

4	Attachment 4: Declaration BCSO Det. Todd Carlson		7
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## **Declaration of BCSO Detective and BCDSG member Todd Carlson**

### **I. Declaration**

I Todd Carlson make the following declaration:

- 1) I am a currently a Detective with the Benton County Sheriff's Office (BCSO) and I am over the age of eighteen (18), I am competent to testify to the facts set forth herein and make this declaration upon personal knowledge. I am making this statement of my own free will.
  
- 2) I have been employed with the Benton County Sheriff's Office since December 2015. I have been a law enforcement officer since 2005. I am a firearms instructor in my capacity as a Detective with the Benton County Sheriff's Office. I am also the training coordinator for the Benton County Sheriff's Office. I accept training requests, register department personnel for training, maintain training records, and inform my supervisors of any budgetary concerns regarding the training budget. It is also an assigned duty to inventory all firearms belonging to the Benton County Sheriff's Office. It is also an assigned duty issue practice and duty ammunition to authorized personnel employed by the Benton County Sheriff's Office.
  
- 3) I have been a member of the Benton County Deputy Sheriff's Guild since December of 2015.
  
- 4) On the 9th of March 2020, I was presented with a notice of an administrative review investigation (BCSO IA#20-001) that was served upon me asserting 37 separate potential violations of B.C.S.O policy. The language of the notice indicated that an investigation was being conducted and I would be compelled to answer in line with B.C.S.O. policies and civil service rules. On the 18th of March 2020, I appeared, and I was served with an amended notice of administrative review which identified me as a suspect/witness and

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reduced the number of alleged violations. My interview was digitally recorded. The interview was conducted by F.C.S.O. Captain Adam Diaz and F.C.S.O. Captain Monty Huber.

During the beginning of the interview I did express some concerns as to potential future retaliation based upon questions asked and the answers I may give during the interview. I complied with the order as stated in the "notice" and answered questions during the interview. The interview was conducted during working hours.

- 5) During my interview on the 18th of March 2020, I indicated the following:  
I have been employed with the Benton County Sheriff's Office since December 2015. I have been a law enforcement officer since 2005. I am a firearms instructor in my capacity as a Detective with the Benton County Sheriff's Office. I am also the training coordinator for the Benton County Sheriff's Office.  
I accept training requests, register department personnel for training, maintain training records, and inform my supervisors of any budgetary concerns regarding the training budget. It is also an assigned duty to inventory all firearms belonging to the Benton County Sheriff's Office. It is also an assigned duty issue practice and duty ammunition to authorized personnel employed by the Benton County Sheriff's Office.

During the interview I was asked about the process of how I distribute ammunition, with specifics about the quantities and how it relates to the given deputies assigned duty weapon. I was asked about how I order ammunition. I replied to the questions regarding how I distribute ammunition and indicated that I disperse in the following quantities, 150-200 rounds of pistol ammunition, to be used specifically for training or practice. This ammunition not to stockpile, but to use during training / practice. I also distribute "Duty" Ammunition as required. I make it a point not to over issue ammunition. Duty pistol ammunition is issued in 50 round boxes. These pistol rounds are for qualification relating to BCSO .40 caliber duty side arms. I indicated to Capt. Diaz and Capt. Huber that it is not common for people to have a stockpile of duty rounds.

I responded to Capt. Diaz and Capt. Huber that on the 14<sup>th</sup> of January 2020, when I went to the 1004 building where the ammunition was being stored; which

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K.P.D. had inventoried on the 13<sup>th</sup> of January 2020, and I observed the 14 cases of ammunition, I was taken aback. I indicated that I had understood that 14 "boxes" of ammunition had been located at Sheriff Hatcher and Monica Hatcher's residence on the 13<sup>th</sup> of January 2020, *not* 14 "cases."

I explained to Capt. Diaz and Capt. Huber that in my position as the person who distributes ammunition for the Benton County Sheriff's Department since 2016, I have never seen an accumulation of 14 cases of ammunition by an individual at the BCSO. Further, I have never seen ammunition stockpiled in the manner the Sheriff had acquired it, in case lots, by my observations on or about the 15<sup>th</sup> of January 2020. I indicated to Capt. Diaz and Capt. Huber that seeing 14 cases of ammunition made such an impression on me that I immediately reported it to my immediate supervisor.

During the interview on the 18<sup>th</sup> of March 2020, I explained that Sheriff Hatcher was assigned a .40 caliber pistol and a .223 caliber rifle (NFA) and a 12-gauge shotgun. I was asked when he last qualified and the records reflected that this was June of 2018. I was asked about the Benton County Sheriff's Office M4 rifle, inventoried by K.P.D. on the 13<sup>th</sup> of January 2020, taken from Sheriff Hatcher and Monica Hatcher's shared residence. I replied that the M4 rifle located at the shared residence of Sheriff Hatcher and Ms. Hatcher also included a suppressor. I indicated that an M4 rifle and the associated suppressor are registered with the ATF and cannot lawfully be in the possession of a person not employed by the Benton County Sheriff's Office. A short-barreled rifle (SBR) and firearms suppressors requires federal registration if in the possession and control of a civilian. At the time the suppressed M4 rifle and was located, the sheriff was not legally capable to be in control of this firearm due to his firearms surrender order. Sheriff Hatcher was not to have dominion and control of this firearm.

I explained that there were only 4 known BCSO duty weapons that used .308 caliber ammunition. I indicated that it was my understanding that Benton County

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Corrections as of the time of the split between BCSO and BCSO Corrections did not have any weapons that required .308 caliber rounds in their inventory. I indicated that it was my understanding that all the .308 caliber weapons in the BCSO inventory were SWAT team weapons, assigned to SWAT team members. I explained that two .308 rifles were bolt action rifles. I explained the other two .308 caliber rifles were known as REPR's, a semiautomatic rifle, and these were also both assigned to SWAT. I indicated that it was my memory that all the BCSO department .308 rifles have been assigned solely to SWAT since I had been working for the Department in 2015. I was certain that this was the case from December 2016 forward as this was when I had this documented in the data base maintained for tracking such issues. I used the date of December 2016 as this was when I recall having the database up to date for accounting for all known weapons in the department. I have no record of Sheriff Hatcher having been assigned a .308 weapon from 2015 forward, i.e. since the date I have been employed at the Benton County Sheriff's Office.

To clarify what I observed on the 14<sup>th</sup> of January 2020, the following table provides guidance on the amount, variety, and case versus box allotments. On the 14<sup>th</sup> of January 2020, the following was located at the 1004 building (bldg.), and was what I understood to have been located at Sheriff Hatcher and Monica Hatcher's common residence.

#	Ammunition	Case(s)
1.	.308 Caliber	2 cases (SWAT Duty ammunition) 1 case of .308 Tap ammo 10 boxes / 20 rounds per box= 200 rounds 1 case of .308 Win American Eagle 25 boxes / 20 rounds per box= 500 rounds
2.	.223 Caliber	6 cases which compromise of 5 full cases and 1 case with 21 boxes out of 25. A complete case +equals 25 boxes total
3.	.40 caliber	4 Cases 1000 rounds per case
4.	9mm	1 Case 1000 rounds per case

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5.	22 caliber LR	1 Case (50 boxes / 100 rounds per box)
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On the 18<sup>th</sup> of March 2020, during the interview I was neither shown, nor was I ever contacted by Capt. Diaz and/or Captain Huber later about any invoices relating to the any ammunition located in Sheriff Hatcher and Monica Hatcher's residence. I have had the opportunity to read an email sent on the 19<sup>th</sup> of March 2020 from former Cmdr. Tom Croskrey emailed to Captain Diaz and Captain Huber. The email contained two attachments, relating to an order and an invoice for transaction #5905 on item code 80925. This relates specifically to one case of .308 caliber ammunition from item look up item code 80925 and this code can be located on the label of the case of ammunition which was located in Sheriff Hatcher's and Monica Hatcher's garage inventoried by K.P.D. on the 13<sup>th</sup> of January 2020. It appears this case of ammunition is tied to an invoice on purchase order SH4 -12221601, vender # 665005 on account # 000158, transaction # 5905 from the 9<sup>th</sup> of December 2016. The purchase was from the Miwall Corporation, PO Box 2809 Grass Valley, CA 95945. The purchase of .308 ammunition, 308 Win 155gr AMAX TAP 20 appears to be for SWAT use. All SWAT ammunition is "duty" ammunition.

This is one of the two .308 caliber cases of Benton County SWAT duty ammunition that was located at Sheriff's Hatcher's residence. The other case was .308 Win American Eagle ammunition. I have no information that Sheriff Hatcher has ever been a SWAT sniper. Sheriff Hatcher has not been assigned a .308 rifle from 2016 until the present. It appears that he possessed duty ammunition which was purchased for the SWAT team. Had I been provided with the invoice for transaction #5905 on item code 80925 during the investigation I would have indicated that I was not aware of any legitimate reason for Sheriff Hatcher to possess the 700 rounds of Benton County owned .308 ammunition.

- 6) On the 6<sup>th</sup> of April 2020, Sheriff Hatcher contacted me via email and asked me to "stop by" as he had a "couple of questions" related to "our firearms program." This was the first time since being in office that Sheriff Hatcher had contacted me about

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discussing "training" or any training related subject. Also, prior to April 7, 2020, I have never met with Sheriff Hatcher in a private meeting.

As background, on or about the 13th of January 2020, I was involved in the receipt of two firearms and observed the 14 cases containing over 13 thousand rounds of ammunition owned by Benton County that had been secured by the Kennewick Police Department from the residence of Sheriff Jerry Hatcher. This is the residence he had shared with Monica Hatcher. Commander Steve Caughey authored a B.C.S.O. report documenting my role in the matter and this is located in Benton County Sheriff's Office report # 20-00278.

On the 7<sup>th</sup> of April 2020, I appeared for my meeting as requested by Sheriff Hatcher. Sheriff Hatcher unsolicited began to provide me with information relating to the use of department ammunition by Commander Law and Commander Caughey in 2017. Sheriff Hatcher stated they used the department ammunition to shoot ground squirrels on hunting trip. Further, Sheriff Hatcher omitted fact in his discussion that he was aware of the use of the ammunition and he had approved the use of the ammunition. I am aware the investigation, BCSO IA 2019-001 was still an open investigation as Sgt. Erickson was scheduled to be interviewed on the 8<sup>th</sup> of April 2020. I was aware that Commander Law and Commander Caughey were at least witnesses as to BCSO IA 2019-001. I was surprised that Sheriff Hatcher was discussing use of ammunition by two material witnesses in an investigation involving him, Sheriff Hatcher as the suspect. Further, Sheriff Hatcher appeared to be providing me, also a witness/ subject in BCSO IA 2019-001 with information that but Commander Caughey, my supervisor, in a negative light and/or Commander Law in a negative light. This contact concerned me in a deep and negative manner. I contacted a fellow guild member, Jason Erickson, and raised my concerns to him about this contact.

On the 8<sup>th</sup> of April 2020, I am aware that Sgt. Erickson was provided notice of the information set out above regarding the 7<sup>th</sup> of April 2020 meeting between Sheriff

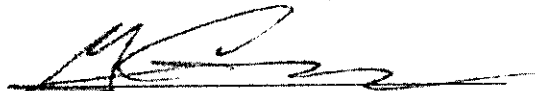
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Hatcher and I, and provided a summary of the content of the meeting during his interview regarding BCSO IA 19-001 with FCSO Cpt. Huber and FCSO Cpt. Diaz. I am directly aware that during Sgt. Erickson's interview when these issues were raised regarding the contact and the fact that Capt. Diaz indicated that this conduct was a "mess" regarding Sheriff Hatcher's contact with me regarding Cmdr. Law and Cmdr. Caughey's use of ammunition. I also am directly aware that during the interview Sgt. Erickson indicated that I should be contacted relating to Sheriff Hatcher's meeting with me on the 7<sup>th</sup> of April 2020. Neither, Capt. Diaz and/or Capt. Huber ever attempted to contact me, after the 18<sup>th</sup> of March 2020 and it is my understanding the investigation was closed after Sgt. Erickson was interviewed. Since, the 7<sup>th</sup> of April 2020, Sheriff Hatcher has never followed up with me or contacted me relating to any of the training issues I expressed in our meeting.

- 7) I have had an opportunity to review Ms. Blatt's 22-page report dated the 24<sup>th</sup> of April 2020. I reviewed the section related to her findings regarding Sheriff Hatcher's contact with me. I did not see any factual inaccuracies regarding his contact with me as it was chronicled in her report.

I CERTIFY AND DECLARE UNDER PENALTY OF PERJURY AND THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING STATEMENT IS TRUE AND CORRECT.

DATED this 13<sup>th</sup> of July 2020.



Detective Todd Carlson and  
Todd Carlson BCDSG member  
Signed at Benton County, WA