

GUILD INVESTIGATION CHECKLIST

Employee Name:	Deputy Andrew G. Scrivner
Type of Investigation:	<input type="checkbox"/> Formal Complaint <input checked="" type="checkbox"/> Supervisory Complaint
Date:	February 22, 2018

Disciplinary Process	Date	Time Spent
Complaint received from Sergeant Alan C. Stull	02/26/18	
Notice to Deputy Scrivner of Internal Investigation	02/28/18	
Internal Supervisory Investigation begins by Sergeant Godbey	03/08/18	
Internal Supervisory Investigation submitted by Sergeant Godbey to Captain Spahn for review.	03/12/18	
Internal Supervisory Investigation returned to for: <input type="checkbox"/> Follow-Up -OR- <input checked="" type="checkbox"/> Internal Supervisory Investigation Completed	03/12/18	20 Min.
Accepted by Captain Spahn	03/12/18	
72-Hour Notice to Deputy Scrivner of Pre-Disciplinary Hearing by Captain Spahn	03/20/18	2 Min.
Pre-Disciplinary Hearing with Deputy Scrivner and Guild representative NO REPRESENTATIVE	03/24/18	15 Min.
Letter of Recommendation completed by Captain Spahn and submitted to Chief Kimsey	03/27/18	10 Min.
Letter of Recommendation completed by and submitted to		
Final resolution completed by Captain Spahn	03/27/18	10 Min.
Post Discipline Meeting by Captain Spahn with employee and delivery of final resolution. Advise employee of the following: <input checked="" type="checkbox"/> I have carefully considered the facts and circumstances of this case and sustain the policy violations cited and will hold you accountable for your performance. <input checked="" type="checkbox"/> Go over the DPA, provide employee their Documented Warning, Timed Letter, etc. <input checked="" type="checkbox"/> Consequences for failing to improve performance. <input type="checkbox"/> Ask employee if they have any questions.	03/28/18	10 Min.
Final resolution e-mailed to Guild President	03/30/18	

**Note to Guild: Dates are agreed to be accurate unless disputed with Undersheriff.*

Revised 06-11-15

TOTAL TIME:	
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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

[Handwritten signature]
3/30/18


[Handwritten signature]
04/07/18



LEWIS COUNTY SHERIFF'S OFFICE
MEMORANDUM



"Public Safety through Professional Service"

TO: Deputy Andrew G. Scrivner
FROM: Sheriff Robert R. Snaza 
DATE: September 28, 2018
RE: Removal of Timed Letter

Attached is the 6-month timed letter dated March 28, 2018, that has been removed from your personnel file.

Please contact your supervisor if you have any questions.

cc: Undersheriff Wes H. Rethwill
Captain Curt B. Spahn
Deputies Guild President, Jeff R. Godbey
File

Lewis County Sheriff's Office Mission Statement:

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



Robert R. Snaza
Sheriff

OFFICE OF THE LEWIS COUNTY SHERIFF

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Chehalis, WA 98532-1900
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"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

March 28, 2018

Deputy Andrew G. Scrivner
Patrol Division

Deputy Scrivner:

On February 22, 2018, at approximately 2316 hours, while preparing to conduct a traffic stop on a vehicle on West Reynolds Avenue, Centralia, you struck a curb, causing damage to the front left tire and wheel of your patrol vehicle.

After reviewing the investigative file, I concur with Sergeant Godbey's findings that the incident was preventable on your part and you failed to uphold the Lewis County Sheriff's Office Oath, Motto, Mission, Code of Ethics and Core Values, and violated the following policies and Civil Service Rule:

- Lewis County Sheriff's Office Policy 01.05.160 – Use and Care of Property and Equipment.
- Lewis County Civil Service Rule 9, Section 1, a) Incompetence, inefficiency, or inattention to or dereliction of duty.

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

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

Sincerely,

ROBERT R. SNAZA, SHERIFF

Curt B. Spahn, Field Operations Commander

cc: Sheriff Robert R. Snaza; Undersheriff Wes R. Rethwill; Field Operations Chief Bruce F. Kimsey; Sergeant Alan C. Stull; Deputies Guild President, Jeff R. Godbey; Deputies Guild Vice-President, Daniel J. Riordan; Personnel File (Scrivner, Andrew G.); File - 2

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DISCIPLINE PENALTY ASSESSMENT PROGRAM

LEWIS COUNTY SHERIFF'S OFFICE

ENFORCEMENT GUIDELINES

Discipline Penalty Assessment Program

Employee's Name: ANDREW SCRIVNER
 Evaluator's Name: CURT SPAHN
 Date: 3/27/2018
 Incident Number: _____

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

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

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

- S1 **Death or serious injury to self or others**
 - Loss of work greater than two weeks
 - Loss of work, one week or less
 - Required first aid treatment
 - No injuries or deaths

- S2 **Property damage greater than \$5000**
 - Less than \$5,000
 - Less than \$250
 - None

- S3 **Serious damage to public image**
 - Awareness confined to a small group inside/outside of the agency
 - Public awareness/interest not involved

- S4 **Civil action is highly probable or has been taken against the Office**
 - Civil action is a potential but unlikely
 - Civil action is highly improbable

- S5 **A strong deterrent is needed to prevent similar offenses and/or civil liability**
 - Enforcement is used to avoid setting a precedence for non-enforcement

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DISCIPLINE PENALTY ASSESSMENT PROGRAM

LEWIS COUNTY SHERIFF'S OFFICE

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Evaluator's Name: CURT SPAHN

Date: 3/27/2018

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

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

DISCIPLINE PENALTY ASSESSMENT PROGRAM

LEWIS COUNTY SHERIFF'S OFFICE

ENFORCEMENT GUIDELINES

Discipline Penalty Assessment Program

Employee's Name: ANDREW SCRIVNER

Evaluator's Name: CURT SPAHN

Date: 3/27/2018

Incident Number:

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

S10 **Has one of the highest levels of non-scheduled absenteeism**

Has average non-scheduled absenteeism

The employee has one of the best attendance records

S11 **Work errors are regular and predictable (e.g., daily, weekly)**

Frequent and minor, but does not show significant improve

Typical / Average in frequency and nature

Work errors are unusual for this employee

S12

Less than two years service

 Less than five years service

 Less than 10 years service

 Greater than 10 years service

S13

Supervisory Level

 Command Level

 Holds a non-supervisory position that requires a high level of trust

 Not Applicable

PRE-DISCIPLINARY HEARING SCRIPT

The time is 1325. The date is March 24, 2018.

This is a PRE-DISCIPLINARY hearing in the case of Andrew Scrivner stemming from his recent investigatory interview wherein the findings now require action at my level.

I am Curt Spahn, Patrol Commander.

Also present is Andrew Scrivner.

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

(Confirm with all persons present)

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

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

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

Now I want to express my understanding of the events and circumstances of the case that brings us here today. From my understanding of the investigation; you were working patrol on the night of ^{PERILLUM} March 22, 2018 at approximately 2318 hours. During this time; you were parked in the area of the 2600 block of W. Reynolds Avenue, Centralia. While parked you observed a westbound vehicle with defective equipment, which turned on to Taylor Street. You attempted to overtake the vehicle to conduct a traffic stop. You were watching the vehicle, and not watching the roadway. In the process of attempting

to overtake the vehicle you collided with a divider curb in the middle of the roadway. The collision ultimately bent your left front wheel and popped the tire, which both had to be replaced. You were out of service during the time it took to change your tire.

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

(Clarify any issues as necessary)

Next I will cite the alleged policy violations.

- Lewis County Civil Service Rule 9, Section 1, a) Incompetence, inefficiency, or inattention to or dereliction of duty;
- Lewis County Sheriff's Office Oath, Motto, Mission, Code of Ethics, and Core Values;
- Lewis County Sheriff's Office Policy:
01.05.160 – Use and Care of Property and Equipment

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

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

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

Does anyone else have anything to add?

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

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

1. How did the performance help meet our Mission, uphold your Oath of Office and show that you abided by the Code of Ethics?
2. How did your performance adversely affect this organization's business necessity? (i.e. efficiency, effectiveness, and safety)

3. Was this your best?
4. Do you agree your performance needs improvement?
5. Are you committed to improve?
6. What would have to occur for you to improve?
7. What actions have you taken or will you take to correct your performance deficiency?
8. What supervisory assistance, if any, do you need

Before concluding this hearing I have a few process questions:

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

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

Note the time hearing ends: 1332

PRE-DISCIPLINARY HEARING/A. SCRIVNER/03-24-18

Okay, we're gonna call the time at 1325 and the date is March 24th, 2018. This is a pre-disciplinary hearing in the case of Andrew Scrivner, stemming from his recent inves' investi' gati'd', investigatory interview within the findings that require my action at my level. I am Curt Spahn, the Patrol Commander and also present, Andrew Scrivner. Uh, Andrew's here without uh, repreten' representation as your choice?

A. As my choice.

Q. Okay, its intended that this hearing be recorded. Do you understand and agree to the recording?

A. Yes, sir.

Q. Uh, you have been through the Fact Finding Phase and the Internal Investigation Interview. It is important you understand the purpose of the hearing that includes the following: allow management to convey an understanding of the events and circumstances of the case, formerly notify you of the alleged violations, provide the correlation between your performance and the alleged violations, clarify issues as necessary and provide an opportunity for you to respond. Uh, have you reviewed the file or do you want to review the file?

A. I have reviewed the file.

Q. So, now, I'll express my understanding of the events and the circumstances of the case that brings us here today. Uh, from my understanding of the investigation, you were working patrol on the night of March 22nd, 2018.

A. February –

Q. -correct, February, sorry about that. 22nd, uh, 2018 at approximately 2318 hours. During the time, you were parked in the area of the 2600 block of West Reynolds Avenue, Centralia. While parked, you observed a westbound vehicle with a defective equipment which uh, eventually turned onto Taylor Street. You attempted to overtake the vehicle to conduct a traffic stop. Uh, you had stated you were watching the vehicle and not watching the roadway and in the process of attempting to overtake the vehicle, you collided with a divider curb in the middle of the roadway. The collision ultimately bent your left front wheel and popped the tire or flattened the tire. Uh, which both uh, had to be replaced. You were out of service during the time it took you to change your tire. Did I provide an accurate summary of the case?

A. Correct.

Q. Is there any other issues that you want to clarify at this time?

A. Uh, just trying to find more stops on the car and watchin' the car and didn't see the curb, jumped out and bit me, that's it.

Q. Okay. Okay, so, I'll cite the alleged policy violations, uh, Lewis County Civil Service Rule 9, Section 1A, Incompetency, 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 Policy 01.05.160, Use and Care of Property and Equipment. Do you understand uh, the correlation between your performance, the alleged violations?

A. Yes.

Q. Uh, another purpose of the hearing is to allow you to, chance to be heard, uh, is there anything else that you want to express at this time?

A. Um, only thing I disagree with is um, not, not uh, being in a, being in violation of like the motto of the Sheriff's Office, what you stated cause I feel like I uphold the motto and serve it with uh, a hundred percent of my ability, but I also understand the subtitles underneath it, it concludes, so.

Q. Correct-

A. -need-

Q. -and, and basically, I, I think the way to explain that and to kind of see that is when you take your Oath of Office and you sign that Oath, those are sub headings that go within that Oath.

A. Sure.

Q. And you're taking your Oath of all those.

A. Yep.

Q. Um, so, they're kind of, kind of a package uh, situation. Uh, and, and I guess, the one thing I'll clarify is uh, that uh, I know from reading prior reports, that's kind of a common area for you to park at.

A. Uh huh.

Q. Whether, you're doin' paper or whatever?

A. Yep.

Q. So, you knew that divider curb was there?

A. Uh, you know, I've, I've yes, and just kind of jus' spaced it, so.

Q. Okay.

A. Yeah.

Q. Uh, is there anything else that you want to add?

A. No.

Q. Okay. So, let me uh, ask a few questions, um, which they might be a repeat, but uh, how did the performance meet our Mission, uphold our, uh, your Oath of Office and show that you abided by the Code of Ethics?

A. Uh, I no' followed the correct procedure as soon as I damaged my equipment to notify my supervisor, filled out the damage exposure form, etc., uh.

Q. Correct and you did. Uh, was this your best performance?

A. Obviously not.

Q. Uh, are you committed to improve?

A. I've been driving slower and watching for curbs.

Q. And that, I guess that'd be the answer of your, uh, the last one is, what actions have you taken or will you take to correct your performance?

A. Yep, and the only thing I do want to note, I was only maybe goin' like 10, 15 miles an hour, when I was following the car, but I still damaged the, my rim.

Q. Okay, yeah. Uh, so the, so then I want to ask a few process questions. Uh, prior to the incident that brings us here today, uh, were you aware of the existence and content of the cite, cited policies and the consequences of non-compliance?

A. Yes.

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

A. Yes.

Q. Did you uh, or did I present to you an accurate account of the facts and circumstances in this case?

A. Yes.

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

A. Yes.

Q. Okay. So, at this time, uh, we're gonna be ending this uh, hearing and I will uh, look at the DPA and, and then be in contact with you sometime this next week.

A. Okay.

Q. During your regular shift, so we're gonna end this uh, interview. The time is 1337, 1332.

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

CS:la
03/26/18



LEWIS COUNTY SHERIFF'S OFFICE
MEMORANDUM



"Public Safety through Professional Service"

TO: Captain Curt Spahn
FROM: Sergeant Jeff Godbey
DATE: 03-08-18
RE: Damage to Deputy Scrivner's tire/rim on Vehicle #16-314

On 03-08-18 at approximately 1610 hours, I Sergeant Jeff Godbey contacted Deputy Andrew Scrivner in the conference room of the LCSO. Deputy Scrivner was aware this was regarding a formal interview/non-criminal investigation, for an incident that occurred on 02-22-18 at approximately 2318 hours while in the area of the 2600 block of W Reynolds Ave, Centralia.

Deputy Scrivner said he was parked in a stationary position facing n/b when he observed a vehicle approaching w/b on W Reynolds Ave with defective equipment. Deputy Scrivner said the vehicle passed him and then turned n/b onto Taylor St. Deputy Scrivner pulled out onto W Reynolds Ave and while focusing on the violator, struck a raised curb/island in the roadway with his front, left tire. He estimated he was traveling at about 15 mph during this time.

He said he immediately pulled over, assessed his vehicle, and observed damage to the front, left tire and rim. He said he then notified Sgt. Stull of the circumstances. Sgt. Stull was out of the area at the time assisting with a search warrant and instructed Deputy Scrivner to take photographs of the damaged property and to complete a LCSO injury/exposure/damage report to be submitted to him.

Deputy Scrivner advised me this wasn't done intentionally; however he did agree his inattention to the obstacle/curb, along with his focus on the violator, contributed to the damage to his vehicle. Deputy Scrivner took accountability for this, and said he will be more aware of his surroundings and potential obstacles for future reference, to avoid a similar incident from happening again.

In conclusion, after speaking with Deputy Scrivner and based on the facts involving this incident, along with Sgt. Stull's findings, I believe the supervisory complaint by Sgt. Alan Stull is sustained and there is reason to believe that Lewis County Policy # 01.05.160 Use and Care of Property and Equipment was violated.

I am referring this to you for further review.

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STATEMENT OF ANDREW SCRIVNER/J. GODBEY/03-08-18

This is a recorded statement with Deputy Andrew Scrivner. This is Sergeant Jeff Godbey. This is regarding uh, a non-criminal investigation regarding an incident that occurred on February 22nd, 2018 at approximately 2318 hours.

Q. Uh, before we start, Deputy Scrivner, did you have a chance to review both the uh, Notice Right to Representation and also the uh, LCSO's Order to Cooperate?

A. Yes, I did.

Q. Do you have any questions regarding those documents?

A. No, I do not.

Q. And just to clarify, you um, are aware that you can have a Guild Representative here for this hearing and you elected not to, correct?

A. That is correct.

Q. Okay. So, we'll go ahead and begin, um, ultimately on uh, February 22nd of 2018, my understanding is you were parked in a stationary position uh, on West Reynolds Avenue in Centralia. Is that correct?

A. That is correct.

Q. Okay and um, from what, from what I read or from what I gathered from the documentation, it was somewhere right near the uh, Fords Prairie School?

A. Yep.

Q. Okay. Um, so just, can you just briefly explain to me what happened or what transpired?

A. Yep. I was sitting at this location. I was facing northbound and parked in a parking lot. I saw a vehicle traveling westbound. I was able to observe a moving or a uh, equipment violation on the vehicle uh, pulled out from the stationary location. The vehicle obviously saw me pull out and started following it and it made a quick right hand turn. I was following the vehicle to see if I could find another type of infraction on the vehicle uh, while I was observing the vehicle, I drifted towards a curb and my right front tire struck it and I pulled over immediately to assess the damage and noticed that my rim was bent and I had a uh, damaged the sidewall to my tire.

Q. Okay. Um, and this was, just to clarify again, at approximately 2318 hours that evening on February 22nd?

A. Yeah, give or take.

Q. Okay.

A. A minute or so.

Q. Okay. Um, and just to, so you pulled out of traveled westbound on West Reynolds Avenue and then as I recall, the vehicle took an right onto what would be Taylor Road.

A. Correct.

Q. Or Taylor Street.

A. Correct.

Q. And I believe you said you struck your right front tire, would it be your le'-

A. - ri' yeah, my left front tire.

Q. Okay. So, the driver's side left front tire.

A. Yep, yep.

Q. Okay. Um, and obviously, that wasn't something uh, that you did intentionally, correct?

A. Correct.

Q. Would you agree that it, that you were focused on the vehicle in question and as you just said, you were trying to observe more potential traffic violations or defective equipment?

A. That is correct.

Q. And uh, would it also be fair to say that in the process of observing that vehicle, it may have distracted you from the um, curb or obstacle in the road?

A. Sure, yeah.

Q. Okay, okay. Um, and so, upon uh, and the curb that I'm thinking of or know where this, again, this general area, there's a raised uh-

A. -sticking out in the middle of nowhere-

Q. -curb right in the middle of the, of the street of Reynolds Avenue.

A. Right.

Q. In front of the school, okay. Um, so upon striking that with your vehicle, what did you do?

A. I pulled over immediately cause I figured, I probably did somethin' and damaged it and I went and got out of my vehicle, observed it. After I observed the damage, I notified my supervisor my phone who was not in the area, took photographs, changed my tire uh, yeah.

Q. Okay.

A. Went through the proper procedures.

Q. Sure. So, um, upon again, the incident happened, you notified Sergeant Stull?

A. Yes.

Q. And what, if anything, did he direct you to do?

A. He told me to document and take photographs and uh-

Q. -did you complete a, uh, the master injury or damage report?

A. Yes, I did.

Q. Okay and that's what's attached, I believe to this document. Um, and then you said you changed your tire and uh, obviously, photographs were taken of the tire and rim?

A. Yep.

Q. Did you take those photographs or-

A. I did, yes.

Q. Okay. Uh, and then looks like, was there other photographs taken of it later at motor pool or some place?

A. Uh, yeah, I took it in better lighting conditions.

Q. Okay.

A. And then I also took photographs of the curb and where I figured I, where I figured or assumed where I struck it, uh, based on like the black markings on the yellow curb uh, than yeah, I pu' and I placed my uh, curb (meaning car) at motor pool, sent uh, motor pool a email notifying, yeah, I might need a new tire and rim and yeah.

Q. Okay. Um.

A. I also think it's important to add I was only driving like fifteen miles an hour maybe.

Q. Oh, yeah, I did, I didn't me' or I did want to mention that, for based on your um, initial information provided to Sergeant Stull, it did say that and, and going from that school onto the roadway and then making the immediate turn or trying to turn onto Taylor Road-

A. -yeah-

Q. -is a very short distance-

A. -it's extremely, yes, extremely short distance.

Q. Okay. So, roughly fifteen miles per hour?

A. Yeah.

Q. At the time of impact?

A. That's my, yeah, maybe, that's my best guess.

Q. Okay.

A. Maybe less, maybe more, probably right there though.

Q. Okay. Um, is there anything else you would like to add to uh, that maybe we haven't covered or wasn't discussed previously?

A. Um.

Q. Is there anything, let me ask you this, is there anything uh, looking back on it now that maybe you could have done differently that could have prevented this situation or something that you might consider doing in the future to prevent it?

A. Uh, for me to wear some glasses, maybe, I don't know. Um, you have to pay attention to the, know my obstacles that's in front of me, be more vigilant, be more aware of my surroundings, okay.

Q. Okay. All right and just to clarify, you also had a chance to review the file containing the investigation?

A. I sure did.

Q. Do you have any questions or concerns regarding that?

A. No, I do not.

Q. Okay. Is there anything else at all that you can think of you would like to add or we haven't covered?

A. Not that I can think of.

Q. I will now end this interview. The date is 03/08/2018, the time now is 1620 hours.

Sergeant Jeff Godbey, #2S6
Lewis County Sheriff's Office
Chehalis, WA

JRG:la
03/12/18

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

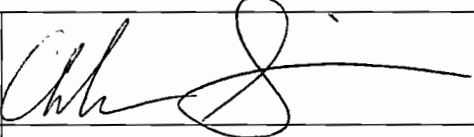


DATE:	03-08-18	CASE NUMBER:	N/A
INTERVIEWEE:	Deputy Andrew Scrivner #236		
INTERVIEWER:	Jeff Godbey #2S6	POSITION:	Sergeant
NAME OF AGENCY:	Lewis County S.O.		

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

NAME OF REPRESENTATIVE:	N/A	TITLE:	
--------------------------------	-----	---------------	--

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

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

Member's Signature:		Date:	3/8/18
Representative's Signature:		Date:	

USE

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

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

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

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

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

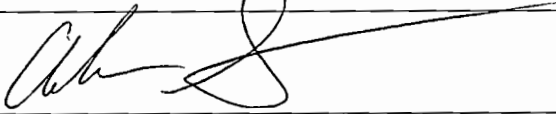

You will be asked specific questions that will relate directly, specifically and narrowly to the performance of your official duties or fitness as an employee of this Office. You are not permitted to refuse to answer all questions asked.

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

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

On 02-22-18 at approximately 2318 hours, you were parked on W Reynolds Ave in Centralia, WA. You observed a vehicle pass you and observed a traffic violation. You were focused on the violator to conduct a traffic stop and where the violator was traveling. While leaving your stationary position on W Reynolds Ave and being focused on the violator, you struck the raised curb with your left, front tire. This resulted in damage to both the rim and the tire due to inattention.

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

Member's Signature:		Date:	3/8/18
Interviewer's Signature:		Date:	0308-18

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: Deputy Andrew G. Scrivner
FROM: Captain Curt B. Spahr *CS*
DATE: February 28, 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 1 Personnel Complaint* has been initiated. The complaint relates to possible policy violation(s). Specifically, it is alleged you violated the following Lewis County Sheriff's Office/Jail policies and/or Lewis County Civil Service Commission rules/regulations:

- Lewis County Civil Service Rule 9, Section 1, a) Incompetence, inefficiency, or inattention to or dereliction of duty;
- Lewis County Sheriff's Office Oath, Motto, Mission, Code of Ethics, and Core Values;
- Lewis County Sheriff's Office Policies:
01.05.160 – Use and Care of Property and Equipment

The above policies/rules/regulations which may have been violated stem from an incident on or about February 22, 2018, during which it is alleged you acted as follows:

While following and preparing to conduct a traffic stop on a vehicle, you struck a curb, causing damage to your front left tire and wheel.

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

Initial fact finding has been conducted by a first-line supervisor. After review of the fact finding information, command staff has determined further investigation is necessary. The investigation has been assigned to: Sergeant Jeff R. Godbey.

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

Lewis County Sheriff's Office Mission Statement:

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

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

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

PLEASE NOTE: While this matter has originally been designed as a *Type 1 Personnel Complaint*, such designation may be amended at any time during the course of the investigation, in which case you and your Guild representative will be immediately notified in writing of such change and the circumstances.

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

Distribution: Sheriff Robert R. Snaza
Undersheriff Wes H. Rethwill
Field Operations Chief Bruce F. Kimsey
Sergeant Jeff R. Godbey
Deputies Guild President, Deputy Jeff R. Godbey
File – 2

Lewis County Sheriff's Office Mission Statement:

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



LEWIS COUNTY SHERIFF'S OFFICE
MEMORANDUM



"Public Safety through Professional Service"

TO: Captain C. Spahn
FROM: Sergeant A. Stull
DATE: 02-26-18
RE: Deputy Scrivner supervisory complaint

On 02-22-18 at about 2318 hours I, Sergeant A. Stull received a call from Deputy Scrivner. He stated he was parked on Reynolds in Centralia. He observed a vehicle pass his location and noticed a traffic infraction. Deputy Scrivner was focused on where the violator was heading. Deputy Scrivner stated he was travelling about 15 MPH when he struck the lane divider curb with his front tire. The impact damaged the front tire and rim.

I was in Morton at the time with Deputy Heller. We were in the process of serving a search warrant so I could not respond. I instructed Deputy Scrivner to take detailed photographs of the scene including the damaged tire and wheel. I was advised Deputy Almond witnessed the incident.

Due to the damage of county property and the driver inattention, I forward this to you as a supervisory complaint.

Respectfully Submitted,
Sergeant A. Stull

Lewis County Sheriff's Office Mission Statement:

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



Lewis County Sheriff's Office

Injury/Exposure/Damage Report



Employee Section			
Name:	Andrew Scrivner	ID#	4037
Job Title:	Deputy	Bureau:	Ops
Date of incident:	February 22, 2018	Time:	2316 hours
Supervisor's Name:	Sgt. A. Stull		

Description of Incident

Type of incident:	<input type="checkbox"/> Injury	<input type="checkbox"/> Exposure	<input checked="" type="checkbox"/> Damage
Location of incident:	Intersection of West Reynolds and Taylor Ave, Centralia, WA		

If Injury:

What was injured:	
Fully describe how your injury occurred:	

If Exposure:

Type of exposure:	
Cause of exposure:	
Fully describe how exposure occurred:	

Medical Treatment

Was medical attention needed?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
If Yes, doctor's name:			
Date of treatment:		Place of exam/treatment:	

What were you doing when incident occurred?

I was sitting in a stationary location at the Fords Prairie Grange, (2600 block West Reynolds). When a vehicle passed my location traveling WB on Reynolds. I noticed an infraction on the vehicle and pulled out of my location to conduct a traffic stop. I was watching the vehicle to see if I could find more violations on the vehicle. The vehicle then took a right hand turn, NB onto Taylor Ave. As I was watching the vehicle making its turn, I did not see or notice a curb in the middle of the roadway. My front left tire then struck the curb, causing my vehicle to jerk from the impact. I then immediately pulled off the roadway at the intersection of West Reynolds and Taylor Ave, got out of my vehicle to inspect for any damage. I immediately noticed the rim was bent from the impact to the curb and my tire was flat. At approx.. 2318 hours, I then notified my supervisor and informed him what had happened. I took photos of the damaged rim and tire and the

curb that I had struck. I estimated my speed to be around 15 MPH, due to having my foot over the brake pedal so I could make a right hand turn onto Taylor Ave and conduct a traffic stop. It was clear that while I was watching the suspect vehicle for additional infractions, I had drifted slightly left in my lane causing me to strike the curb.

Could this injury/exposure been avoided? Explain:

Witness to incident:

Deputy Almond was directly behind me in his patrol vehicle.

Equipment Damage

Equipment involved: 16-314 Patrol vehicle

Condition of equipment: Tire and wheel damaged beyond repair.

Equipment checked by supervisor? Yes No

Was supervisor on scene? Yes No

Time/Date Supervisor notified: Date: 02/22/18 Time: 2318 hours

If this report is not being filled out on the day of the incident, give reason for the delay:

Have you written a report or statement covering this incident? Yes * No
(If yes, please attach to this report)

Supervisor Section

Was the employee where he/she should be? Yes No

Was the employee doing what they should have been doing? Yes No

Is a safety policy involved? Yes No

Describe how the employee's actions were in or out of policy: Deputy Scrivner was performing traffic enforcement which is one of his normal duties. Due to inattention, he did not see the raised island in between the lanes. He was focused on the violator and struck the curb.

Is this incident linked to inadequate or a lack of training? Yes No

If yes, describe:

Are the events concerning this incident clearly documented and attached to this report*?
 Yes No If no, when is the expected date for completion?

Treatment: None First Aid Doctor Hospital Will advise if needed later

If employee decides to seek medical care, have employee fill out SIF-2 and provide the SIF-2 and all reports and physician documents to the Risk Manager **IMMEDIATELY**. *If there is a blood exposure incident, do not have employee sign medical release on SIF-2 form.

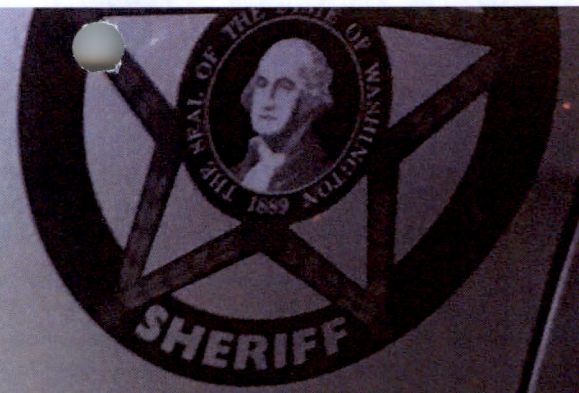
Work Status:

- Returned to Work
- Anticipated (return to work within 3 days)
- Time Loss (Not back to work on 4th day from incident)
- Other: _____

Employee Signature: Deputy Andrew Scrivner Date: 02-22-18

Supervisor Signature: Sergeant A. Stull Date: 02-22-18

Administration Signature: CPT. CURT SPAN, RA Date: 02-23-18





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MICHIGAN, U.S.A.

TRUCK



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GSWR43137
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STANDARD LOAD



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SERIES

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STANDARD SOAP

