

## GUILD INVESTIGATION CHECKLIST

<b>Employee Name:</b>	<b>Daniel J. Riordan</b>
<b>Type of Investigation:</b>	<input type="checkbox"/> Formal Complaint <input checked="" type="checkbox"/> Supervisory Complaint
<b>Date:</b>	<b>November 11, 2018</b>

Disciplinary Process	Date	Time Spent
Complaint received from		
Notice to Sergeant Riordan of Internal Investigation	11/16/18	15 Min.
Internal Supervisory Investigation begins by Sergeant Engelbertson	11/19/18	4 Hours
Internal Supervisory Investigation submitted by Sergeant Engelbertson to Captain Spahn for review.	11/28/18	3 Hours
Internal Supervisory Investigation returned to            for: <input type="checkbox"/> Follow-Up -OR- <input checked="" type="checkbox"/> Internal Supervisory Investigation Completed	11/28/18	1 Hour
72-Hour Notice to Sergeant Riordan of Pre-Disciplinary Hearing by Captain Spahn	11/26/18	15 Min.
Pre-Disciplinary Hearing with Sergeant Riordan and Guild representative	WAIVED	N/A
Letter of Recommendation completed by            and submitted to		N/A
Letter of Recommendation completed by            and submitted to		N/A
Final resolution completed by <b>SETTLEMENT AGREEMENT</b>	12/03/18	3 hrs
Post Discipline Meeting by <b>ZAL</b> 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 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.		1 hr
Final resolution e-mailed to Guild President	12/03/18	N/A
<b>TOTAL TIME:</b>		<b>12:30</b>

**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, Captain/Lieutenant, Supervisor Conducting Investigation, Guild President, Employee's Supervisor, Employee

  
12/3/18



LEWIS COUNTY SHERIFF'S OFFICE  
**MEMORANDUM**



**"Public Safety through Professional Service"**

**TO:** Captain Spahn  
**FROM:** Detective Sergeant Engelbertson *HE*  
**DATE:** 11-27-18  
**RE:** Supervisory Complaint on Sergeant Dan Riordan

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On Sunday afternoon, November 11<sup>th</sup> 2018, I received a phone call from Detective Schlecht who was working a case with other JNET detectives. After I was updated on the progress of the case, Detective Schlecht told me about an incident which he wanted to advise me of. Detective Schlecht said while he and Centralia Detective Adam Haggerty were conducting surveillance, they witnessed an odd meeting between Deputy Sage Albright and Sergeant Dan Riordan (For the duration of this investigative report, any reference to Deputy Albright refers to Deputy Sage Albright). Detective Schlecht told me he saw Sergeant Riordan driving his personal vehicle, pull into the Northwest portion of the Walmart parking lot in Chehalis. Detective Schlecht told me the area where he pulled into was somewhat odd as it is secluded and not normally used by customers. Detective Schlecht told me he then saw Deputy Albright in her personal vehicle, get out and get into Sergeant Riordan's vehicle. Detective Schlecht told me the two drove behind Home Depot and after 20 minutes or so, drove back to the Walmart parking lot where Deputy Albright got out of Sergeant Riordan's vehicle and got back into her own. Detective Schlecht told me Sergeant Riordan left the area and Deputy Albright sat in her vehicle for about 5 minutes before leaving the area. Detective Schlecht told me Detective Haggerty saw the contact as well. Detective Schlecht said he was telling me about what he saw as he thought it was odd behavior, especially since Sergeant Riordan is supervising Deputy Albright. I advised Detective Schlecht that he and Detective Haggerty were to not disclose what they witnessed to other individuals, which he said he understood.

On 11-13-18 it was decided I would conduct a fact finding hearing with Deputy Albright and Sergeant Riordan. At approximately 1700 hours I met with Deputy Albright in my office. I explained I was conducting a fact finding hearing and advised her the importance of being honest with me. I asked Deputy Albright if she was in a sexual relationship with Sergeant Riordan. Deputy Albright ultimately told me she was, and it has been going on for the last two years. Through my questioning, Deputy Albright advised me the sexual relationship began when she was a Corrections Deputy. Deputy Albright said the sexual relationship continued once Sergeant Riordan became her direct supervisor. Deputy Albright said the two had talked of possible repercussions of

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their relationship, especially since Sergeant Riordan was her supervisor. Deputy Albright confirmed the recent meeting at Walmart was one of the sexual encounters with Sergeant Riordan. Deputy Albright told me there was nothing sexual in nature occurring on-duty, and they were "very careful" not to be physical while on-duty. After I concluded my basic questions, Deputy Albright asked several times about what would happen to Sergeant Riordan. It was obvious Deputy Albright seemed concerned for Sergeant Riordan. Deputy Albright also asked about her probationary status with the agency.

After my fact finding with Deputy Albright, we met with Captain Spahn. Deputy Albright was initially told not to have contact with Sergeant Riordan regarding the topic at hand, in the event an investigation may take place. Deputy Albright advised she understood.

I then met with Sergeant Riordan in my office. I advised him I was conducting a fact finding hearing. I asked him similar, basic questions, as I did with Deputy Albright. Sergeant Riordan told me he was in a sexual relationship with Deputy Albright and continued the sexual relationship while he was her direct supervisor. Sergeant Riordan told me everything which occurred between the two of them occurred off-duty. After the fact finding hearing, we met with Captain Spahn. Sergeant Riordan was also told not to discuss the issue with Deputy Albright at this time, and he was being sent home.

On 11-16-18 Sergeant Riordan was served with a Notice of Formal, Non-Criminal, Type I (Internal) Investigation by Captain Spahn.

On 11-19-18 I conducted recorded interviews with JNET Detectives Matt Schlecht and Adam Haggerty which will be included in the investigative file. I also conducted an interview with Deputy Sage Albright. Deputy Albright signed the Lewis County Order to Cooperate. Deputy Albright told me the sexual relationship with Sergeant Riordan began several years ago. Deputy Albright told me Sergeant Riordan instigated the relationship and began sending her text messages one night, which quickly became sexual in nature. She said it was suggested by Sergeant Riordan the two should later meet and kiss as a way to test the waters to see if they liked each other. Deputy Albright talked about meeting with Sergeant Riordan and having sexual encounters with him through the next several years, to include when she became a Deputy as well as when she became Sergeant Riordan's subordinate.

Deputy Albright said she and Sergeant Riordan talked about repercussions the sexual relationship could cause. Deputy Albright remembers Sergeant Riordan talking about possibly being terminated and/or losing his positions as Sergeant. Deputy Albright said she and Sergeant Riordan had additional conversations once he became her direct supervisor. Deputy Albright said they knew the sexual relationship could get them into trouble with the agency and decided they needed to quit having sexual encounters with each other, as their careers with the agency could be in jeopardy. Deputy Albright said this lasted about 2 weeks and the two began their sexual relationship again while he was her supervisor.

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Deputy Albright again told me everything occurred off-duty, until I asked her about any text messages or photos the two had sent to each other while on-duty. Deputy Albright said she and Sergeant Riordan would use their personal phones while working together on shift to send sexually explicit texts, about sex or having sex together, as well as sending nude photos of themselves to each other. Deputy Albright said this would occur multiple times throughout a work week.

Deputy Albright said she had just told her husband of what has been taking place between her and Sergeant Riordan, as she knew since he also works in Corrections, it could cause potential issues. Deputy Albright confirmed neither she nor Sergeant Riordan had told anyone about the sexual relationship during the time it was occurring, to include any spouses. (See Deputy Albright's recorded transcript for further details).

On 11-21-18 I met with Sergeant Riordan and Lewis County Guild Attorney Sean Lemoine in my office for an interview. Captain Spahn went over the Lewis County Sheriff's Office Order to Cooperate which Sergeant Riordan signed. Captain Spahn then left the interview. I also went over the Lewis County Sheriff's Office Right To Representation form which Sergeant Riordan and Mr. Lemoine signed. The interview was recorded. Sergeant Riordan told me about when the sexual relationship began with Deputy Albright and said he vaguely remembered beginning the sexual relationship by sending her sexual texts one night when he had been drinking and was off-duty. Sergeant Riordan admitted he was the one who initiated the sexual conversation between he and Deputy Albright.

Sergeant Riordan said he and Deputy Albright did meet up and kiss the first time and eventually the meetings became sexual. Sergeant Riordan said the sexual encounters occurred up to around 2-3 times a week. Sergeant Riordan said he did have conversations with Deputy Albright about how he could lose his position as a Sergeant and/or be terminated due to their relationship. Sergeant Riordan said he brought up losing his Sergeant position and/or being terminated also when he became Deputy Albright's direct supervisor and told her they needed to end the sexual relationship. Sergeant Riordan estimated the two had sex an additional 6-8 times after this conversation and during the time he was Deputy Albright's direct supervisor.

Sergeant Riordan said everything occurred off-duty. I did ask him about sexual in nature texts and photographs between he and Deputy Albright while on-duty. Sergeant Riordan told me he did send sexual texts and naked photos of himself to Deputy Albright numerous times a week while on-duty. Sergeant Riordan said Deputy Albright also sent him sexual in nature text messages and nude photographs of herself to him while the two were on-duty. Sergeant Riordan said the two used their personal phones to send the inappropriate material.

Sergeant Riordan denied giving Deputy Albright any preferential treatment during the times he supervised her. Sergeant Riordan said he was aware of Lewis County's Sexual Harassment Policy and agreed he had violated all of the policies, oath, motto, mission, code of ethics and core values as stated in his Notice of Formal Investigation.

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I also had been made aware of a meeting members of administration previously had with Sergeant Riordan just prior to the time Deputy Albright was placed on Sergeant Riordan's squad. I was informed the meeting took place near the end of August 2018. I was informed Sergeant Riordan was questioned about rumors they had heard regarding he and Deputy Albright. I asked Sergeant Riordan about this meeting which he agreed took place. Sergeant Riordan said he was only specifically asked if he could supervise Deputy Albright, and he said that he could. It appears Sergeant Riordan did not volunteer any information during this meeting nor did he bring up any potential issues regarding his sexual relationship with Deputy Albright. It was apparent he knew the sexual relationship was wrong and he could face discipline up to and including termination by the conversation he was having during the same time period with Deputy Albright.

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

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**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

**Bruce F. Kimsey**  
Field Operations Chief

**Chris J. Sweet**  
Corrections Chief

**Dustin G. Breen**  
Special Services Chief

## PERSONNEL ORDER

**DATE:** December 3, 2018

**ISSUED BY:** Sheriff Robert R. Snaza

**PERSONNEL ORDER #:** 18-76

**SUBJECT:** Deputy Daniel J. Riordan

**REFERENCE:** Change in Permanent Rank & Removal from Specialty Positions

As a result of a proven internal investigation and associated settlement agreement, effective December 3, 2018, you are demoted from the rank of Sergeant to Deputy Sheriff. You are also hereby removed from all specialty positions (refer to Settlement Agreement for further details). Accordingly, moving forward you will receive pay for Deputy Sheriff.

The following Personnel Orders/specialty positions are hereby rescinded:

- 16-102 – Patrol Sergeant Assignment
- 17-107 – Special Detail - US Marshals Service Violent Offender Task Force
- 08-22 – Boating Safety Education Officer (Reassignment to be considered prior to the 2019 boating season, but at the sole discretion of the Sheriff.)
- EVOC Instructor
- Active Shooter Trainer

As a Deputy, your radio call number will be 217 and you will report to Sergeant Alan C. Stull for your duty assignment.

**EFFECTIVE DATE:** December 3, 2018

**TERMINATION DATE:** Until Rescinded

**AUTHORIZING SIGNATURE:**

  
For Robert R. Snaza #202

**DISTRIBUTION:**

Undersheriff Wes H. Rethwill; Operations Chief Bruce F. Kimsey; Captain Curt B. Spahn; Sergeant Alan C. Stull, Civil Service Commission; Deputies Guild President, Jeff R. Godbey; Personnel File (Riordan, Daniel J.); Accountant Sandy J. Lupo; File

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Special Services Chief

## SETTLEMENT AGREEMENT

Between the  
Lewis County Sheriff's Office  
and  
Sergeant Daniel J. Riordan

The parties to this Settlement Agreement are the Lewis County Sheriff's Office (LCSO), and Field Operations Bureau Sergeant Daniel J. Riordan (Sergeant Riordan). Representatives of the LCSO had conversations with LCSO Deputies Guild President, Jeff R. Godbey regarding Sergeant Riordan's internal investigation resulting from his inappropriate relationship with a subordinate employee spanning a lengthy period of time while both were employed by the LCSO. As a result of those conversations, the parties enter into this Settlement Agreement (Agreement) under the following terms and conditions:

### LCSO AND SERGEANT RIORDAN AGREE THAT:

1. The findings in the related internal investigation will be:

#### ***LCSO Policy Manual -***

#### **PROVEN**

Oath, Motto, Mission, Code of Ethics, and Core Values;

#### **PROVEN**

- 01.05.060 - Affirmatively Promoting a Positive Public Image,
- 01.05.100 - Cooperative, Harmonious, and Respectful Conduct,
- 01.05.120 - Know and Obey Laws and Organizational Directives,
- 01.05.130 - Trustworthy, Ethical, and Professional Conduct,
- 01.32.100 - Workplace Relationships

#### **UNFOUNDED**

01.32.080 - Sexual Harassment

#### ***Lewis County Civil Service Rules -***

#### **PROVEN**

Rule 9, Section 1 - a) Incompetence, inefficiency, or inattention to or dereliction of duty.

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

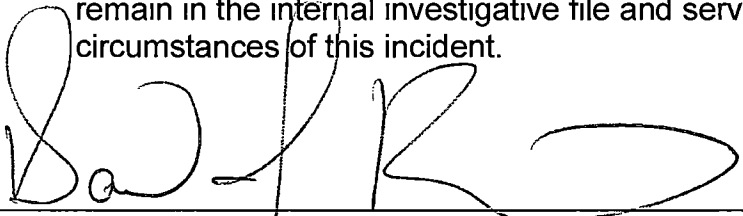
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2. The parties agreed to this settlement and as such, the discipline imposed will be demotion from sergeant to deputy (badge #217), and removal from all LCSO specialty positions, to be imposed immediately. Pertaining to his removal from specialty positions, there will be a one (1) year moratorium imposed before he can reapply for any such positions as openings become available. After the moratorium, he would be eligible to apply and compete for such openings. The exception to this would be for the Sheriff to reconsider his participation in the LCSO Boating Program at the start of the 2019 Boating Season. It will be the Sheriff's sole discretion as to whether he is allowed back into the Boating Program at that time. If the Sheriff decides against placing him back in the Boating Program, then the one (1) year moratorium shall apply.
3. The terms of this Agreement are based on the facts determined during the investigation portion of this case and all other related information up to the date of settlement, and the fact that Sergeant Riordan was forthright and truthful through the process.
4. Where necessary and if applicable, the LCSO has a duty to disclose certain information to the Prosecutor's Office. If requested, the findings and case file for this internal investigation may be disclosed to the Prosecutor's Office, and hold the LCSO harmless from any claims or damages that may relate to such release.
5. This Agreement may be released with or without authorization if required by lawful subpoena, by the rules of civil discovery, by judicial order, by applicable laws governing union requests for information or disclosure of public documents, or as necessary during the course of litigation.
6. This Agreement constitutes the full and final settlement relating to this internal investigation and releases, acquits, and forever discharges the LCSO from any and all grievances, unfair labor practice complaints, wage claims, common law tort claims, statutory claims, any claims based on state and/or federal laws prohibiting unfair practices and discrimination in employment, and all claims arising under the Washington State Law Against Discrimination (WSLAD), the Americans with Disabilities Act (ADA), the Family Medical Leave Act (FMLA), and the Fair Labor Standards Act (FLSA), that may arise out of or relate to this internal investigation and subsequent Agreement.
7. The LCSO Deputies Guild waives its right to process a grievance and/or request a Disciplinary Review Board, and/or file an unfair labor practice complaint or other appeal arising out of this internal investigation and subsequent Agreement.

DR


8. Neither this Agreement, nor the parties' mutual obligations under this Agreement, constitutes an admission by any party as to the validity of any claim or defense of any other party.
9. Each party has read this entire Agreement, has had a full and fair opportunity to discuss its contents and meaning with a representative of their choosing, and that the terms and conditions are understood and voluntarily accepted.
10. In moving forward, you are expected to follow all agency directives, policies, practices, and to perform all of your duties in the most competent and professional manner possible. Failure to do so on your part to meet these expectations could result in further discipline, up to and including removal from your position.
11. The terms of this Agreement do not establish a precedent or past practice.
12. This Agreement becomes effective upon date of all final signatures, and will remain in the internal investigative file and serve as a reminder of the circumstances of this incident.

  
\_\_\_\_\_  
LCSO Sergeant Daniel J. Riordan

12-03-18  
Date

  
\_\_\_\_\_  
LCSO Deputies Guild President, Jeff R. Godbey

12-03-18  
Date

  
\_\_\_\_\_  
LCSO Undersheriff Wes H. Rethwill

12/3/2018  
Date

RL

## Curt Spahn

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**From:** Curt Spahn  
**Sent:** Monday, November 26, 2018 2:37 PM  
**To:** Dan Riordan  
**Cc:** 'Sean Lemoine'  
**Subject:** RE: Pre-D meeting

Sgt. Riordan,

I've received the request to waive your pre-disciplinary hearing. A copy of this email will be added to the case file. I will have Sherri forward the file to Mr. Lemoine.

Respectfully,

Captain Curtis Spahn

Operation Patrol Commander  
Lewis County Sheriff's Office  
345 West Main Street  
Chehalis, WA 98532

(360) 748-9286 Office  
(360) 880-2915 Cell  
(360) 740-1476 Fax

[Curt.spahn@lewiscountywa.gov](mailto:Curt.spahn@lewiscountywa.gov)

*"Public Safety through Professional Service"*

---

**From:** Dan Riordan  
**Sent:** Monday, November 26, 2018 2:26 PM  
**To:** Curt Spahn <[Curt.Spahn@lewiscountywa.gov](mailto:Curt.Spahn@lewiscountywa.gov)>  
**Cc:** 'Sean Lemoine' <[sean@lemoinelawyer.com](mailto:sean@lemoinelawyer.com)>  
**Subject:** RE: Pre-D meeting

Captain Spahn,

After consulting with Sean, I am requesting ton waive the pre-d hearing.

Thank-you,  
Danny

---

**From:** Curt Spahn  
**Sent:** Monday, November 26, 2018 2:21 PM  
**To:** Dan Riordan <[Dan.Riordan@lewiscountywa.gov](mailto:Dan.Riordan@lewiscountywa.gov)>

Cc: 'Sean Lemoine' <[sean@lemoinelawyer.com](mailto:sean@lemoinelawyer.com)>

**Subject:** RE: Pre-D meeting

Mr. Lemoine and Sgt. Riordan,

Yes, we can move the pre-disciplinary meeting to Tuesday, December 4 at 1000 hours in my office. I'll have Sherri forward the file at her convenience. Is this email acceptable for the meeting notice, or do I need to serve another letter?

Thank you,

Captain Curtis Spahn

Operation Patrol Commander  
Lewis County Sheriff's Office  
345 West Main Street  
Chehalis, WA 98532

(360) 748-9286 Office

(360) 880-2915 Cell

(360) 740-1476 Fax

[Curt.spahn@lewiscountywa.gov](mailto:Curt.spahn@lewiscountywa.gov)

*"Public Safety through Professional Service"*

---

**From:** Dan Riordan

**Sent:** Monday, November 26, 2018 2:17 PM

**To:** Curt Spahn <[Curt.Spahn@lewiscountywa.gov](mailto:Curt.Spahn@lewiscountywa.gov)>

**Cc:** 'Sean Lemoine' <[sean@lemoinelawyer.com](mailto:sean@lemoinelawyer.com)>

**Subject:** Pre-D meeting

Captain Spahn,

Per talking Sean, I'm asking for the meeting for the December 3<sup>rd</sup> moved to December 4<sup>th</sup> at 1000. Also Sean is requesting the file be emailed to him at the earlier time for his review.

Thank you,

*Danny Riordan*

Lewis County Sheriff's Office  
Chehalis, WA 98532

Cell: (360) 880-2917

Fax: (360) 740-1476

E-mail: [Dan.Riordan@lewiscountywa.gov](mailto:Dan.Riordan@lewiscountywa.gov)

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STATEMENT DAN RIORDAN/KEVIN ENGELBERTSON/11-21-18

All right, this is an internal investigation. Present currently in the room is uh, Sean LaMoyne, uh, Sergeant Dan Riordan, myself, Kevin Engelbertson and Captain Curt Spahn.

Q. Uh, does everybody, is everybody aware this uh, interview/conversation is going to be recorded? Sean?

A. Yes (Sean)

Q. Dan?

A. Yes (Dan)

A. Yes (Curt)

Q. And, yes, I know it's being recorded as well. Um, the date uh, today is 11/21/2018, the time now is approximately 0952 hours. This recording is being done in my office in the Sheriff's Office. Uh, Captain Spahn is going to read the uh, Lewis County Order to Cooperate and then I believe at some point, uh, that was going to be the only thing you were gonna read and then you were gonna exit the interview and we were going to continue on.

A. Correct. (Curt)

Q. Okay, I'll let you go ahead and read that.

A. Okay (Curt) Sergeant Riordan, you're about to be questioned as part of an ongoing and official administrative investigation by the Lewis County Sheriff's Office. You are a principle 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, termination and suspension and termination proceedings will be taken against you. This Order does not prohibit you from discussing uh, your representation rights only with a labor rep' 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 any questions asked. This, this is an administrative interview and 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 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 uh, charges that will result in disciplinary action up to and including termination. The allegations of which you are being directed to respond are as follows:

Engaging in an appropriate sexual, inappropriate sexual relationship with a Lewis County Deputy who was also your subordinate. Do you understand everything I read to you?

A. Yes, sir. (Dan)

Q. So, Kevin will sign that and then, I'll leave the room. Any questions on that, Dan? (Curt)

A. Oh, no. (Dan)

Q. Okay. (Curt) Any questions, Sean?

A. No, thank you. (Sean)

Q. And uh, Captain Spahn's leaving the interview at this point. And we're gonna go over uh, I'm gonna read on the recording the Lewis County Sheriff's Office Notice of Right to Representation. Um, as Sergeant Dan Riordan, as interviewee, myself as the interviewer, um, I'm just gonna read this. Pursuant to your request, the following named person is granted permission to represent you dur' during an administrative interview that has a potential lea' leading to progressive disciplinary action against you up to and including termination and the name of the representative is Sean LaMoyné, who is the Guild Attorney. You and your representative shou' 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 interest in a non-confrontational, threatening, intimidating or dis' disruptive manner. The 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 the representative is a member of this agency, you and your, 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 recording regarding the manner in which the interview was conducted, you will be permitted to do so. And then I believe both of you sign that.

A. So, want copies of both those.

Q. Okay, try to remember that.

A. I will.

Q. Okay, all right, uh, we're gonna get into the questions. Um, we're not gonna spend a lot of time on this, um, I just want you to tell me uh, briefly about your employment with the Sheriff's Office, your current position, how long you've been in it, some basic information.

A. I've been with the Sheriff's Office since 2002. Previously, I was, 1999, I was hired in, in Elma. I've been uh, pro' I've done everything, but promoted to Sergeant in 2015, was a road Sergeant for approximately six months and then moved into a SET Sergeant, uh, Specialty

Sergeant uh, for about uh, possibly maybe six to ten months. Somethin' around there, I don't know. Uh, (inaudible) that team, then I was moved back to the road to cover uh, road shift and also still supervise SET. Uh, I then went back to uh, just Sheriff's Enforc' Enforcement Team Sergeant until August, I believe, end of August, somewhere right in there, uh, where I was asked to uh, well, told that I was gonna be going back to the road to cover Kenny's shift, uh, Kenny's squad, um, and uh, that's where we're at.

Q. Okay. How long have you known uh, Deputy Albright?

A. About two and a half years.

Q. And when did you first meet her? How did you first-

A. -well, she was an employee here at the jail, uh, and then uh, worked out at the gym, uh, became friends on social media I think in August of 2016, 2016.

Q. You became what in 2016?

A. Friends on social media, FACEBOOK and Instagram, things like that.

Q. Okay. And that, that was when she was still in the jail?

A. Yes.

Q. Okay. In Corrections, I mean.

A. Yes.

Q. Uh and how did your relationship with her began?

A. Uh, similar interests, uh, she's really good at her job, she liked workin' out, uh, worked out a lot, that's where I, where we saw each other was at the gym. Uh, she became a workout partner with, mine.

Q. Okay. Have you been in a sexual relationship with Deputy Albright?

A. Yes.

Q. And when did that sexual relationship began?

A. I can't be a hundred percent, uh, I'd say, uh, sometime in December of 2016, definitely in January of 2017, it started.

Q. And what was her position, so-

A. -she was a Correctional Deputy.

Q. Okay, and was, were you guys, were you guys both married at the time, when this took place?

A. (Sean) Object to that question on –

Q. -I figured you would.

A. (Sean) Okay. It has nothing to, the questions are supposed to be issues at work.

Q. -okay, I'll strike that question.

A. (Sean) Okay.

Q. It may come up later in a roundabout way, but.

A. (Sean) It's okay.

Q. Okay. Um, who initiated the sexual relationship?

A. I don't know. I can't remember that. I know it was, it was mutual. We both were texting each other and-

Q. -okay, do you remember uh, a night or I, I don't want to say night, a day, a time, when um, you may have reached out to her via text and the text became sexual on her part?

A. Uh, I, I could be, I, honestly, I, I don't remember that. I remember we were jokin' around one night, we were both, on, one of the social media's uh, cause that's how we communicate every day, communicate through text, uh, um, and so, uh, mimes just kind of went back and forth. We were both drinking. I remember that, um, I'm, not sayin' that I wasn't the first one to send the dirty mime or anything like that, so.

Q. But I think that's what I'm referring to. Uh, you guys possibly were drinking and some-

A. -yes-

Q. -things were sent back and forth-

A. -yes, yes. I'm pretty sure that since uh, I would say that I was probably the one that swung for the fence on that, yeah.

Q. When you say swung for the fence, what do you mean by that term?

A. I, I, it's just means that I, I probably initiated it.



Q. The sexual part of it?

A. Yeah, the-

Q. -okay-

A. -the, the dirty mimes, jokes and things like that.

Q. Was there, was there a point during that night or shortly after that where you suggested uh, meeting up, meeting in person?

A. I don't remember, Kev'.

Q. Do you-

A. -I know; I know we me' I know we met up.

Q. Do you remember uh, suggesting maybe you should meet up and, and kiss and see kinda how, how-

A. -I believe that's how, about that, I, I, yeah, I, yeah, I don't know if I, I can't remember, but yes, with, the first time we did kind of meet up and kiss, yes.

Q. Okay.

A. I'm, I'm not being, I'm not, I just don't remember. Um, it's-

Q. -but it sounds like you remember that happening.

A. Yes, that, that did happen, yes.

Q. Okay. And that was all while she was still a Corrections Deputy?

A. Corrections, yes.

Q. Okay. Uh, how often did you and engage in sex or, sex or sexual activity with Deputy Albright?

A. Um, we had the weekends, our weekends, that's pretty much when we could go to the gym and see each other. So, I don't know, we had maybe at the most would be the four, four weekends a month, somewhere around there.

Q. Okay. Well, we're gonna, we're gonna get into a little more of this later down the road.

A. Okay.

Q. But, and I know, I know probably was random at times, but I'm, I'm, I guess I'm tryin' to get a fill for whether it's you know, once or twice a week, whether it's you know, five times a week, once a month, I mean, kind of the-

A. -it was too random to actually put a number in it Kev'.

Q. Okay.

A. There was times I could see her more and there was times when I couldn't see her at all.

Q. I'll get a little more specific with that-

A. -okay-

Q. -when we get further in here, so. Um and when did you become Deputy Albright's direct supervisor?

A. Uh, September, I believe.

Q. Okay.

A. (Sean) This year?

A. Yes.

Q. Of 2018?

A. Yes.

Q. Okay, did you continue to have a sexual relationship with Deputy Albright after you became her direct supervisor?

A. Yes.

Q. And how many times after you became her direct supervisor did you guys engage in sexual activity together?

A. Not a lot, I mean, we, not as much as when we were before, um, uh, we actually didn't have anything until like her birthday week, weekend, um.

Q. I don't know when her birthday weekend was.

A. It was uh, in September, so.

Q. So, if you had to estimate between after you become her direct supervisor to when this issue, when the fact finding happens, uh, how many times would you estimate?

A. Six or eight.

Q. Okay. Okay, when you became her direct supervisor, uh, tell me about any conversations the two of you had regarding potential problems, this sexual relationship could create at work or any repercussions which could result. What I'm asking is, did you guys have a conversation after you became her supervisor about something to the effect of, and I'm not-

A. -right-

Q. -I'm not puttin' words in your mouth, but-

A. -yes, we, we-

Q. -hey, this, this is-

A. -we did have a-

Q. -a problem-

A. -oh, yeah, we did have a pro' we did have a conversation and that's the reason why we weren't gonna have sex uh, while I was her, while I was her supervisor.

Q. So, let, let me ask you this. Was your initial plan no' not to have sex or discontinue the sexual relationship?

A. Yes.

Q. But it sounds like that did not happen-

A. -that did not happen-

Q. -ultimately.

A. Yes.

Q. And what was the, what was your conversation, what was her response, what was her conversation with you about uh, when you became her direct supervisor, when this got brought up?

A. Well, it was, it's always about the job, so it was always po' I mean, it was, she was receptive to it, I mean, it wasn't like, you know, it, that it was like the end of the world kind of thing, she understood.

Q. Why did you, who brought it up? You or her?

A. I did.

Q. And why did you bring it up to her? What's, I think you know what I'm asking you, why, why did you bring up that you-

A. -because I was now her direct supervisor.

Q. And what-

A. -that could, that could potentially, if she got upset or anything at me for unrelated matters at work, uh, it could potentially blow up and cause me and the office an issue, um, there's, there's a, there's so many things. I can't, at the time, I can't say that this is what all went through my head, because I've now had unfortunately time off and so, I just have a shit ton of you should have known better kind of things and this is, you lookin' at back that, that, um, at the time, uh, I, I think that we'd didn't want to have sex uh, so it was clean, uh, while, while I was her direct supervisor. I know it doesn't make is better, but being her direct supervisor I was directly in charge of her, um.

Q. I'll, I'll be, I'll be blunt.

A. Okay, go ahead.

Q. Did you ever tell her uh, I could, I could get in trouble for this. I could lose my stripes over this.

A. Oh, yes.

Q. Okay. Uh, did you ever tell her that I could be disciplined and you, anything about uh, I could be terminated for this?

A. Yes.

Q. Okay. And what was her response? Or, did she have a response?

A. Well, I, uh-

Q. - I, I want to be clear. We're talkin' about, I could lose my stripes, potential I could be terminated due to the sexual relationship-

A. -right-

Q. -with you as her supervisor-

A. -right-

Q. Okay.

A. Okay.

Q. Um, what about before you became her direct supervisor? Did those same conversations come up?

A. Not, we, we talked about it, but nothing, nothing like in September, uh, because in my mind, there was a cle', there was a clean di', delineation between me and everything with Patrol because I was the SET Sergeant at the time, um.

Q. What, what do you mean by that? You kind of lost me a little bit.

A. Cause I wasn't her direct supervisor.

Q. Okay.

A. I was a supervisor of a specialty uh, of a specialty.

Q. So, what you're saying is, you're thinking even though you're a supervisor in this agency, having a sexual relationship with a Deputy-

A. -it made-

Q. -you're not her direct supervisor-

A. -it made it, it made it work in my head, yes.

Q. Okay, okay. So, you don't remember any conversation you had, you guys had about potential problems this could, that could come up or disciplinary action that could come up before you became her supervisor?

A. Oh, I'm sure we, I'm sure we did. I'm sure, I'm sure there was conversation before that. I'm, I just, unfortunately, it, yeah, my life's been a whirlwind for a while, so I have, I'm sure that we had that conversation before.

Q. Okay. Okay, no, no, I, I'm not, I'm just thinkin', I'm, I'm not, don't take my looks as anything else cause sometimes I look and I'm thinkin' at the same time. So, I know your life's been a whirlwind, I know a lots happened.

A. Well, no, this-

Q. -I, I want to make sure-

A. (Sean) Can I ask a clarifying question?

Q. Sure.

A. (Sean) So, you became her direct supervisor in September, so you had September and then 'til November 14<sup>th</sup>, when this relationship was reported to the Sheriff's Office and you were questioned.

A. Yes.

A. (Sean) So, there's that two months or so before this all happened and then there's since this was reported, a week ago and are you saying that everything in your mind has changed and since the, in the, in the last week and over thinking this?

A. Well-

A. (Sean) – or, or obviously, thinking about it all the time?

A. Well, that's, that occurred, but that, that's, um-

A. (Sean) –is it, is it clouding your memory as far as what happened before the bombshell of you-

A. – no, no-

A. (Sean) – being-

A. - I, I-

A. (Sean) – okay-

A. – it, it's, I, I, it's, it's just not something that I guess my, I retained. If you have a direct question, you can ask me and I can-

A. (Sean) – sure-

A. – it, it'll help me remember. I'm not, I'm not, if I'm giving you a feeling that I'm being in, not answering the question-

Q. – no, you, you, just when you use the phrases like I, I'm sure it happened-

A. -yeah, it happened.

Q. I just-

A. -okay, I'll, I'll say that, if that makes it better for you. I just-

Q. -doesn't make it better for me or worse for me.

A. Okay.

Q. Just trying to, if, if you remember a direct con' I'm okay with you saying, I, I know I had a conversation with her about potential problems and problems that cre' could create disciplinary wise for both of us. I'm-

A. -I am sure that we did have a -

Q. -if you cannot remember the direct words that were used, I-

A. -I, I can't remember that, but I am sure that we had those conversations.

Q. Okay, okay, fair enough.

A. (Sean) -conversations in person or over social media?

A. Both.

Q. Yeah, I got to figure out where I'm at here. Uh, I think you answered this. Did you ever tell, yeah, you did, that you could face disciplinary problems from your sexual relationship with her. You answered that. Uh, did Deputy Albright ever bring up with you, uh, any problems she could face as a result of the sexual relationship you guys were having?

A. Uh, she, yes.

Q. And what do you remember her saying?

A. Um, she said, well, she said that she could, she could, that I'm an asset to the office and she is brand new, so she could, she would probably be just fired, something like that.

Q. Okay and was this uh, before you became her direct supervisor or after you became her direct supervisor?

A. I, I don't remember that. I, I just know that we did have that conversation here recently when I became her direct supervisor.

Q. So, it sounds like after you became her supervisor?

A. At least, yes.

Q. Okay. I'm skippin' some of these cause we've already kind of talked about it. Um, did either of you have any conversation uh, regarding how your sexual relationship we, with each other was inappropriate? And I ask that in a different way I think before. Did you talk about, I guess what I'm getting at, did you talk about hiding it from certain people?

A. Are you talking about our families?

Q. I'm talking about who, whoever you-

A. -we hid it from everybody.

Q. And that includes employees, families?

A. Everybody.

Q. And what was the reason for hiding it?

A. Uh, not to get in trouble.

Q. Okay, fair enough. Um, a lot of these I'm askin', they're just worded in different ways. I'll ask it anyway. Um, just in case it's something that triggers anything else. Uh, tell me about any conversation between you and Deputy Albright regarding how your sexual relationship with each other could cause harm to the Lewis County Sheriff's Office public image or any other negative attributes associated to our agency?

A. You know I don't know if that conversation uh, let's put it this way, uh, outside agency saw us, so obviously that was it, it's out there.

Q. Why, why do you say that?

A. Why do I say that? Because my, my letter said that.

Q. Okay, fair enough. Um, okay, did any of the sexual activity between you and Deputy Albright take place on duty?

A. No.

Q. We're gonna move into some other things.

A. Okay.

Q. So, hold that thought. Uh, was there any, was there ever a time you signed out of service prematurely or signed into service late as a result of any inappropriate/sexual relationship with Deputy Albright?

A. No.

Q. Did you or Deputy Albright have any physical contact while on duty, including, but not limited to kissing, hugging, hand holding-

A. -no-



Q. -touching (phone ringing)

A. -never even hand held (phone ringing)

Q. So, there was no times were, for instance it's midnight, you guys are alone out on the road and you know, a hug, a hand on the leg on the ride home, anything like that?

A. No, no.

Q. Okay.

A. We road sided, we "BS'd" (phone ringing) I was there, I was the crew sergeant, so I was the crew sergeant.

Q. Okay. Did either of you, I, I want, I'm gonna throw this out there, I've already had a interview with Deputy Albright at this point, so, we're gonna move in some, some different questions here. Did either of you have any sexualized conversations, either in person or via phone while the other person was on duty?

A. Yes.

Q. Okay. And why don't you describe that.

A. I, uh, it, just exactly that. We'd send text messages, texts, uh, pictures.

Q. Okay, that was my other question. Did either of you send uh, nude photos of yourself to the other person at some, well, to the other person? I'll just ask you that.

A. Yes.

Q. And were some of those times while the other person was on duty?

A. Yes.

Q. So, it'd be fair to say and correct me if I'm wrong, that there were times where Deputy Albright would be working you uh, was there times where you were both working and you would send them back and forth?

A. I don't remember.

Q. Cause there, there was, there was two or three months where you guys actually were working together.

A. Yeah, I don't, I don't remember that, but I, but, it could have happened. I don't remember that part. I know that, the, there was while we're off duty and one was off duty and the other-

Q. -well, do you remember any time in the last, I don't know how the months worked out, two or three months were while on duty, either of you would have received or would have-

A. -yes-

Q. -then sent the picture-

A. -yes-

Q. -from the other person?

A. Yes.

Q. And when I say, picture, I'm talking a nude photograph.

A. Yes.

Q. Okay. So, uh, how many, how often would this take place?

A. No idea, Kev'.

Q. And it, it's safe to say that it was many occasions?

A. I, I don't, I don't know what many occasions would be, I'd say maybe, maybe once or twice, maybe three times at the most a week.

Q. Okay.

A. While on duty, somewhere right around there.

Q. Okay.

A. I mean, it wasn't like we were snappin' thousands of pictures and sending them to each other.

Q. But it doesn't sound like it was a one-time thing?

A. No.

Q. It was multiple times?

A. Yes.

Q. Okay. And would it be once you were her supervisor, I'm only assuming this, that, that one to three times a week, that that continued with the nude photos sending back and forth between you and Deputy Albright?

A. Well, photos and uh, some of them were nude, some of them weren't nude, uh, but-

Q. -sexual conversation?

A. Yeah, well, not really at work, really, really not, the conversations we really didn't have at work like that. We worked. As far as I remember.

Q. Okay, were any of the photographs taken of either you or Deputy Albright taken while you were on duty?

A. No.

Q. So, all of the nude photographs were taken-

A. -yes-

Q. -before or-

A. -yeah, before or after, yes.

Q. Okay. And what phones did you send them on?

A. Our personals.

Q. Was there any, was there any sexualized conversations or nude photographs that you sent each other on work phones?

A. No.

Q. It was all done off work?

A. Yes.

Q. Equipment?

A. Yes.

Q. What about MDC's, any computers?

A. No, no.

Q. Okay. Did you ever feel compelled to engage in sexual activity with Deputy Albright? And when I say, compelled, um, that can be, that can have a lot of different meanings, did you ever feel um, that you-

A. -I made my own choices.

Q. Okay. That's what I'm getting at. You never felt um-

A. -she never-

Q. -coerced into-

A. -no. I made my own choices.

Q. Okay. These are just questions that I-

A. -I know, I know, Kev', Kev'-

Q. -got to get through, so.

A. It's okay.

Q. Um, are you aware of Lewis County's uh, Sexual Harassment Policy?

A. Yes.

Q. That's a yes?

A. Yes, sorry.

Q. Uh, do you think your sexual relationship with Deputy Albright was a violation of this policy?

A. No, it could have been.

Q. You don't, let me just ask you this, you don't think that your supervising-

A. -okay, yes, on that, yes, that's yes, I understand what you're goin' at.

Q. That's a, that's a yes, then?

A. Yeah.

Q. Okay. Uh, did you want to have a, a sexual relationship with Deputy Albright when this was occurring?

A. What?

Q. Did you want to have the sexual relationship? It kind of goes along with the last question.

A. Yeah.

Q. You didn't feel coerced or anything?

A. Yeah, I would, yeah.

Q. I may have some repeat questions, I'm sorry.

A. Yeah, it's all right.

Q. Uh, did you give Deputy Albright preferential treatment in anytime during your relationship with her?

A. No.

Q. Uh, did you have any conversation with Deputy Albright, where either of you talked about how your supervision of her would be different due to your relationship?

A. No. Well, we did, but I, but I stressed to her that there would be no difference. We did talk, that was that conversation at the beginning of, when I came in, became her boss, I said that, that's the one thing that I could get, that we were gonna make sure that everything was done, I'm using a lot of words, I'm, I'm her, I was her boss and I wouldn't uh, I was gonna treat everybody the same.

Q. Okay. Uh, did you ever have a conversation with Deputy Albright about her recent vehicle accident and how the accident would be handled differently or suggest what to say regarding what happened?

A. No, definitely not.

Q. Did uh, you ever insinuate you would protect her?

A. No, not, not protect her, I would protect, I would do exactly what I did for anybody, as a sergeant.

Q. I understand that you're saying, because you as a supervisor, could protect all of your employees.

A. Yes. But I did not specifically do anything, no.

Q. Have you talked to Deputy Albright since the fact finding hearing?

A. No. Well, when Captain Spahn called me, when I, I reported this to him, when Captain Spahn called me and told me that uh, to, to not to have any contact with her, I sent one text saying, I cannot, I've been ordered not to have any contact with you. That was the last text. That was the last contact and I told Captain Spahn about that.

Q. Did she call you or you called her?

A. We were still, remember we were texting uh, you don't know, but we were texting back and forth pretty much just, I'm sorry.

Q. Was this the night of the fact finding hearing?

A. It was the uh, the next morning.

Q. Okay.

A. When Captain Spahn called me cause she had asked a question and I got the call from Captain Spahn and I replied back, saying, I've been ordered not to talk to.

Q. What did you guys talk about in terms of this potential investigation?

A. Didn't actually talk about the po' the investigation at all, pretty much just said to each other, we're sorry. She was sorry and I was sorry for this.

Q. Okay. Um, okay, so, I brought this up a little bit in the fact finding hearing, excuse me, you were, at some point, it sounds like you were brought in by some members of the Administration when you were switched from out of SET back onto Sergeant Cheeseman's squad, you were gonna take over that squad.

A. Yes, sir.

Q. And um, did they bring up rumors that they'd heard, concerns that they'd heard about-

A. -uh-

Q. -relationship between you and Deputy Albright?

A. Uh, it was, it was Undersheriff uh, Bruce, Dusty and Captain Spahn and uh, the Undersheriff uh, asked me, uh, he, he prefaced it with saying, okay, the next question is, it's gonna be, cause there's rumors out there about you and Sage, can you be her supervisor. That's and I answered because I'm in work mode and I can and I can be a boss and separate the two in my brain at the time and I said, yes, I could do that.

Q. So, and I get that that question was asked of you at some point, but after talking with other members of the Administration, the, I guess the what I'm hearing or learning is that yes,

that may have been that question the way you worded it, something similar to that could have been asked, but the conversation uh, although it doesn't sound like someone may have asked you, are you having a sexual relationship with Deputy Albright, um, that there, there was some conversation about hey, we're hearing rumors-

A. -no-

Q. -we're hearing-

A. -no-

Q. -we have some concerns-

A. -no, I would have answered, I would have, I would have thrown myself on the sword at that point, honestly. The que', the way it was worded is the way it was said. I told you. And I, and he didn't, they didn't ask me.

Q. Well, I think you said though in part of that answer, there was some things brought up about our relationship.

A. I, no, the, what I, what I said was exactly that, there's rumors out there, can you be her sup' can you supervise Sa' Sage, that's exactly what it was.

Q. Okay.

A. And, in my mind, right, right or definitely wrong, but was yes, of course, I can, I ca', I, I can do the job.

Q. You felt you could separate the two?

A. Yes.

A. (Sean) And one question.

Q. Sure.

A. (Sean) What, during that conversation with those four people, were you ever asked to confirm whether the rumors were true, or were, deny that they were-

A. -wasn't there even, it was never even posed to me to confirm or deny. Cause honestly, I thought that's where, that, I thought that's what it's gonna be, them asking me.

A. (Sean) Where, or was there a question, hey, if you're having a relationship with her-

A. -no-

A. (Sean) –uh, please tell us cause you can't be her supervisor.

A. No.

Q. But it sounds like at some point, they brought up some rumors-

A. -no-

Q. -What did, so how did they word the, we're hearin' rumors-

A. -that's exactly what he said, uh, the Undersheriff said to me. He says, okay, I'm the, yeah, he told me, two things I or I have to talk to you about and they're both hard. First thing is, we're moving you, removing you out of SET, we're putting you back to the road, okay. Second thing is Dan, uh, we're hearing rumors about, about you and Sage, can you be her supervisor. That was it.

Q. What do you think, what do you, what did you think at the time when he said, we're hearing rumors, he was talking about?

A. Well, I, I honestly the, who, I don't know what rumors are out there, so I, I don't know.

Q. You don't know?

A. I, honestly I don't, I didn't know the rumors and he didn't ask me or else I would have told him, I mean, I'm not, I'm not being a smart ass, I'm just sayin'.

Q. Right. Okay. I mean, I, I'm just, he did kind of piece these two things together here without trying, I'm not trying to screw anything up-

A. -I know, I'm, I'm-

Q. -just-

A. -I'll, I'll, no, I'm tellin' I'm tellin' you, God's honest on this, that's, I would have thrown myself, if he, if, uh, wish I would have, but that was it. That was how it was said to me.

Q. Well, I guess, I guess thinking back, thinking back, um, well, that, that doesn't matter. Um, we'll move on here. Uh, uh, what policies do you think were violated due to you and Deputy Albright's sexual relationship?

A. I told you the Code of Ethics, that one.

Q. Okay. You think there were multiple policy violations?

A. I'm sure I saw, I saw the letter, so.



Q. Do you agree with those violations?

A. I don't, I don't, uh, I'm not, well, I agree with whatever comes down.

Q. Well, that's not what I'm askin' though, do you agree with, do you agree with the violations that were cited in your-

A. -I'd have to look at them cause there's ones that I didn't even know.

A. (Sean) Do you have it?

Q. Yeah.

A. The work place relations, that one I, I didn't even know.

Q. I'll, I'll just read them here, uh, so we have them on here. Looks like uh, Lewis County Civil Rule 9, Section 1, Incomplete, Inefficient or Inattention to or Dereliction of Duty; un, Lewis County Sheriff's Office Oath, Mission, Oath, Model, Mission, Code of Ethics & Core Values.

A. Yes.

Q. Uh, Lewis County Sheriff's Office Policies and uh, 105, 105060, Affirma' Affirmatively Promoting a Positive Public Image.

A. Yes.

Q. Uh, the next one Cooperative, Harmonious & Respectful Conduct.

A. Yes.

Q. Know and Obey the Laws & Or' Organizational Directives.

A. Yes.

Q. Trustworthy, Ethical and Professional Conduct.

A. Yes.

Q. Sexual Harassment Policy.

A. Yes.

Q. Workplace Relationships and I think that goes along with the Sexual Harassment Policy-

A. -okay-

Q. -which is my understanding of it, so.

A. Okay.

Q. Um, do you intend to continue your sexual relationship with um, Deputy Albright?

A. No, I, didn't know if you were gonna say-

Q. -no, I was done.

A. Okay, no.

Q. Have you guys, well, you may want to strike this, I don't know. Um, let me think about this, if it's even coherent.

A. Okay.

Q. I won't ask, I won't ask it. It kind of relates back to some, but it really doesn't matter in the grand scheme of things. Um, is there anything else that I'm missing that I haven't asked you that you feel is important to what is taking place?

A. I think you got everything.

Q. You have any questions?

A. (Sean) Can I have like two minutes off the record with him alone and to talk to him and then we'll come back.

Q. You want me to leave that run?

A. (Sean) No, I want you to stop it, pause it.

Q. Um.

A. Or, we can leave the room.

A. (Sean) And go someplace else.

Q. I'm perplexed now cause I don't know if I'm supposed to stop this or pause it, uh-

A. (Sean) well the order you got, I'm allowed to be his representative is-

Q. -I'll just, I'll just let it run, so it will just run and then I'll say, you guys are comin' back in the room.

Q. All right, you guys are both back in the room here.

A. (Sean) I just have a few –

Q. -I just have one other question too, but go ahead.

A. (Sean) No, go ahead.

Q. No, no.

A. (Sean) Okay, um, you indicated earlier that all of these questions or all of this is sexual relationship occurred off duty?

A. Yes.

A. (Sean) Um, and it was all mutually consensual between the two of you?

A. Yes.

A. (Sean) Um, did you ever, um, engage in sexual relations on Lewis County property?

A. No.

A. (Sean) Did you ever use any Lewis County vehicle or equipment to facilitate-

A. -no-

A. (Sean) –this relationship.

Q. Well, I want to, I want to clarify somethin' there, because you're talkin' about bein', both of you are on duty and you're sending-

A. -texting, yes, the text-

Q. -sending nude photos of yourself-

A. -yes-

Q. -to each other-

A. -yes.

Q. Um, no times, okay.

A. (Sean) What I'm talkin' about specifically is like, using a county vehicle to get to a place off duty-

Q. -right-

A. (Sean) –where something happened.

Q. Right.

A. (Sean) –is that, is that, that never happened?

A. No.

A. (Sean) And then, were either of you ever in, even if off duty, in uniform wa', or Lewis County, when you engaged in-

A. -no-

A. -relations. All right, that's all I have.

Q. I didn't understand that last question.

A. (Sean) Were you at, were either of you ever in uniform, off duty when you engaged in sexual relations.

Q. So, the only other question I had and we covered this a little bit in the fact finding, um, the I guess it'd be the 11<sup>th</sup>, I want to say November 11<sup>th</sup>, when you and Deputy Albright meet and I assume it was off duty, over at Walmart, Home Depot.

A. Yes.

Q. Uh, that was uh, when one of these sexual encounters took place?

A. Yes.

Q. And do you remember seeing, seeing anybody over there with-

A. I was sketched out.

Q. Any local agency?

A. No, I didn't see anybody, local agency, I was sketched out cause there was a lot of people in their cars.

Q. Okay.

A. And, yeah.

Q. But you didn't recognize anybody as-

A. -no-

Q. -being law enforcement or anybody?

A. No, cause if I, if I would have, we, I would have been too sketched to do anything.

Q. Okay. Do you guys have anything further? Okay, I'm gonna end the interview. The date is still 11/21/2018, the time now is approximately well, looks like about 1040 hours.

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

KME:la  
11/21/18

STATEMENT OF SAGE ALBRIGHT/K. ENGELBERTSON/11-20-18

All right, this is a recorded interview with Deputy Sage Albright. The interview is being conducted in my office at the Lewis County Sheriff's Office. The date is November 19<sup>th</sup>, 2018. This is not in reference to any case number. It's in reference to an internal investigation, currently under investigation. Uh, is it okay if I call you, Sage?

A. Yes.

Q. Uh, Sage, do you understand this is being recorded?

A. Yes.

Q. Is it being done with your permission?

A. Yes.

Q. Okay, I'm gonna read the Lewis County Sheriff's Office Order to Cooperate. We talked about that beforehand. I'm gonna read it so we have it on the tape and then I'm gonna ask you to look it over and, and sign it, if you understand it. And it says, Sage Albright, you are about to be questioned as part of an ongoing and official administrative investigation by the Lewis County Sheriff's Office. You are a 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 terminations, 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, which would be Sergeant Riordan, 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, now this part is not really pertain to you, I'm gonna read it anyway, fit, fitness in the, as an employee of this office, you are not permitted to refuse to answer all of the questions asked. This is an adminis' 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 interview, your official duties, you will be subject to agency charges that will, will result in disciplinary action up to and including termination. The allegations to which you are being directed to respond are as follows and I put in there, sexual contact and inappropriate relationship between you and your supervisor, Sergeant Dan Riordan. Uh, I acknowledge that I have been informed of the above Order and the nature of the allegations. It has my signature block, your signature block. I'll sign my name while I have it in front of me. If you have any questions.

Q. Okay, so I have several, several questions to go over with you. If you don't know the question or if you need it clarified or ask me, bring it up. Okay. Uh, tell me about your employment with the Lewis County Sheriff's Office. I'm not tellin' you, I'm not sayin' I need a dissect version of it, but give me a brief synopsis of when you started in the jail, when you went to patrol.

A. I was hired by Corrections in 2015, uh, I think it was right around the first of the year because I was, I started my uh, hiring process with Mansfield, with Sheriff Mansfield and then was actually hired by Sheriff Snaza and um, I transferred, I applied and transferred to Patrol around July of well, it was before July, it was a few months before July of 2016, 17 and I went to the academy in uh, July of 2017.

Q. July 2017 is when you went to the academy?

A. Uh, I graduated November of 2017.

Q. So, currently, you are a probationary deputy with Lewis County Sheriff's Office?

A. Yes, I think my probation is up or would have been up in February.

Q. Okay. Why do you say would have been up?

A. I have no idea what's gonna happen.

Q. Okay. I don't know if someone said something to you, that's why-

A. -the, I've heard it's happened um, that people get suspended when they get in trouble, probation gets extended so.

Q. Okay. Let me ask you this, kind of goin' off script. Do you think you're in trouble?

A. I do.

Q. Why?

A. I was part of a policy violation.

Q. And what policy violation do you think you were a part of?

A. All I know is it's something to do with um, work place relationships. I don't know the exact policy.

Q. In your own words, what do you think was wrong about it?

A. Uh, I had inappropriate relationship with a supervisor.

Q. Okay. When you say inappropriate relationship, uh, we're talking about a sexual relationship?

A. Yes.

Q. Okay. We'll get into that further in here.

A. Okay.

Q. But, okay, so, are you currently married?

A. Yes.

Q. And, how long have you been married?

A. Um, 2000, July of 2012, so, um, almost, well, over six years.

Q. And your husband works in the Lewis County Jail?

A. Yes.

Q. And how long has he been an employee there?

A. Um, a little over a year, maybe a year and a half, I don't-

Q. -he, he started after you started?

A. He did.

Q. So, did he start corrections after you had started on, as a Patrol Deputy?

A. He started applying and the whole process um, as I was just considering going to Patrol and then he worked, we worked there at the same time maybe for a month, maybe a little bit longer at the same time before I went to Patrol.

Q. Okay.

A. Not including him going to the academy and all that.

Q. Okay.

A. We actually were in the jail for a little over a month I think.

Q. Okay and how long have you known Sergeant Riordan?

A. Um, I think I met him just maybe a few months after I got hired at the jail.



Q. That's where you think you met was when you were in the jail?

A. I, I didn't know him until I got hired at the jail.

Q. Do you remember your first meeting or anything with him or just in passing kind of thing?

A. No, just in passing, kind of always at group gatherings and stuff.

Q. Would it be safe to say, correct me if I'm wrong, that you first time you met him was through your employment?

A. Yes, that I remember, yes.

Q. How did your relationship began with Sergeant Riordan?

A. Do you mean the sexual relationship?

Q. Yes.

A. So, there was a Deputy here, uh, Deputy Kevin Anderson, who was messaging me, uh, quite often inappropriate stuff, um, sexual text messages and stuff like that, mostly just trying to talk to me and I could tell he was trying to, I don't know, hit on me.

Q. Uh huh.

A. And it was a lot and um, I believe what happened is I blocked him eventually because of him blowing my phone up with all these text messages and-

Q. -this was while he was still a-

A. -yes-

Q. -patrol here?

A. Yes and I tried not messaging him or anything like that, you know, I tried, I tried not being rude to him and shutting him down because I never, I never went along with any of it, but I tried being friendly and nice because I knew we had to work together.

Q. Uh huh.

A. He would come into the jail all the time and it would be weird if I was ever rude to him, you know and so, I ended up just blocking him and like the same night that I blocked him, that's when I remember Sergeant Riordan, um, messaging me and I kind of thought, it, I knew he was

friends with uh, Kevin and so, I kind of thought it was a little bit weird, um, I thought he was like messaging me for Kevin because Kevin couldn't anymore and um, then we just ended up talking.

Q. So, how, what's, so he messages, he just random, you get a random message?

A. Pretty much, he would send me like, funny like memes or pictures about like the gym because the one thing is um, I did see him at the gym a lot, you know, we saw each other at the gym and other deputies and stuff like that. Um, we never really talked or anything um, but he would, even before this whole thing with Kevin, he would just send me like funny pictures and stuff and that was it.

Q. Uh huh.

A. And we didn't really talk or have communication, um, but then that night, was the night we actually started a conversation and I remember telling him like, oh, are you just messaging me because Kevin can't and um, he was like, no and I, I don't believe he, he even knew anything that was, I don't think he knew Kevin was talking to me or anything like that until I told him and so that's how our, our communication started. And he said he was drinking that night, I know I was drinkin' that night and just at home, off duty, all (inaudible) um, I think right then is when the conversation went sexual, just over messaging.

Q. So, so, right off the bat, it goes-

A. -pretty much and it was more just, it was more just flirting-

Q. -yeah-

A. -and it wasn't anything real bad, it was just um, like, oh, you're hot and no, you're hot, like, too, nothing real anything else, that I remember and then um, it's kinda unclear what, I don't really remember exactly how it all went down, I just remember us talking later about even the next day, following days and stuff, we just started talking a lot and um, became pretty good friends and um, one day, decided to, to meet at the gym before work or I don't even know if it was before work. I think it was just at the gym in the morning before our workout and um, just kind of meet up and see how we felt about each other at that point.

Q. Okay. And there was a, some point where you guys became sexually involved?

A. Yes.

Q. And how long ago was that first time?

A. Uh, I don't have a date, I don't even know, maybe around this time two years ago. I think it was around the holidays is all I can really remember, um, I think it was around the holidays when the first time.

Q. In the fact finding, I think I asked you something similar, similar to this and you, I believe you said that you were working in the jail the, the first encounter.

A. Yes, yes.

Q. Okay.

A. That, there's no doubt about that. It was, I was working in the jail um, I just remember we talked for a while um, before we actually met up and did anything.

Q. So, I assume there's talk, correct me if I'm wrong, is there talk about hey, we really gonna do this, are we really gonna, things are leading to this?

A. Yes, I think that we both kind of knew that that was the plan of us talking.

Q. And-

A. -I don't know if it was ever clearly said, but.

Q. Right.

A. Yes.

Q. And how soon from the first time he just starts messaging you to when you guys have a sexual encounter?

A. I honestly don't remember that, I don't think it was very long afterwards, um, I know we, we met before the gym one time and kissed and then we didn't do anything else and then I, I don't remember how long in between. I don't think it was very long, maybe a week or so.

Q. Okay.

A. Yeah, it kinda all happened fast.

Q. Okay. Gonna get back on track here, uh, I think you've already answered this, that you've been in a sexual relationship with Sergeant Riordan?

A. Yes.

Q. Um, who, who do you think initiated that sexual relationship?

A. He did.

Q. And why do you say that?

A. Well, he's the one who kind of reached out to me first, I, I just clearly remember thinking that it was like a setup or something with Kevin so I kind of told him, no-

Q. -uh huh.

A. (laugh) at first, um, and I think that's when he just told me like his feelings, like, the way he's felt about me for a while and um-

Q. -so, that first time, it's just kind of-

A. -so, I think-

Q. -came out-

A. -he, he said like he was drinking and so, I believe it, because it did all kind of come out and we were both kind of drinking that night, you know, because I remember us saying after that, are things gonna be weird between us now, you know, when the light of day comes and then um, then we just kind of continued talking as friends and, it, it, it did lead to us meeting up, um, but yeah, that first night is when it all kind of came out and yeah, he's, he suggested us meeting and like, just kind of light, I don't know-

Q. -the, the first night-

A. -the first, the kiss like, is in an, he kind of said, we know how we felt about each other after that.

Q. Okay.

A. So, that's, that's how it went down. I don't remember who decided to meet for the first time after that kiss.

Q. Okay. And where were you at when you get this text message? Do you remember?

A. Well, like, location?

Q. Yeah.

A. Okay, I believe it was at home, I think it was at home.

Q. You said you were drinkin', I didn't know if you were at a party or-

A. -oh, no, no, I was at home.

Q. Okay.

A. Because, I was actually living alone at the time and I was um, I was at home alone, uh huh.

Q. So, there was a time when you were separated from your husband?

A. That's what makes this more complicated, yes.

Q. Okay.

A. Yes.

Q. So, during the time this happens, you're living apart from your husband?

A. Yes and when I got hired by the jail and the whole process and everything, I was living alone, I was actually separated from my husband, Dave and um, this whole thing with Danny, Sergeant Riordan started before my husband and I got back together, quite a while before.

Q. And do you know if Sergeant Riordan was obviously, I assume you knew he was married?

A. Yes.

Q. And do you know if they were together, if they were, did he say anything about that? Did you guys talk about anything about that?

A. I always believed they were together, um, he just kind of said that he was unhappy, that's it, but yes, married, living together, all that.

Q. Okay. How often, I know this is, you're not gonna have an exact time of any of this, but how often, once you had that first sexual encounter about a couple of years ago, how often did this take place?

A. It kind of varied, um, it would go from a couple times a week to a couple times a month, just depending on our schedules.

Q. Uh huh.

A. And that kind of thing, so, um, maybe two to three times a week to once a week, if that. And, it just varied.

Q. So, it just varied?

A. Yeah.

Q. Okay. When did Sergeant Riordan become your direct supervisor?

A. Um, whenever Sergeant Cheeseman went to the Admin position, is when he took over, or my squad, uh, maybe a month ago, maybe a little over a month ago.

Q. Okay.

A. I don't know the exact date.

Q. So, after he became your direct supervisor, did you continue to have a sexual relationship with Sergeant Riordan?

A. Yes.

Q. And how many times, roughly how many times after he became your direct supervisor?

A. Maybe like, five. I know that he said, when he go' got notice that he was gonna be my direct supervisor, he said, we have to stop, we have to end everything, um, you know, it was actually kind of hard on us to have to deal with that and um, we did for a long time. Um, a few weeks, you know, we didn't even meet up, we didn't do anything um, and uh, I don't remember the exact, how long into him being my supervisor that we kind of gave in and, and met up um-

Q. -so-

A. -but I want to say it was around five times.

Q. So, why did he say we have to stop? What came up in conversation?

A. He always kind of said that, that's what would really get us in trouble with the office, that's what was wrong, is him being my direct supervisor, you know, because kind of obvious reasons, giving me special treatment or anything like that.

Q. So, so he told you, hey, I know I'm your and correct me, if I'm wrong.

A. Yes.

Q. Sounds like he told you, hey, I'm your direct supervisor, this is what could get me-

A. -yes-

Q. -in trouble.

A. Yes.

Q. Like, what did, how did you guys, how did you take it? What did you discuss?

A. We were both really, pretty upset about it. I mean, I know I was, he said he was, um, he you know, it wasn't just like sex, with, we, we loved each other, so, um, or, I, I mean I loved him

and so, uh, we, he, he, you know, he said, he kept saying, oh, it's only three months, it's only three months, after three months, you know, when I'm not your supervisor anymore, you know, we'll be okay. We just got to make it three months and um, and then I guess we just, we didn't wait the three months.

Q. So, you think within a week or two after he became your supervisor, you just-

A. -I think it was, I think it was more than a week. I think it was closer to like three weeks. We made it maybe a, even a month without meeting up.

Q. And that first time you guys talk about the consequences, do you just, does he bring up the, I mean, obviously, you guys were havin' conversations?

A. Yes.

Q. That's what I'm getting at, what, what is brought up?

A. Um, I believe it was more just like, you know, we tried and couldn't do it. I mean, we both just kind of knew we shouldn't have been doing it, um, we didn't say.

Q. Did he, did he ever directly tell you, this is, this is what could happen to me, if somethin' gets out?

A. No, um, we didn't, that's one thing we never really discussed, um, he joked a lot about what would happen like, oh, they'll take my stripes like type thing and but, we didn't really have a serious conversation about what could happen um, if the office found out about us.

Q. So, it was more of off comments that were made?

A. It was.

Q. Is it kind of safe to say that or?

A. It, yeah, it was safe to say. Um, we both just kind of knew that we, it, we could get in trouble, but we, at least I never and he never told me, we never discussed it about there being actual policy rule breaking, we didn't, I mean, we didn't, we did kind of discuss you know, because when my husband and I were workin' at the jail together, we were equals and so, we discussed how that's okay, but how the one thing that might hem him up is him being a supervisor. So, I mean, that kind of thing we knew. We just didn't know what could happen or if anything like this has happened before in-

Q. -it sounds like he made a comment that potentially they could take my stripes, I could, things-

A. -yeah-

Q. -things could happen.

A. Things could happen, yeah.

Q. Okay. Did he ever talk about or bring up termination?

A. I, I don't think so, no, not that I remember.

Q. Did you guys talk about um, obviously, I'm sure you guys uh, I'm not sure, I guess I'm asking you that, but I'm, I'm assuming you guys were having conversation about, we're not telling certain people, we're gonna keep this a secret, we need to keep this from people, I mean, what's being talked about there?

A. We were complete secret to everyone, um.

Q. Did, did you guys have an agreement to-

A. -yes.

Q. Keep this a secret?

A. Yes.

Q. And what were the terms of that? I mean, was it, at any and all costs, we're not telling anybody? We're keeping it from our wives and husbands?

A. Yes, I mean, no one, no one could know, um.

Q. And why was that?

A. Because it was, you know, we were married, so that was part of it, but then also, with the Sheriff's Office, um, getting you know, people finding out about that and um, especially when I transferred to the road.

Q. Okay.

A. Eventually, I did kind of tell Dave a bit of it, um, but not all of it.

Q. How long ago was that?

A. Maybe like, I think when I was in the academy um, so, like, maybe a year ago, he kind of had suspicions cause I was talking about him a lot and texting him a lot and I never hid it, that I was talking to him the whole time, I never hid any of that and so, um, he kind of just got suspicions and asked me about it and I'd give him little hints like, yeah, I have feelings for him. Like, I told him I have feelings for him. I never did tell him about you know, the, sexual part of it. Um, and then I, I told, I told him this, the sexual part of it after the, the fact finding.



Q. After it kind of came out?

A. Yeah, he had his suspicions and he, he, we kind of both knew that he knew, but.

Q. So, let me ask you this, you, you say you're kind of separated from your husband, you start a sexual relationship with Sergeant Riordan, how soon after that do you get back together with your husband?

A. It was weird how it happened, we never had like a conversation getting back together, it was more just like, we had two little kids and so, we would stay, he would stay the night at my house that I lived in, he was, he was staying with his parents, but he would stay the night at my house um, just to make things easier with getting the kids up and all that kind of stuff and so, um, I actually applied for a house in Pe Ell, the one we, we live in now and I couldn't get it on my own and so, he just applied for the house with me so I'd get it and then ended up just moving in and that was, that was right when I started the academy, so July of 2017.

Q. So, it is it, okay, okay. I think I asked you this question, uh, did Sergeant Riordan ever tell you he could face potential discipline problems from your sexual relationship?

A. Yeah, I, yes, I knew, I mean.

Q. Well, does he ever tell you that?

A. We-

Q. -was it ever brought up?

A. It was brought up.

Q. I-

A. -we talked about it, it's, it was never like a sit down serious conversation, but yes, we would, we'd discuss it, we knew.

Q. Um, make sure I got all my sheets here.

A. (laugh)

Q. Uh, did you ever express your concerns, make sure I'm not missin' somethin' here, all right, did you ever express your concerns with Sergeant Riordan about repercussions over your sexual relationship with him?

A. Yes, we've discussed it.

Q. I think I asked you that. And what, what were your concerns exactly?

A. Uh, my job. I'm on probation, uh, you know, I could really get in trouble, um, I didn't know how much trouble. I guess I tried to just put that out of my head, but um, and his job and his position, him, being sergeant and all that.

Q. Okay. A lot of these are repetitive, I'm gonna ask them anyway.

A. It's okay.

Q. Uh, did either of you have a conversation regarding how your sexual relationship was inappropriate, I'll just leave it at that.

A. Um, yes. We never, we never called it inappropriate, but yes, we knew.

Q. Right.

A. Yes.

Q. I asked, I think I asked you this, or did you hide, did you talk about hiding it from your spouses and it sounds like you just, you decided we're not telling anybody what's going on?

A. Yes, yes.

Q. Did you talk about hiding it from other employees?

A. Yes, everyone, yes.

Q. Tell me about any conversations between you and Sergeant Riordan regarding how your sexual relationship with each other could cause harm to the Lewis County Sheriff's Office public image or any other negative attributes associated to your agency?

A. We just kind of discussed you know, obviously, it was wrong because we were married, um, so, that reflects pretty poorly and um, I guess just the fact of hiding it from everyone.

Q. And the supervisory issue?

A. Right, yes.

Q. Okay. Did any of the sexual activity between you and Sergeant Riordan take place on duty?

A. Never, no.

Q. Was there ever a time you signed out of service prematurely or signed into service late as a result of any inappropriate/sexual relationship with Sergeant Riordan?

A. No, never.

Q. Did you or Sergeant Riordan have any physical contact while on duty, including, but not limited to kissing, hugging, hand holding, touching?

A. No, the only thing I can even think of, is he hugged me, when I graduated at the academy, but so did everyone, I mean, that's it.

Q. So, there's never a point where, did, did you, was there a point in your shifts where you guys rode together in the same car?

A. Uh, yeah, yes, he just recently, he needed a ride home because he had to leave his truck at motor pool and I was in the office um, at the time and he asked me if I'd give him a ride home and that's it and there was never anything inappropriate, didn't hold hands I mean, nothin'.

Q. Okay, no hand on the leg, no-

A. -no, nothing. He, ate a pizza on the way home and that's it.

Q. No kissing when he gets out of the vehicle, no-

A. -no, nothin'.

Q. Okay. Did either of you have any sexualized conversation either in person or via other electronic means while the other person was on duty?

A. Probably, yes.

Q. And describe that.

A. Just texting, uh, either about us you know, a time to have sex or talking about the next time.

Q. Uh, would it be safe to say, I'm gonna get in, I'm gonna get into this a little more, not, is it, uh, I don't know what they call, phone sex by texting.

A. (laugh)

Q. I don't know if there's a word for that, is it, you know, you know what sexualized conversation is, I mean-

A. -yes, I can't think of any, I'm, I'm sure we did.

Q. Okay.

A. I'm sure. I'm sure we did, when at least one of us was on duty, I don't, I don't know how often, I-

Q. -how-

A. -I can't even think one time, but I'm su' I'm sure we did.

Q. Well, I don't want to get this confused.

A. Okay.

Q. Cause either, either in your mind, you're saying, yes, I know we did, I just can't remember the time or cause you're-

A. -right-

Q. -cause you're saying, yes, I'm sure we did, yes, I know we did, but I can't remember a time.

A. I can't remember a pin pointed time, but I know, I know that we have um.

Q. Would it have been while he was on duty? While you were on duty or both at some point in time?

A. It could've been both.

Q. Well, it could have been and it was, are two different things.

A. I know that we have before and I'm just havin' a hard time-

Q. -I'm not asking you for the-

A. -right-

Q. -I'm not asking for a date; I'm just asking-

A. -it's probably been while I've been on duty, while he's been on duty and at the same time, I mean, I'm sure of that.

Q. Okay.

A. I'm sure of that.

Q. When you mean, when I'm, when I'm talkin' sexualized wo' you guys are discussing having sex or sex acts or something of that nature? Is that safe to say?

A. Yes, yes.

Q. Okay. Is this over personal phones? Is this over work phones or both?

A. Just personal phones.

Q. You guys both carry personal phones?

A. Yes.

Q. On duty?

A. Yes.

Q. Okay. How many times do you think that happened, roughly? Cause, we're talkin' two years here.

A. Yeah, um, I mean, I don't want to say it was too often because I know that you know, he's, he's hard to get a hold of period, when he's on duty, um, uh, that's hard to put it in around, more than-

Q. -what-

A. -more than a handful.

Q. Okay.

A. You know. It wasn't like we'd sit there and, and text non-stop, but you know, a text here and there probably happened every, every other day.

Q. When you say a text here and there, we're talkin' sexualized texts?

A. Yes.

Q. Okay.

A. Yes.

Q. So, so, fairly frequently then?

A. Yes.

Q. Okay.

A. When at least one of us was on duty.

Q. Okay. Um, now, this could be embarrassing.

A. Okay.

Q. Well, all of these are things, all of these things are things we probably don't want to talk about to each other.

A. (inaudible)

Q. Um, did, did either of you send inappropriate or nude photos to the other person?

A. Yes.

Q. Uh, was the other person on duty or were they on duty at certain times? I'm not sayin' every time.

A. When the picture was taken?

Q. Sent or taken, I guess both.

A. Ne' never taken that I know of um, possibly sent, possibly. I-

Q. -well, usually, listen, usually, when someone has a nude photo of themselves and they send it, probably, I'm only guessing this, especially the first time-

A. -uh huh-

Q. -you're probably gonna know where this person's at, are you at home, are you at work, are you in a position to where if I send this and it comes across your phone, that are you, is it safe to send this to you right now?

A. Right, um, yeah, yes, I'm sure that we have sent them while on duty, but never taken that I know of, pro' like older pictures that we had taken um.

Q. So, nobody, nobody's sayin' hey, I'm gettin' out of my patrol car, I'm gonna take a picture-

A. -no, never-

Q. -of somethin'-

A. -anything like that, it'd be something like we took earlier in the day or something.

Q. Okay.

A. Yes, we've done that.

Q. And how many times do you think you sent him one, how many times you think he sent you one, roughly?

A. It's hard putting a number on it, um, um, hmm, that, that's hard, that's hard putting a number on it, I mean, more than, more than a handful, it was-

Q. -I mean, was it-

A. -maybe like a dozen times-

Q. -okay-

A. -when, when we were on duty. We didn't do that often, um, it's just hard to think of, when I received one from him or sent you know.

Q. But there's no question-

A. -yeah-

Q. -there were certain points you guys were each on duty, when they were sent back and forth?

A. Yes.

Q. Or at some point.

A. I know I've sent him some and then if he was on duty and I know I've gotten some while I was on duty.

Q. Okay, okay. Um, did you ever feel compelled to engage in sex or sexual behavior with Sergeant Riordan?

A. No, no.

Q. Are you aware of the Lewis County Sheriff's, or Lewis County's Sexual Harassment Policy?

A. I know the one that gets read to me every few months, yes.

Q. That would be the policy.

A. Yes, yes.

Q. Uh, do you feel you were a victim of sexual harassment by Sergeant Riordan?

A. No.

Q. Why not?

A. Cause I was willing.

Q. Okay. Did you ever feel threatened by Sergeant Riordan, if you didn't engage in sex or if you would have asked to have, to stop having a sexual relationship with him?

A. No.

Q. Did you want to have a sexual relationship with Sergeant Riordan during the time this was occurring?

A. Yes.

Q. Uh, do you feel you were given preferential treatment by Sergeant Riordan during any time of your career?

A. No.

Q. Did you have a conversation with Sergeant Riordan where either of you talked about how his supervision of you would be different due to your relationship?

A. Yes, we've had that conversation um, it was more that he was harder on me than, than anyone else. He didn't give me preferential treatment, he just expected more of me, I guess, more than just because we were friends.

Q. I imagine you guys had a conversation about uh, how now that you're on the same crew things were gonna be a little different.

A. Yes, and um, we never, it never was an issue. We and we knew it never would be. It was more just um, uh, I guess hiding our feelings.

Q. Do you think, you said you knew it would never be an issue and it wasn't, do you think this now is an issue?

A. Yes, I would say so.

Q. Okay.

A. Yes.

Q. I'm not, I'm just, I don't want someone to read into, oh, I don't think it was an issue.

A. Oh, no, it-



Q. -when it, when it really, when it really is an issue.

A. As far as him being a day to day, every day, you know, supervisor or me on the job, and it, doing the job, we didn't-

Q. -you didn't feel treated, that you were treated any different?

A. No, no, um, no and that wasn't even, I mean, that wasn't even, I don't even feel like we talked about our sexual relationship. It was more just we were really good friends, you know and that type of thing.

Q. Uh, did you ever have a conversation with Sergeant Riordan about your recent vehicle accident and how the accident would be handled differently or what to say regarding what happened?

A. No, the only thing that really sucked about that is we were actually fighting and not talking at the time and so, he had to be there and be the one to like discipline me and so, that was just like pouring salt in the wound, but.

Q. Do you remember what you guys were not, what the issue was?

A. I don't remember what the issue was, I just remember we, we were fighting and not talking and I was you know, kind of bummed that he was the one that had to come and do a whole investigation and it, you know all that, that's it.

Q. Did he ever insinuate during that time or any other time, he would protect you?

A. No, never, huh uh.

Q. Have you talked with Sergeant Riordan since the fact finding hearing?

A. No, no, not since Captain Spahn told me no more contact.

Q. Okay and before then, so after the fact finding theo, (inaudible)

A. -laugh-

Q. -after the fact finding hearing up until when he told you that, what was the gist of your conversation? Did you talk about what was about to happen?

A. Uh, yeah, it was a lot of um, the second I walked out of the, the fact finding, I went in, talked to Dave, my husband and I told him everything and so, um, then I saw Sergeant Rior' I was in the courthouse parking lot, I saw Sergeant Riordan uh, drive off and he sent an IM, saying, he's going home sick, so, I think I called him, I don't remember who called who, um, we talked on the phone and it was more just me telling him um, I told Dave and he was talking about

his family and what we were gonna do about that. Um, we both didn't know what was gonna come from the office, we just kind of said we don't know. So, and he said, sorry a lot and I said, sorry a lot and-

Q. -so, let me ask you something of this, cause I could be off on my things when, when, after, after you and I talked in the fact finding hearing, didn't, that's why I'm askin' this, didn't Captain Spahn tell you not to have contact with him?

A. Uh, he did, and then, well, I don't remember if he did or not, I just remember um, talking to him, no, Captain Spahn told me, I called Captain Spahn, that's what happened, I saw Sergeant Riordan drive off and got the IM, he, Captain Spahn said he was gonna call me and let me know if I was allowed to talk to him or not.

Q. Okay.

A. And I didn't get a phone call, so I called Captain Spahn and he said, no, I told Danny that um, you guys could talk and I'm gonna let you guys talk and then the next morning is when I got a phone call, saying, no more talking.

Q. Okay.

A. Yeah, no, when I left talking with you and was in Captain Spahn's office, uh, on the fact finding, he said, he wasn't sure what he was gonna decide yet, but he'd let me know.

Q. That's why I asked.

A. Uh huh.

Q. Those are conversations I wasn't privy to, so.

A. Yeah, I was.

Q. Okay, what do you think should happen to Sergeant Riordan regarding, regarding what had taken place between the two of you?

A. I don't -

Q. -what do you think is appropriate?

A. Not being fired, I know that. I mean, that, that's all I'm seeing my biggest concern, I mean, I understand there's got to be some kind of punishment.

Q. Let, let me ask you this. Do you think he should remain a supervisor?

A. That's hard for me, because in my opinion, I want to say it's unbiased, he's one of the best supervisors and I know everyone feels like that, but I understand that this was an inappropriate and I just-

Q. -well, you made a comment to me and I don't, I-

A. -yeah-

Q. -hesitant to bring it up here, but you made a comment about and correct me, if I'm wrong, somethin' to do with the fact of uh, I don't know how he could ever be a supervisor in this agency again, which I understand what you're meaning by that.

A. I was just sayin', I don't understand how anyone could let him because I feel like we'd never be trusted and I know that that's against, I just don't, I just don't see how that could happen. I wish, I, I, I would do whatever it takes to keep, to make that happen, but I just don't see how, how they could let us be a supervisor and subordinate again.

Q. Do you think he should supervise you again?

A. I do whatever it takes, but I don't think I'd ever, we'd ever be trusted, I mean, I would, I would do whatever it takes, um, but I just don't think-

Q. -let, let me ask you this, do you, do you have feelings for Sergeant Riordan?

A. Yes.

Q. And have you guys talked about continuing a relationship?

A. No, the last, the last conversation we had after the fact finding was you know, he was pretty much gonna, I, I got the idea that it was over. You know, I haven't talked to him about it since then, but.

Q. If it was up to you, would you want to continue a relationship with him?

A. I don't, I don't know, I mean, I want my best friend back, that's, what kills me, he's my really good friend, but I don't know.

Q. There was no talk about him leaving his wife and you guys getting together or, I don't, I don't know what's-

A. -we talked about it before we were found out, yeah, sure. He was, you know, that was always the plan, but then when things got real and people found out and you know, I told my husband and the last conversation we had was he, he was gonna do whatever it took to not hurt his kids and his family, you know, damage control type stuff, so, I, I took that as and he kind of made the comment of you know, you'll always be my friend, so.

Q. Okay. What policies do you think were violated due to you and Sergeant Riordan's sexual relationship?

A. Uh, like I said, the only one I really know about now after all this, is there's some about uh, in the work place, like work place relations, um, and I think that just has to do with a supervisor/subordinate, I didn't, I don't really know of any specific-

Q. -okay-

A. -policy.

Q. So, this is the generic question, has, did you come in here today thinking I was gonna ask you different questions or think, worried or thinking I was gonna ask you a question that I haven't asked?

A. No, I'm, I didn't know what to expect.

Q. And, and, and that is the, that is the, kind of the open forum to you, if there's anything I haven't asked you that you think may come out or that you should tell me, now is your opportunity?

A. No, I mean, from what it sounds like, you know, the thing, you can correct me, if I'm wrong, but the thing that the office is really concerned about is anything happening on duty and then the supervisor/subordinate part and that, that's all there is.

Q. Well, I will correct you. Yes, you're correct.

A. Uh huh.

Q. I think the agency is concerned about a lot more of that and I'll just say it kind of like it is, I think when anybody has, whether it's supervisor or not, yes, does that make it worse, absolutely does, but when you have two deputies who are married that have relationships, sexual relationships that cause far reaching problems, I mean, now you have a family that you have to deal with, uh, Sergeant Riordan has a family that he's gonna have to deal with, you have other coworkers that eventually, potentially could find out about this and they're gonna look at you different, they could possibly look at Sergeant Riordan different, they can, citizens can find out about this and depending on what discipline is given or given, it can look favorable or unfavorable, it can, there can, the public image can suffer dearly, uh, I know, I know you, in your guys' world, you guys had feelings and you knew it was wrong, but you continued to do it, but the far reaching aspect of it is far behind your guys' world. So, I'm not tryin' to criticize you, I'm not tryin' to, I'm just kind of sayin' it for what it is.

A. I guess that's the step I didn't realize or I didn't think about.

Q. So, yes, there are policies involved that, that have to do with uh, the image of this office and uh, notifying people, certain things and keeping your personal lifestyle clean and un,

unsullied and all kinds of, there's a lot of policies that are involved. I don't expect you to rattle all of those off, but.

A. So, we would still be in this position if he wasn't a supervisor? There'd still be an investigation and discipline and all that?

Q. With what that is known now, yes, yes. I believe so. I'm not the one, I'm not the one who uh, serves the paperwork for an investigation, but, my personal opinion is yes. And the reason I say that is if we have two deputies that are not supervisors that, let's just say for instance, they're sending nude photos of themselves, off work and on duty, that's absolutely a violation, so, there, there's fringes of this that are all interwoven, if that makes sense.

A. Yeah, that makes sense.

Q. Okay. Is there anything, any questions you have that I can answer?

A. Um.

Q. Well, I know you ha' probably have a lot of questions about your job, Sergeant Riordan's job, I, and I can't answer those, I'm, like I told you before, we, before we started this recording, I'm only doing, I'm only gathering the facts, I'm not uh, administering any discipline um, I'm just doing the internal investigation portion of this, so.

A. Do you we know what happens next?

Q. Uh, I, when I'm done doing all my interviews, I will write up uh, what I have, what policy violations I find exist or don't exist from the investigation and then I forward it up for someone to make a determination of uh, any punishment, if they choose. Any, anything else? Otherwise, I'll stop the recording.

A. I don't think there's anything for the uh, for the recording.

Q. Okay. I'm gonna end the interview. The date is still November 19<sup>th</sup>, 2018, the time now is approximately 1503 hours.

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

KME:la  
11/21/18

STATEMENT OF MATT SCHLECHT/K. ENGELBERTSON/11-19-18

All right, this is a recorded interview with uh, Detective Matt Schlecht. The date is November 19<sup>th</sup>, 2018. The interview is being conducted at the Lewis County Sheriff's Office. Uh, it's in reference to an internal investigation where Detective Schlecht is a witness in the investigation, possible witness.

Q. Um, first of all, do you know this is being recorded?

A. Yes.

Q. Is it being done with your permission?

A. Yes.

Q. Okay, uh, I printed out a Lewis County Sheriff's Office Order to Cooperate. I'm gonna read through that. Um, and it, and it says, uh, Matt Schlecht, you are about to be questioned as part of an ongoing and official administrative investigation by the Lewis County Sheriff's Office. You are a witness in this case and you're being ordered to cooperate fully and completely. Once this interview is being 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, 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 the case, uh, or your constitutional rights with an attorney. You will be asked specific questions that will relate directly, specifically or narrowly to the performance of uh, it's not gonna be your official duties, um, I'm gonna cross that out. It's, it's, we're talkin' about someone else's official duties or fitness as an employee of this office. You are not permitted to refuse to answer all questions asked. Uh, this is an administrative interview, not criminal and any responses or questions asked during this interview cannot be used against you in a criminal proceeding. All information in this case is confidential and except as mandated by law, will be released only to proper authorities. You are ordered and required to answer all questions fully, truthfully and to the best of your knowledge and ability. If you refuse to answer questions specifically directly, directed and narrowly related in 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 directly, directed to respond are as follows and I typed in here uh, possible inappropriate contact between a supervisor and subordinate of the Lewis County Sheriff's Office, specifically what you witnessed on the day of November 11<sup>th</sup>, 2018 while conducting surveillance. And then it's, it has your, place for your signature and my signatures, that you acknowledge you have been informed of the above Order and the nature of the allegations. Um, so we will sign that.

Q. Okay, so, on November 11<sup>th</sup>, which was the Sunday before last, uh, you were working with JNET, you were uh, conducting drug business and we don't have to specifically get into that case.

A. Okay.

Q. But I know you had called me. I'm just kind of paraphrasing here, uh, there was um, some information that maybe there was a load vehicle in the area, uh, that you and other agencies were gonna set up on this vehicle and try to figure out, investigate the case basically.

A. Correct.

Q. And so, after you were there and set up, uh, why don't you tell me kind of who was there and, and what happened, we'll kind of walk through it.

A. Um, my job initially was obviously I called you, you knew I was comin' out, uh, was to go into the area of the Walmart in Chehalis to try to locate a specific vehicle or one of two specific vehicles that were potentially involved in this case. Uh, when I arrived in the area, it was on the very north end of the parkin' lot where the employees, Wal' Walmart employees park. I located a specific vehicle that I believed to be involved with, with this case and I set up surveillance on the uh, I was in the uh, parking lot of Home Depot, looking across to the south at, the vehicle involved in my case.

Q. Okay. And was anybody riding with you?

A. Nobody was riding with me. A little while later, uh, Detective Haggerty, also a JNET, he's a Centralia Police Detective, excuse me, arrived in the area and began conducting surveillance with us, with me, excuse me.

Q. Okay and were you the only two in the area conducting surveillance when uh, you saw certain things?

A. Yes.

Q. Okay. So, kind of moving from the, the drug investigation, what, what, what did you see happen at some point?

A. So, in my direct, where I was, I had a clear view to the north, to the north parking lot of the Walmart to our target vehicle. Um, just beyond that, uh, Detective Haggerty had called me, we were discussin' our case and then he mentioned, are you seein' what I'm seeing and I look over and I see a blue Dodge truck whom I know to be Sergeant Riordan's truck, pull up next to a white uh, I don't remember, a white, smaller SUV, I don't recall what the vehicle, uh, Detective Haggerty had told me that he observed uh, Deputy Albright, Sage Albright get out of the car and get into Dan's truck. And that's in the same area where I saw the two vehicles parked next to each other. It was in the very back of the parking lot, towards the northwest corner of the building.

Q. So, is it safe to say uh, they were parking in the, in a, in an obscure location?

A. Yes.

Q. Somewhere where patrons of the store don't normally park to do business?

A. I know that area as being an employee parking, so, I, I'm sure there are patrons that park there, but they didn't walk into the store.

Q. Okay. So, did you see uh, Deputy Albright get into Dan's truck or that's being relayed by-

A. -that was being relayed to me. I did see the, and I think she got into the truck prior to me lookin' over there cause I didn't see her get in the truck. I was told by Detective Haggerty that she got in the truck. Um, I thought it was weird. It was extremely close to our uh, our target vehicle and I wasn't really sure what we were seeing, so I ran the plate and it did come back to and we had information on our case that there was uh, prior to this, I ran the plate actually, there was counter surveillance which is common in these bigger-

Q. -uh huh-

A. -drug investigations, information we had is there, was that there were vehicles set up in the area as counter surveillance for our deal. Um, so I did run the plate and it did come back to Sage and her husband.

Q. You ran Sa-

A. -the white plate-

Q. -what, what about Sergeant Riordan's vehicle? Did you run that?

A. I did not. I know that truck.

Q. Okay.

A. He, yeah.

Q. Okay. And what happened after that?

A. The truck left the parking lot. I don't-

Q. -when you say the truck, you're talkin' Sergeant -

A. -Sergeant Riordan's-

Q. -Riordan-

A. -truck, it was his personal vehicle, not his patrol truck, um, left the parking lot uh, I believe he went out the very northwest corner exit. I could be wrong, but he pulled into the uh,



um, Home Depot parking lot and drove directly behind my vehicle where my vehicle was parked, my undercover vehicle was parked. And he drove up, I, he went behind some of the, the portable buildings that Home Depot has displayed. I couldn't see what they were doin', came back, drove back behind me par' or I don't know what he was doing and then he drove back and then went and then he was gone for about ten minutes. I don't know where they went and then they came back, drove back, couple times they slowed down behind me, I was assuming he was gonna pull in and talk to me cause he knows what I drive, um, he never did. At one point, I saw as they were comin' from the east to the west by me, by the back of my vehicle, I saw Dan hunched up uh, I can't see into his truck cause his windows are very darkly tinted, hunched up over the steering wheel. I don't know if he was laughing, yelling, what he was doing. I know it was Dan driving and then they just kept driving. Eventually, they went back to her car. He parked next to her car. I saw her get out and get into her car. He left out of the parkin' lot and then about five to ten minutes later, she left.

Q. So, she sat in her vehicle for five or ten minutes and-

A. -yes.

Q. -sat there before she left?

A. Yes.

Q. And when Sergeant Riordan drives his personal truck over to Home Depot, kind of paraphrasing, drives behind you and parks behind some-

A. -I don't know if he parked, I don't know what he did. There was like, you know those uh, mobile or not mobile but those sheds, those like yard sheds that Home Depot has displayed out in the parking lot.

Q. Uh huh.

A. Where I was parked, I couldn't see past those and they went behind those towards, kind of towards like the Taco Bell, I don't know if they went into the store, if they went into the other end of the lot. I have no idea where they went.

Q. And how long, how long were they obscured from your vision to when he drove back by you? And did he drive back by you the same way he came in?

A. Yes.

Q. How long, how long do you think that was?

A. I, I'm guessing five to ten minutes roughly. I don't know the exact time. We were back to surveillance on our case.

Q. Did you have any thoughts about what you thought was taking place?

A. I'm not gonna, I'm not gonna, I couldn't see what was taking place. I know they were-

Q. -okay-

A. -together.

Q. Okay. Did you, as, as a member of this office, you, obviously, you've worked here quite a while, did you think it was odd that a Deputy was getting into a Sergeant's vehicle off duty?

A. Where they were parked, how it was happening, I thought it was odd.

Q. Okay. And you saw Sergeant Riordan driving the truck?

A. Yes. I never saw, I know she got in the truck. I never saw her in the, he has very dark tinted windows, so I, I couldn't physically see them in the truck.

Q. Uh huh.

A. What they were doing, I, I could not see any of that and I know to my knowledge, I don't know what they did when I couldn't see them back in the Home Depot lot towards the, Taco Bell and whatnot, I, I don't know what they were doing back there, but to my knowledge, she never got out and did anything. I mean, obviously, I couldn't see if they went in the store or anything I don't, I don't know if they did or not.

Q. Yeah.

A. So.

Q. Okay, and trying to think if there was anything I'd left out. Oh, sho' so, so basically, so after this happened, at some point, we had a conversation on the phone about how, how the deal went.

A. Yes.

Q. Making sure it was done and, and that was all good and uh, you disclosed some of what you saw, well, I'm not sayin' you hid anything, you disclosed-

A. -I, I didn't hide anything-

Q. -what you saw to me.

A. Correct.

Q. Um, just because it, it's could be inappropriate.

A. It, it could be, but I felt that I mean, it, I know he is her sergeant and what we saw wasn't normal to my knowledge, nor', it may be normal for them, I don't know, but to my knowledge, it wasn't normal behavior I guess you could call it.

Q. Right.

A. Um, but I waited a while to talk to you because we were in the middle of this deal and we ended up takin' it down and then takin' everything over and in the middle of everything and then that's when I talked to you later.

Q. Yeah.

A. About it, that same evening.

Q. Okay. Have you talked to Sergeant, Sergeant Riordan or Sage since this happened?

A. Uh, I saw Sage, I want to say last week at some point. I didn't talk to her about it. I was walkin' out of the courthouse and she was walkin' in. I said, hi, she said hi back and that was it.

Q. None of this has come up?

A. Never.

Q. Has, has this conversation, I know you and Adam have probably spoken about it, um, cause I know we had a conversation about-

A. -yes-

Q. -not talking to other people about it.

A. And we did not. We did tell, today, I told Sergeant Warren, who's my direct supervisor in JNET and Adam's direct supervisor in JNET. I did inform him of it.

Q. Because I'd requested interview with-

A. -because you requested interview with me, yes. But that's the only one that I've told.

Q. Okay. Uh, no, no one else has asked you about anything or-

A. -no-

Q. -there's no other witnesses in that parking lot that you know of-

A. -not that I know of, no-

Q. -contact-

A. -no.

Q. Okay, so-

A. -everybody, the other detectives who were involved in that investigation, showed up after this all occurred.

Q. Okay.

A. And we didn't, we didn't tell anybody, so.

Q. Okay, is there anything else that I haven't asked you that you feel is important to what took place?

A. No.

Q. Okay. I'm gonna end the interview. The date is still 11/19, 2018, the time now, well, I don't even know if I gave the time to begin with, but the time now is uh, 1115 hours.

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

KME:la  
11/20/18

STATEMENT OF ADAM HAGGERTY/K. ENGELBERTSON/11-19-18

All right, this is a recorded interview with Adam Haggerty, who is a Detective with the Centralia Police Department. Uh, the date is November 19<sup>th</sup>, 2018, the time now is approximately 1343 hours. Uh, this is in reference to a Lewis County Internal Investigation where Mr. Haggerty is the, is a possible witness uh, to some of the allegations.

Q. So, uh, Adam, do you understand this is being recorded?

A. I do.

Q. Is it being done with your permission?

A. It is.

Q. Okay, so I already talked with Detective Schlecht um, and I was informed that on November 11<sup>th</sup>, which was a Sunday, uh, members of JNET, which you're a part of, I'm tryin' to sum this up, were uh, sitting on a vehicle over near Walmart and Home Depot in Chehalis as it was possibly involved in some drug activity. Is that correct?

A. That's correct.

Q. And, why don't you kinda lay out where the car was, where you were sitting and then what you saw.

A. Uh, so, the target vehicle in question was a 2011 semi on top of a trailer that was attached to it was a blue 2007 Prius, that was our focus. We're watching that, we knew that there was approximately a hundred and twenty, hundred and twenty-one pounds of meth in the vehicle and some heroin. Um, the semi and the vehicle were on the north end of Walmart in the Walmart property, but between the two, Home Depot and Walmart stores. Um, I at one point, had parked right behind the semi just try to get a plate and then I moved um, a little further back along the road to the, towards the building more and that's where I stayed for the remainder of the surveillance.

Q. And at some point, do you see some suspicious vehicles that pull into the area?

A. Yeah. I, the focal point, Matt was uh, Detective Schlecht got there before I did. I was up out of town, when we got kind of called out to watch this for the DEA and so, um, Schlecht was over in the Home Depot lookin' south, I was where I was, but there was also in, uh two or three Hispanic males that were noted as targets. Uh, Matt had belief that maybe there was more vehicles involved so we were kind of scoping everything in the parking lot, looking for occupancy and uh, yes, while there, off to the west, northwest corner of Home Depot, um, I saw a blue super duty extended cab uh, four door, I guess, Dodge truck pull up on just to the west of me and I know this vehicle from friendly occurrences that it to be uh, uh, Dan Riordan's.

Q. Okay. And where does that vehicle, where does it park or where does it go?

A. Um, it goes over to the west of me, um, almost kind of closer to the semi than me and it, it stops next to a smaller white SUV.

Q. And, was there someone in the SUV?

A. At, at the time, I didn't check it for occupancy. It was further down the road, but um, Sage Albright exited it, got into Dan Riordan's truck and they drove. They drove north across the, the road from Walmart um, over to Home Depot. They drove directly uh, had to been just a few feet from Detective Schlecht's vehicle and then I believe it disappeared for a little bit. Um, we at the, during our investigation into our criminal matter, um, we conducted a, a records check on Sage's vehicle and saw that it was hers and like, well, we just saw them get in the car together, they're gone and then uh, I think small talk was made, but, it, it was ignored for, for a little bit, uh, I don't know the time, about five to fifteen, twenty minutes at the last, maybe less, but Dan came driving back by, right behind Matt and it was weird, it was just like several passes, maybe three or four. We couldn't figure out what was goin' on. We thought that he was playing a joke on Matt and that he was gonna actually stop and say hi, I mean Matt drives a vehicle that's been in the county's fleet for years and at one point, he went past Matt west to east and kind of stopped or turned around and parked for, for a brief moment in the Home Depot parking lot and then he came back by Matt and they rolled by me and then they disappeared again, so.

Q. And, did you see uh, Sage get out of Dan's truck?

A. I saw Sage in the truck when they rolled by me, they were intimately close, that's when I was nosed in by the semi, so they were behind me. It was easy to see them both in there, but.

Q. When you say intimately close, what do you mean?

A. I mean, I, I personally was intimately close to the semi.

Q. Oh.

A. I was right on the back of the trailer, trying to look through my ten to get the plate, but it was tucked behind metal. Uh, I did see, um, Dan and Sage in the truck together. I didn't see them intimately close.

Q. Okay. That's what I thought you were referring to.

A. Yeah. No, no, I was parked intimately close to the semi. And then at some point, during the deal, I mean, our informant showed up with the bad guys, I think just prior to that um, they returned back to the parking lot. I didn't, I don't recall seeing Sage get out of his truck and go back to her car.

Q. Did you see uh, Dan leave in his truck?

A. Yeah.

Q. And was there a time delay before Sage left?

A. I had thought so, but again, we're there was so much goin' on. There was so much. We had a helicopter up overhead, we're talkin' to him, we're talkin' to the DEA, I was um, I thought there was a delay. It could have been simultaneously, but I thought there was a delay. I recall seeing Dan leave, but I didn't uh, I, there probably was a delay cause I hadn't seen her right on his six leavin'.

Q. Where they were parked, was that a normal spot for patrons to park? Is it kind of out of the way? Is it-

A. -it's not normal, no.

Q. Okay.

A. It, it's some place you, no, I wouldn't park there to go shopping.

Q. So, it, it's a more obscure parking spot than the front parking lot?

A. Yes.

Q. Okay. Have you, who else knows about what happened out there?

A. Uh, Detective Schlecht talked to our direct supervisor Brian Warren this morning about it, when you requested interview and then just to make sure I, take all the boxes, administratively for me, my Chief knows, Chief (inaudible) and that's it.

Q. Okay.

A. So.

Q. Have you talked with Sage or Dan since this incident?

A. No, no, we, uh, I talked to Matt about it and, and I told him, I said, if anything needs to come out of it, it would come out of your end, uh, administratively, but we haven't talked to Dan or Sage. I, I see Dan passing and I've never said two words to Sage outside of her backin' us up or her in the jail.

Q. Okay, anything else that you think's important? Maybe something I left out about what happened?

A. No, that sums it up.

Q. Okay. I'm gonna end the interview. The date is still November 19<sup>th</sup>, 2018, the time now is approximately 1350 hours.

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

KME:la  
11/20/18



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

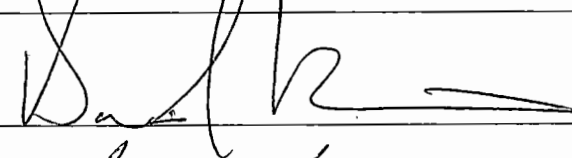

<b>DATE:</b>	11-21-18	<b>CASE NUMBER:</b>	N/A
<b>INTERVIEWEE:</b>	Sergeant Dan Riordan		
<b>INTERVIEWER:</b>	Kevin Engelbertson	<b>POSITION:</b>	Detective Sergeant
<b>NAME OF AGENCY:</b>	Lewis County Sheriff's Office		

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>	SEAN LEMoine	<b>TITLE:</b>	GUILD ATTORNEY
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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>	11/21/18
<b>Representative's Signature:</b>		<b>Date:</b>	11-21-18

**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**

Sergeant 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.

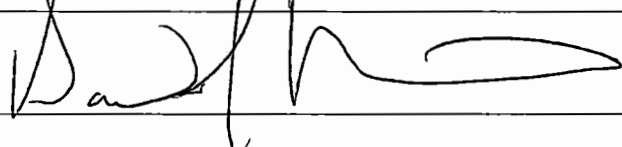
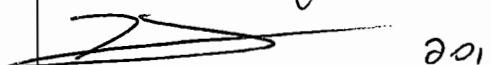
You will be asked specific questions that will relate directly, specifically and narrowly to the performance of your official duties or fitness as an employee of this Office. You are not permitted to refuse to answer any questions asked.

- 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):

Engaging in an inappropriate sexual relationship with a Lewis County Deputy who was also your subordinate.

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

Member's Signature:		Date:	11/24/18
Interviewer's Signature:	 201	Date:	11/21/18

**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  
ORDER TO COOPERATE**

Sage Albright, 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 witness (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.

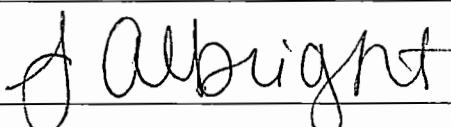
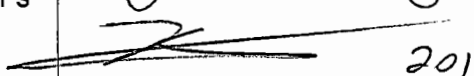
You will be asked specific questions that will relate directly, specifically and narrowly to the performance of your official duties or fitness as an employee of this Office. You are not permitted to refuse to answer all questions asked.

- 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):

Sexual contact and inappropriate relationship between you and your supervisor, Sergeant Dan Riordan.

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

Member's Signature:		Date:	11/19/18
Interviewer's Signature:	 201	Date:	11-19-18

**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  
ORDER TO COOPERATE**

Matt Schlecht, 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 witness (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.

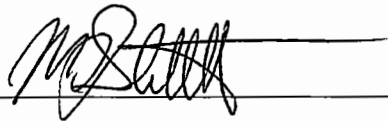
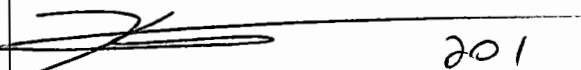
You will be asked specific questions that will relate directly, specifically and narrowly to the performance of ~~your~~ official duties or fitness as an employee of this Office. You are not permitted to refuse to answer all questions asked.

- 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):

Possible inappropriate contact between a supervisor and subordinate of the Lewis County Sheriff's Office, specifically what you witnessed the day of November 11<sup>th</sup>, 2018, while conducting surveillance.

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

Member's Signature:		Date:	11-19-18
Interviewer's Signature:	 201	Date:	11-19-18

**USE**

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



LEWIS COUNTY SHERIFF'S OFFICE  
**MEMORANDUM**



*"Public Safety through Professional Service"*

**TO:** Sergeant Daniel J. Riordan  
**FROM:** Captain Curt B. Spahn  
**DATE:** November 16, 2018  
**RE:** Notice of Formal, Non-Criminal, Type I (Internal) Investigation

This is to inform you in accordance with Lewis County Sheriff's Office Policy (01.17.140) and 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:
  - 01.05.060 Affirmatively Promoting a Positive Public Image
  - 01.05.100 Cooperative, Harmonious and Respectful Conduct
  - 01.05.120 Know and Obey Laws and Organizational Directives
  - 01.05.130 Trustworthy, Ethical and Professional Conduct
  - 01.32.080 Sexual Harassment Policy
  - 01.32.100 Workplace Relationships

The above policies/rules/regulations that may have been violated stem from an alleged inappropriate relationship with a subordinate employee, which it is alleged you acted as follows:

On November 11, 2018, although off-duty, you were observed meeting up with a subordinate employee at the Walmart parking lot in Chehalis in your personal vehicles, and together you moved in your vehicle to the Home Depot parking lot for an extended period of time. During this time, you had intimate contact with this subordinate employee while together in your vehicle. Also, this intimate sexual relationship has been occurring for two years while you have been in a supervisory position, part of which has been while you were the employee's direct supervisor.

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

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

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

***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: sg

cc: Sheriff Robert R. Snaza  
Undersheriff Wes H. Rethwill  
Chief Deputy Bruce F. Kimsey  
Captain Curt B. Spahn  
Detective Sergeant Kevin M. Engelbertson  
Deputies Guild President, Jeff R. Godbey  
File – 2