the hospital, um, I kind of wanted to know a little bit more information. So, Deputy Riordan  
46 was doin' the evidence over at the evidence facility. I went over there. I called out via Radio. I

1 went inside. Uh, we began uh, speaking about the incident and about uh, the um, statement  
2 obtained from Holly Nute.

3  
4 Q. Who else was there, if you remember at evidence? Was it just the two of you or were,  
5 were there other people?

6  
7 A. Um, initially, yes. Uh, I believe Detective Scrivner arrived afterwards, after I did and I  
8 believe he had Student Officer McGrath with him, I don't know if he was graduated yet or not at  
9 the time. Um, and then towards the end, uh, as we're gettin' ready to leave, uh, Sergeant  
10 Humphrey arrived at, at evidence as well.

11  
12 Q. Okay. Uh, when Sergeant Humphrey was there, did you discuss the case with him again?

13  
14 A. Yeah. So, initially, um, when I talked to Dan, uh, we kind of a had a, a misunderstanding  
15 on what the charging would be and uh, we just had a different opinion on what the charges were  
16 gonna be, uh, regarding the incident. Um, do, do I need to speak on that behalf or-

17  
18 Q. -are, are you talking between the Attempted Murder and like an Assault One?

19  
20 A. Uh, cor-correct, yeah. Um, Dan had already contacted the Prosecutor and he had got the  
21 okay with the booking on the Attempted Murder, um, I, I thought that that fit um, but where my  
22 dilemma set in my head was that I would be booking somebody for Attempted Murder and doing  
23 the probable cause for it, for the weekend, um, for that serious of a crime, I was concerned that if  
24 the probable cause by chance did not meet the criteria for Attempted Murder, that it's possible  
25 that he would be released during the weekend without an Order in place and our victim would  
26 not be safe. Um, so, in my, in my thinking, I believe that a higher assault which was easier to  
27 prove with a-a-a-similar element um, needed would suffice. I believe that I just needed to book  
28 him into the uh, Lewis County Jail for the weekend on a felony where he could not bail out and  
29 then if the Prosecutor's wanted to charge whatever they wanted to charge, than that was on them.  
30 That does not um, bother me one bit. I believe that the-the crime met the criteria for um,  
31 Attempted Murder, but I wasn't sure on booking. I was more comfortable booking on Assault  
32 Two or even Assault One, and doing the probable cause for that one.

33  
34 Q. Okay.

35  
36 A. Uh, due to my experience level and just, it just seemed like the most simplest way to get  
37 him in jail for the weekend, especially with the amount of time that we had and that we were  
38 over on our shift.

39  
40 Q. So, as you, um, were there and, and I'm referring to um, Sergeant Humphrey at this point.

41  
42 A. Okay.

43  
44 Q. When you were talking with him, did you talk with him concerning anything other than  
45 the dilemma on what the charge was gonna be?

46

1 A. Yeah, yeah. I went to him and spoke to him on the dilemma too. I, like I said, I, after  
2 speaking with Dan, I finally um, we basically came to an agreement um, on what we're gonna  
3 do. Uh, because I had spoken to Sergeant Humphrey prior to going to evidence and there were  
4 some confusions on the booking and so, I-I believe I told him that hey, I'll figure out the answer  
5 for you, I'll let you know what I'm gonna do-do before I do it cause I hadn't done the AR at that  
6 point. Um, so, yeah, after speaking with Deputy Riordan, gettin' a little bit of clarity and  
7 figuring out the, the solution to our uh, problem and our difference of opinion, went outside and  
8 uh, (tongue clicking noise) Sergeant Humphrey was outside along with uh, (tongue clicking  
9 noise) Detective uh, Scrivner and I basically contacted Sergeant Humphrey, advised him uh,  
10 what I was going to do and what I was going to book and what I was gonna refer. Uh, basically  
11 advised him of the um, the dilemma that had been solved and that everything was good and  
12 basically, finalized what I was gonna be charging.

13  
14 Q. Okay. So, other than the charges, did you speak with 'Detective' Humphrey about the,  
15 what had happened previous in the investigation. In other words, did you tell him exactly what  
16 steps you and/or um, Deputy Riordan had completed?

17  
18 A. As far as investigation-

19  
20 Q. -yeah-

21  
22 A. -at the crime scene?

23  
24 Q. Yeah.

25  
26 A. Um, I don't recall specifically. I-I want to say I did tell him, um, on what we had done  
27 and gave him a summarized um, list of events that we had done, but I-I can't recall anything  
28 specifically at that point. I-

29  
30 Q. -okay-

31  
32 A. -I had a bunch goin' on.

33  
34 Q. I understand. So, I'm gonna jump back to Packwood.

35  
36 A. Okay.

37  
38 Q. Um, after you have Jence in custody.

39  
40 A. Yes, sir.

41  
42 Q. He-he's in the back of your car, you and Deputy Riordan have a discussion.

43  
44 A. Yes, sir.

45

1 Q. About, you mentioned something earlier about the room on what the thoughts were about  
2 the room. Can you tell me about that again?  
3

4 A. Uh, again, um, it has been a common experience of my, minimal experience in law  
5 enforcement that sometimes after arresting a subject and when the scene is finally secure and  
6 slowing down, it's kind of a, a what now moment. Um, I experienced that with Deputy Riordan  
7 so as soon as I shut the door, I looked at him, um, that is, he is my superior, I guess, my le-uh,  
8 not lead deputy, but uh, more experienced and asked him what do we do now? Uh, that's where  
9 we began breaking down um, the case on what we could do to split the work load up. Therefore,  
10 because technically, I was primary, uh, but the amount of work that was needed, there's no way I  
11 could do that with the amount of time I had. Uh, so, that's where we devised a plan, um, in that  
12 process before we had split up and gone our separate ways, I had mentioned that we need to get  
13 inside that residence and photograph it. Um, he and I mentioned that we needed a search warrant  
14 and he said, and I quote, "we're going have-we're going to have to go without" unquote. Um,  
15 (noise) and then we discussed that we had done our proper sweep that why we were there (togue  
16 clicking noise) and uh, we had basically we-observed the interior, but at that point, we were,  
17 yeah, we, I don't know what else to say. Um, it was kind of hard. There was no way that we  
18 could get uh, consent at that point because uh, the victim, who lived there alone with her kids,  
19 um, had stated Jence does not live with her there, so he couldn't give consent. Uh, the child um,  
20 he was not able to give consent and the victim was at Morton General with a-a laceration and  
21 possibly concussion, so.  
22

23 Q. Oh, okay. So, did you and I'm, I'm kind of jumping over in different places now?  
24

25 A. Yes, sir.  
26

27 Q. Um, at any point, did you tell Acting Sergeant Humphrey about your, the concerns over  
28 that room?  
29

30 A. I can't recall specifically. I want to say um, at the evidence facility later on, uh, that I  
31 was heated and concerned about this case um, it was very irritable to me that um, just the amount  
32 of work that we had and the time um, I want to say that I voiced my concern uh, but I do not  
33 remember specifically saying anything or something that we needed to do better.  
34

35 Q. Okay. So, you're not, in other words, you're not, you don't know for sure one way or the  
36 other, whether you told-  
37

38 A. -yeah-  
39

40 Q. -Humphrey-  
41

42 A. -I do not recall specifically, yeah, I-I don't know at this point. I remember certain things  
43 specifically very well vividly. Um, but I had so much on my mind that some stuff I can't  
44 remember.  
45

46 Q. Okay. Um, on an investigation of this sort in general, we'll say serious felony assault-

1  
2 A. -okay-  
3  
4 Q. -you know, whether it's Attempted Murder or just Assault One, Two, Three, whatever,  
5 um, what are some of the steps that we, we always take in one of these investigations?  
6  
7 A. Uh, (tongue clicking noise) proper investigation and proper notification. Um, when  
8 there's a seri-serious felonious assault, especially domestic violence related, um, we need to do a  
9 proper investigation and secure all the evidence that we can.  
10  
11 Q. Okay and when, you're using the term proper investigation, I mean, what are some of the  
12 things that we do in a, I know that I'm not-  
13  
14 A. -uh, properly document, uh, photograph uh, seize evidence for um, sampling, um, buccal  
15 swabs, DNA testing, um, securing evidence, uh, writing search warrants that are needed, um,  
16 whether to get in the residence or for DNA, buccal swabs um, just uh, a thorough investigation  
17 and cover all angles of the crime. Um and the important part is not only document the injuries  
18 on a person to per-person crime, but also uh, where the crime occurred.  
19  
20 Q. Okay. So, when you were up there in, in Packwood and you have a discussion with  
21 Deputy Riordan and he said something to and you-you made a quote and I didn't write it down,  
22 but something to the effect of, it's gonna have to be or-  
23  
24 A. -we're gonna have to go without.  
25  
26 Q. We're gonna have to go without. What did he, what-what do you think when you heard  
27 that? Did you think it was right, wrong or something else?  
28  
29 A. No, I did not agree with it.  
30  
31 Q. So, why didn't you agree with it? What did you think, why did you think it was a bad  
32 choice?  
33  
34 A. (tongue clicking noise) Um, (clearing throat) I did not believe it was a right choice  
35 because the evidence was merely fifty feet in front of me, behind a shut door that I could have  
36 done a search warrant in merely under thirty minutes and photographed it. Um, granted we were  
37 two west end deputies in Packwood over our shift, we were limited on time um, we should have  
38 asked for more resources. We should have uh, called more people out or um, asked I don't  
39 know, and I'm not sure if he asked to call people out or not, but uh, I should have asked to at  
40 least call Detectives out or at least, at least somebody to sit on the residence to maintain that uh,  
41 chain of command and uh, evidence um, security.  
42  
43 Q. Okay. And do you certify or declare under the penalties of perjury of the laws of the  
44 State of Washington in what you have told me is true and correct to the best of your knowledge  
45 and ability?  
46

1  
2 A. Yes, I do.  
3  
4 Q. Is there anything else you'd like to add to this statement?  
5  
6 A. (tongue clicking noise) uh, no, I think uh, mistakes were made um, I think that there was  
7 error on several different parts, but I believe that I could have done better and uh, done a better  
8 investigation and I should have stepped up a little bit more.  
9  
10 Q. Okay, well thank you. I will now end this interview. The date is 02/17/21 and the time  
11 now is approximately 2013 hours.  
12  
13 Detective Sergeant Gabriel J. Frase, #2D1  
14 Lewis County Sheriff's Office  
15 Chehalis, WA  
16  
17 GJF:la  
18 02/18/21  
19

## **Gabriel Frase**

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**From:** Dan Riordan  
**Sent:** Thursday, February 18, 2021 11:19 AM  
**To:** Gabriel Frase  
**Subject:** Re: Follow Up Interview

I can meet at 1320 today.

Thank-you,  
Deputy Danny Riordan, 214  
Lewis County Sheriff's Office  
(360) 880-2917

On Feb 18, 2021, at 11:12, Gabriel Frase <Gabriel.Frase@lewiscountywa.gov> wrote:

Hello Deputy Riordan,

I have some follow up questions regarding the interview we had on 02-08-21. I am not sure if another 48 hours notice is required prior to a follow up interview, but am providing you the notice just in case.

If you would prefer to speak with me sooner please reply to this email and I will try and make it happen.

Thanks,

**Gabriel J Frase**  
**Detective Sergeant / SAR Coordinator**  
**Lewis County Sheriff's Office**  
**345 W Main St.**  
**Chehalis, WA. 98532-1900**  
**Office (360)748-9286**  
**Fax (360)740-1476**  
**Office Direct Line (360)740-1341**  
**Gabriel.Frase@lewiscountywa.gov**  
<image001.jpg>  
***"Public Safety Through Professional Service"***

STATEMENT OF DANIEL RIORDAN/G. FRASE/02-18-21

This is a recorded interview with Deputy Riordan of Lewis County Sheriff's Office. This interview is in reference case number 21C967. My name is Detective Sergeant Frase, Lewis County Sheriff's Office. This interview is being conducted in the Sheriff's Office. The date is now 02/18/21 and the time now is approximately 1321 hours.

- 1 Q. Uh, Deputy Riordan, do you understand this interview is being recorded?  
2  
3 A. Yes.  
4  
5 Q. Okay. Is this being done with your permission?  
6  
7 A. Yes.  
8  
9 Q. Sir, I see you don't have anybody with you. Are you gonna have re-representative today?  
10  
11 A. No.  
12  
13 Q. Okay. So, I'm gonna go ahead and read just like we did the last time. The Lewis County  
14 Sheriff's Office Notice of Right of Representation. The date is 02/18 of 21, case number  
15 21C967. Interviewee is Deputy Daniel J. Riordan, interviewer Gabriel J. Frase,  
16 position/Detective Sergeant of the Lewis County Sheriff's Office. Pursuant to your request, the  
17 following named person is granted permission to repre-represent you during an administrative  
18 interview that has the potential of leading to progressive disciplinary action against you up to and  
19 including termination. Name of representative, I filled in N/A for not applicable. You and your  
20 representative should understand that this interview is not a due process, i.e., Loudermill  
21 Hearing. The function of a representative is to observe and assist you in clarifying questions  
22 presented to you or to present facts that promote your best interest in a non-confrontational,  
23 threatening, intimidating or disruptive manner. Your representative will not be permitted to  
24 attempt to bargain with the interviewer. Any attempt by you or your representative to impede  
25 the interview, create a disruption or become disrespectful will result in the representative being  
26 asked to leave. If your representative is-is a member of this agency, you and the representative  
27 will be subject to disciplinary action up to and including termination for such behavior. Should  
28 you or your representative wish to make a brief statement on the record regarding the manner in  
29 which the interview was conducted, you will be permitted to do so. And I'm gonna stop for just  
30 a second. Did I ask you if we were being recorded?  
31  
32 A. Yes.  
33  
34 Q. Okay, thank you.  
35  
36 A. Yes, I'm sorry.  
37

1 Q. Not, uh, I just, sometimes I get on autopilot, so if I could just get your signature there  
2 please, sir. (signing document) Thank you. (paper shuffling) Do you mind if I put the date  
3 here?  
4

5 A. Go for it.  
6

7 Q. Okay (signing document) Okay. (paper shuffling). The next document is Lewis County  
8 Sheriff's Order to Cooperate. Uh, Deputy Riordan, you are about to be questioned as part of an  
9 ongoing and official administrative investigation by the Lewis County Sheriff's Office. You are  
10 a principle in this case and are being ordered to cooperate fully and completely. Once this  
11 interview has been conducted, sorry, concluded, you're ordered to keep all information you  
12 know or have provided about this case strictly confidential. Any release or exchange of  
13 information by you or found to have flowed from you, that has the potential of jeopardizing the  
14 in' the integrity of this investigation will result in your immediate suspension and termination  
15 proceedings will be taken against you. This order does not prohibit you from discussing your  
16 representation rights only with a labor representative who is not a principle in this case or your  
17 constitutional rights with an attorney. You will be asked specific questions that will relate  
18 directly, specifically and narrowly to the performance of your official duties or fitness as an  
19 employee of this office. You are not permitted to refuse to answer all questions asked. This is  
20 an administrative interview, not criminal and any responses to questions asked during the  
21 interview cannot be used against you in a criminal proceeding. All information in this case is  
22 confidential and except as mandated by law, will be released only to proper authorities. You are  
23 ordered and required to answer all questions fully, truthfully and to the best of your knowledge  
24 and ability. If you refuse to answer questions, questions specifically directed and narrowly  
25 related to the performance of your official duties, you will be subject to agency charges that will  
26 result in disciplinary action up to and including termination. The allegations to which you are  
27 being directed to respond are as follows: You responded to a complaint 21C967, which occurred  
28 at 12880 US Highway 12, Tatoosh Motel, where you investigated a felony physical assault,  
29 domestic violence. You contacted both persons involved, subsequently making an arrest, but  
30 failed to complete the investigation. From that-that initial investigation, information was  
31 obtained that the crime had occurred in the victim/suspect's cabin. The victim had been  
32 transported via ambulance and the suspect had fled on foot prior to your arrival. It is alleged you  
33 did not obtain a search warrant for the cabin to investigate and obtain evidence of a crime.  
34 Subsequently, the crime scene was contaminated by maintenance workers and caused additional  
35 personnel to obtain a search warrant and collect evidence of the crime. Um, if you could (paper  
36 shuffling) on this one, sir. (signing documents) Thank you, same question, may I put the date on  
37 here?  
38

39 A. Yes.  
40

41 Q. Okay. (signing documents) Okay. We'll try to make this a whole lot shorter than last  
42 time. Um, jumpin' same incident obviously, jumpin' straight to Packwood, um, you gone, you'd  
43 gone up there, you had PC, you went into the room checking for the kids, they weren't there,  
44 backed out, lookin' for Jence Sawyer, Jence Sawyer is located and subsequently arrested.  
45

46 A. Yes.

1  
2 Q. After that happened, you and Deputy Teitzel had a discussion. And what were the things  
3 that you discussed during that discussion?  
4  
5 A. (clearing throat) I believe I already answered that question. I believe I said that we had a  
6 discussion about uh, he asked me what we should do next and uh, I said I was gonna go to the  
7 hospital, collect uh, the clothes and interview her and get the paperwork signed. He said he was  
8 gonna interview the kids and that was it.  
9  
10 Q. Okay. Was there any discussion about the room itself, going back into the room?  
11  
12 A. No, I don't believe so. Uh, I-I-I can't be a hundred percent positive, but I don't believe  
13 so. There was uh, if you're asking me if he asked me if there would, to get search warrant? No,  
14 he didn't.  
15  
16 Q. Okay. And-and again, that's what I'm asking, did he bring up, hey we need to go back in  
17 there, we need a search warrant?  
18  
19 A. Uh, I was, I mean, we even uh, talked to Alan during the interview, that Fact Finding, I  
20 don't ever recall anybody making mention to me about a search warrant.  
21  
22 Q. Okay. Um-  
23  
24 A. -cause like I said, that would have checked the box for me, so.  
25  
26 Q. Okay, afterwards, you talked, I-I'm jumping forward now to, you go home. You-you  
27 wake up.  
28  
29 A. Yeah.  
30  
31 Q. And when I talked to you last time, you talked about calling I-I-O don't know if you said-  
32  
33 A. -I called Blake, yes.  
34  
35 Q. When you called Blake, do you remember which number you called?  
36  
37 A. Have no idea.  
38  
39 Q. Do you know, I mean, do we know if it was his personal cell, his county cell?  
40  
41 A. Have no idea. I can't remember that.  
42  
43 Q. Okay, do you know if you used your personal cell or your county cell?  
44  
45 A. I have no idea on that.  
46

1 Q. Okay. And did you, did you actually talk with him or-  
2  
3 A. -yeah, cause he's the one that told me, did you not see the emails uh, from you and I said,  
4 no.  
5  
6 Q. Okay. So, you're, when you talked with him, it was after he had already come in  
7 service?  
8  
9 A. I believe so, yeah cause it was, he already knew about (sigh) was it Blake that I talked to?  
10 I talked to, I-I-I think it was Blake cause he was east end and I said, cause I remember telling  
11 whoever, I thought it was Blake, that hey, you need to get up there and get some photographs of  
12 the room and I think it was Blake. Now, you're makin' me question that, but yeah, I had a  
13 conversation (laugh) and I 'blink' it, believe it was Blake.  
14  
15 Q. Okay. So, I-I'm, goin' back and forth, so in that conver-that telephone call-  
16  
17 A. -it was after-  
18  
19 Q. -it was after he already had information from me?  
20  
21 A. Yes, he already saw the email saying that you guys already did a search warrant and  
22 everything like that.  
23  
24 Q. And needed buccal swabs, (unintelligible) buccal swab-  
25  
26 A. -and I-  
27  
28 Q. -you did one from down here-  
29  
30 A. -yes.  
31  
32 Q. Okay.  
33  
34 A. Cause I did not see your Spillman message to us until I believe it was a Spillman message  
35 'til after somebody, I believe it was Blake, (laugh) told me, hey, they already did a search  
36 warrant on the place.  
37  
38 Q. Okay. So, jumpin' back, again like I said, I'm goin' back and forth, and we're back up to  
39 that conversation after Jence was in the back of the car.  
40  
41 A. Okay.  
42  
43 Q. Um, just clarify, when I talk with and the reason we're in here today, is when I talked  
44 with Blake last night and he's telling me-  
45  
46 A. -he said that-

1  
2 Q. -what's goin' on-  
3  
4 A. -and that's, and that's during the Fact Finding, I was already briefed on the fact that-  
5  
6 Q. -okay-  
7  
8 A. -he said that he told me what he believed he told me about a search warrant. I never  
9 heard him say one iota about a search warrant. I heard that he's gonna interview the kid.  
10  
11 Q. Okay.  
12  
13 A. And then anybody that was pertinent to the incident. He remained on scene, I left. So, if  
14 he, I would never direct, let-let me put it this way, I-I don't know where you're goin' with this,  
15 but I'm gonna just jump to the case where I'm looking at where you're going, I would never tell  
16 somebody not to do a search warrant, if he said, do you think we should do a search warrant, I  
17 don't believe that, so.  
18  
19 Q. Okay and here just bear with me- (paper shuffling)  
20  
21 A. -sure-  
22  
23 Q. -I'm trying to flip through. (paper shuffling)thi-this is it, I'm just gonna read you what,  
24 what Blake um, commented on.  
25  
26 A. Okay.  
27  
28 Q. Um, I-I had made the comment that we needed to go back in the apartment um, because  
29 of all the stuff and all the blo-blood inside and that we needed to get a search warrant. Um, and  
30 Deputy Riordan had commented back that we're gonna have to deal without. At this point, I  
31 decided that he was going to go to, sorry, at this point, it was decided that he was going to go up  
32 to Morton General, do that and I was going to transport Jence back to-  
33  
34 A. -I would never-  
35  
36 Q. -jail-  
37  
38 A. - I, if he thinks I said that, that's not even what I, I would never tell somebody not to do  
39 that.  
40  
41 Q. Okay.  
42  
43 A. I-I mean, never would I even question that. That, if he said, hey, let's do a search warrant,  
44 he's already on scene, we could have got people up there to do a search warrant. There is not,  
45 that's not what, yeah.  
46

1 Q. Okay, okay. Um-  
2  
3 A. -so, if he thinks he said that, or if he said that and I bla-blazed by what he said and didn't  
4 hear it, or listen to it, that would never, na- it was not done maliciously, if he actually said that.  
5 I'm not saying that he did cause I don't remember it, so.  
6  
7 Q. Okay. So, just to clarify the, what you're telling me and you believe it's true, that um,  
8 the first time you realized that you be, this-this checkbox had not been checked was when you  
9 woke up?  
10  
11 A. No. Remember, I told you in my interview, that when we got down to evidence, I talked  
12 to the guys about my concern was because of that and if you go back to mine, I believe I said  
13 that.  
14  
15 Q. Okay, you're-you're contin-your concern-  
16  
17 A. -my concern because of the room. I-I think if you go back to mine, I believe I-we talked  
18 about that at the, at evidence.  
19  
20 Q. You and Blake or?  
21  
22 A. It was a bunch of people there. I, you'd have to go back and look at what I said.  
23  
24 Q. Okay.  
25  
26 A. Cause it is kind of, now, it's all jumbled up, but uh, it, for a fact, it didn't hit me until I  
27 woke up and said, we need pictures of the interior and that's when I con-contacted Blake to do  
28 that and he already said that you guys obtained them.  
29  
30 Q. Okay. So, when it-it hit you again, I'm just I'm try-I'm having difficulty following.  
31  
32 A. Okay.  
33  
34 Q. So-  
35  
36 A. -well, the problem is, is one, I was exhausted during this time.  
37  
38 Q. Okay.  
39  
40 A. So, my memory is what I put in my report what I told in the Fact Finding and what I told  
41 you initially.  
42  
43 Q. Umm hmm.  
44  
45 A. I do not want now that you're coming at me with some other things and I'm like, hey, I  
46 don't ever remember anybody saying anything to me about a search warrant. If anybody said

1 anything to me about a search warrant, we would have slowed down and stopped. That's-that's  
2 what I, in my mind, we would have done.

3  
4 Q. Okay. So, I'm just, when you thought about it later, I'm just confused, I'm, waking up  
5 and realizing it hadn't been done or discussing it-

6  
7 A. -well, you read-

8  
9 Q. -it-

10  
11 A. -so we didn't discuss it. I guess as a um, getting a search warrant at that point.

12  
13 Q. Okay.

14  
15 A. We talked about the scene, I guess is what, what I meant by that.

16  
17 Q. So, you-you talked about the overall-

18  
19 A. -right-

20  
21 Q. -you-you don't know if you specifically addressed-

22  
23 A. -right-

24  
25 Q. -the room-

26  
27 A. -it didn't hit me until like I said, when I called him and said, when I told him, I said, we  
28 need to get phone-photographs of it. So, like I said, it, it was all a jumbled mess throughout that  
29 whole thing. Um, I'm kind of upset right now because the way this is all kind of coming back at  
30 me, saying that I one, maliciously did this, intently did this, that kind of upsets me. So, I'm a  
31 little upset.

32  
33 Q. But jus-just a question for you then, can you understand when, cause you've been, you've  
34 had to do the process before?

35  
36 A. Yes.

37  
38 Q. When you have several people to talk to-

39  
40 A. -right-

41  
42 Q. -and then you end up talking with someone and it, whether it's, well it-it contradicts  
43 whether it's because of some-

44  
45 A. -I totally-

46

1 Q. -perception or-

2

3 A. -I totally understand that.

4

5 Q. Umm hmm.

6

7 A. The thing and I didn't and of course, since we're in an investigation, I didn't address it  
8 with Blake, when they did the Fact Finding and Alan came to me and said, hey, Blake thinks he  
9 might have said something to you about a search warrant and I said, I told Bla-I told Alan, you  
10 can have the conversation with Alan, no, he never once said anything to me. If he did, I was  
11 doing something else and never heard him.

12

13 Q. Okay. So-

14

15 A. -okay, just tellin' you, I know, I know you're doin' your thing, and like I said, I take my  
16 job personally, I do a hundred percent, hundred and ten percent, do I think, we're gonna mitigate  
17 and try to get things done in the future, I mean, that's what Alan and I are doing right now is  
18 trying to get a checklist in place from what we had in our detective's book. So, we don't have  
19 this issue again, sorry.

20

21 Q. No, no, that works. Um, and again, I'm just goin' over the stuff we talked about, the  
22 phone call, you don't and the phone call you don't know which phone you used to call which  
23 phone of his, we're-we're not sure.

24

25 A. Right.

26

27 Q. So, what personal or-or work to personal or work, we're not sure. Um, the conversation  
28 up there, you discussed what to do, you don't remember anything about um, you don't  
29 remember, you know, the comments that Blake made, you don't remember those, if those  
30 happened?

31

32 A. Yeah, I don't.

33

34 Q. Okay. Um, is there anything again-

35

36 A. -and I-and I-let me clarify something, okay.

37

38 Q. Okay.

39

40 A. We had, we had conversations, one we had a lot of things going on, I was already in my  
41 mind, workin' towards what I was gonna do in Morton. He briefed me that he was gonna get the  
42 interviews. If he thought, if he thought he said the search warrant, I don't remember it. And I  
43 definitely don't remember telling me, well, we're just gonna have to do without it. If there was  
44 other context how he said something differently cause if-if you said to me, hey, Dan, what do  
45 you think about getting a search warrant and I say, well, we're gonna have to do without it,  
46 that's, that's not how I would ever answer your question. Um, if it was put in a different context,

1 somehow, some way, I don't, maybe my answer would be something to that effect, I'm, like, can  
2 we document or photograph inside there without a search warrant, not-not even mention search  
3 warrant, but processing the room cause that's, in my mind, we couldn't go back in the room  
4 because it wasn't our room and I never even thought like I said, to even get a search warrant and  
5 we had help. I know that we had help, even though we were short, I knew that we could get  
6 help. You signed in service, you were already heading east end, uh, during that time. Uh, and  
7 honestly, I-I was like, oh, wow. I, cause I saw you en route to Packwood while I was going  
8 somewhere or headin' west and I remember, oh, okay, so maybe he's involved. I don't know-

9  
10 Q. -no-

11  
12 A. Yeah.

13  
14 Q. No, I was, I arrived about fifty yards away because I went to the Packwood Mill, that's  
15 where I was going.

16  
17 A. Oh.

18  
19 Q. I had no clue-

20  
21 A. -yeah-

22  
23 Q. -I mean, I saw that there was a call and they had, oh, they got people in custody and  
24 they're headin' west.

25  
26 A. Yeah.

27  
28 Q. Well, okay. There's nothing-

29  
30 A. -and, and like you said, that's, that was just one thing that just, I just remember seeing  
31 your number headin' to Packwood, didn't even reach out to you to say, what, hey, you know, if  
32 you're goin' because I was just workin' through my own thing.

33  
34 Q. Okay. Is there anything else you'd like to add to this statement?

35  
36 A. No.

37  
38 Q. Okay. I will now end this interview. The date is still 02/18/21 and the time now is 1338  
39 hours.

40  
41 Detective Sergeant Gabriel J. Frase, #2D1  
42 Lewis County Sheriff's Office  
43 Chehalis, WA

44  
45 GJF:la  
46 02/19/21





LEWIS COUNTY SHERIFF'S OFFICE  
**MEMORANDUM**



*"Public Safety through Professional Service"*

**TO:** Deputy Daniel J. Riordan  
**FROM:** Captain Curtis B. Spahn  
**DATE:** January 29, 2021  
**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 Lewis County Deputies Guild Collective Bargaining Agreement, an investigation of a *Type I 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 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:
  - 320.5.7 Efficiency
  - 402 Crime and Disaster Scene Integrity
  - 600.3 Initial Investigation

The above policies/rules/regulations which may have been violated stem from an incident on or about January 22, 2021, during which it is alleged you acted as follows:

You responded to a complaint (21C967) which occurred at 12880 US Highway 12; Tatoosh Motel, where you investigated a felony physical assault domestic violence. You contacted both persons involved, subsequently making an arrest, but failed to complete the investigation. From that initial investigation, information was obtained that the crime had occurred in the victim/suspect's cabin. The victim and been transported via ambulance and the suspect had fled on foot prior to your arrival. It is alleged you did not obtain a search warrant for the cabin to investigate and obtain evidence of the crime. Subsequently, the crime scene was contaminated by maintenance workers, and caused additional personnel to obtain a search warrant and collect evidence of the crime.

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

Initial fact finding has been conducted by Sergeant Alan Stull. After review of the fact finding information, command staff has determined further investigation is necessary. The investigation has been assigned to: Detective 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 Lewis County Deputies

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

Guild representative prior to the interview. You may also have a Deputies Guild 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 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.

CBS: cbs

Distribution: Sheriff Robert Snaza  
Undersheriff Wes Rethwill  
Field Operations Chief Dustin G. Breen  
Sergeant Alan C. Stull  
Deputies Guild Vice-President, Deputy Justin Kangas  
File – 2

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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 Curtis B. Spahn  
**FROM:** Sergeant Alan C. Stull  
**DATE:** 01-28-21  
**RE:** Supervisory Complaint 21C967

On 01-22-21 I, Sergeant A. Stull was advised Deputy Teitzel and Deputy Riordan investigated an assault in Packwood earlier that morning and failed to apply for a search warrant that was needed to gather evidence for the case. I was directed to do the fact finding with Deputy Riordan and Deputy Teitzel.

I first talked with Acting Sergeant Jeff Humphrey. He said he signed in service while Deputy Riordan and Deputy Teitzel were responding to the assault. He said he talked with Deputy Riordan about the case. Deputy Riordan mentioned to him that they entered the residence to do a welfare check on the children. They did not take pictures of the interior of the residence. Acting Sergeant Humphrey said he asked if they needed anything and he was told they could use help with entering the evidence from the victim and suspect. There was no mention of the need for a search warrant to enter the residence to gather evidence.

I talked with Deputy Teitzel. He said he entered the victim's residence with Deputy Riordan to conduct a welfare check on the children. Deputy Teitzel thought he mentioned they would need a search warrant to gather evidence from within the residence when he was talking to Deputy Riordan. Deputy Teitzel did not talk to a supervisor about what was needed on the case because Deputy Riordan handled that portion of the investigation. Deputy Teitzel cleared the residence in Packwood at about 0627 hours the morning of the investigation and transported the suspect to jail.

I talked with Deputy Riordan about the investigation. He said he talked with Acting Sergeant Humphrey several times during the investigation. He said he entered the residence with Deputy Teitzel to conduct a welfare check on the children. He assisted Deputy Teitzel with placing the suspect in custody. Deputy Riordan left the residence and responded to Morton General to interview the victim. He then responded to evidence with the victims clothing. Deputy Riordan said he mentioned to Acting Sergeant Humphrey that he did the welfare check on the children and he was not able to get pictures from inside the residence. He said he did not talk to Acting Sergeant Humphrey about obtaining a search warrant for the residence.

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I asked Deputy Riordan about why there was no search warrant to document the crime scene. Deputy Riordan said it was an oversight. He said he did not know why he did not think of it or mention it to Acting Sergeant Humphrey. He said the case evolved rapidly and there was a lot going on. He said he takes responsibility for it and has no reason why it did not happen.

The oversight was later brought to light. Deputy Mauermann arrived at the crime scene at about 1100 hours that morning to secure it for a warrant.

In the last two years I have supervised Deputy Riordan. During that time he has handled 129 criminal calls for service, 175 misdemeanor arrests and 37 felony arrests. During this time I have had no complaints on Deputy Riordan for his investigations.

I found no evidence that Deputy Teitzel violated policy. There is one mitigating factor with Deputy Riordan to consider. Our squad had three deputies off from the squad for unforeseen circumstances out of our control. I had to suddenly move Deputy Riordan from the 1320 car to the 1920 car. This would make him stay out six more hours each shift that he was not able to acclimate. I think this was a major contributing factor that made Deputy Riordan miss a step that was out of character for him.

The following are possible 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, Motto, Mission, Code of Ethics, and Core Values;**
- **Lewis County Sheriff's Office Policies:  
402- Crime and Disaster Scene Integrity  
600.3- Initial Investigation**

I request this matter be reviewed for further investigation.

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