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**Declaration of Steve Caughey, BCSO Commander and Executive Committee
Member of the Benton County Command Guild**

I. Declaration

I Steve Caughey make the following declaration:

1) I, Steve Caughey make the following declaration:

I am employed with the Benton County Sheriff's Office and my current rank is Commander (Cmdr.) 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 a member of the Benton County Command Guild since the formation in of 2019. I am also member of the executive board. I have been employed with the Benton County Sheriff's Office since 1993, initially being employed with corrections, and then moving to the patrol side in 1996. I have been the Investigations Commander since the beginning of 2018.

3) Since October 2019 until the present, the Benton County Sheriff's Office (BCSO) has been in a state of consistent internal turmoil, initially surrounding accusations levied at Sheriff Hatcher relating to domestic violence and then additional issues came to light. Initially, in the fall of 2019, when the information became public, multiple bargaining units associate with the Benton County Sheriff's Office published public letters indicating "no confidence" in Sheriff Hatcher. Benton County Deputy Sheriff's Guild (BCDSG) were one of the units who publicly indicated they had "no confidence in Sheriff Hatcher."

During the pendency of the domestic violence investigation and charges, sometime toward the end of January 2020, and into early February 2020 there were additional facts and issues relating to Sheriff Hatcher's interactions with the Benton County Deputy Sheriff's Guild (BCDSG). This related to an inability for effective communications as between Sheriff Hatcher and the BCDSG, the facts surrounding a stockpile of thousands of rounds of Benton County ammunition located at Sheriff Hatcher's shared residence with Monica Hatcher.

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I am aware in October 2019, that on about the 4th of October 2019, an order was issued in Benton County Superior Court ordering Sheriff Hatcher to surrender all firearms he controlled or possessed, including those at his shared residence in Kennewick, in the state of Washington State and/or in the state of Montana. For purposes of this declaration that is the residence he shared with Monica Hatcher. Further, before the 14th of February 2020, I am aware that on or about the 7th of October 2019, Sheriff Hatcher was served with the order by a Kennewick Police Department Commander. It should be noted that from the date Sheriff Hatcher was served the order until the date of completing this declaration, Sheriff Hatcher has not been able to lawfully control or possess a firearm, in summary from October of 2019 until the present.

On the 13th of January 2020 I was contacted by the Kennewick Police Department relating to 14 cases of ammunition and 10 firearms located at the shared residence of Monica Hatcher and Sheriff Hatcher. I summarized and documented this contact in a Benton County report #: 20-00768. It is my understanding that K.P.D. also documented the circumstances surrounding the firearms and ammunition in KPD report # 19- 40197. Initially, when I saw the cases of ammunition on the 13 of January 2020 and I had these items secured I had a contact with personnel from K.P.D. It was clear from the interaction that I had with the K.P.D. personnel that it was appropriate to document clearly the event due to the fact that the sheer volume of ammunition could be evidence of a crime. Between the 13th of January 2020 and before February 2020 Sheriff Hatcher and I spoke about the cases of ammunition. Sheriff Hatcher indicated to me that I needed to re-distribute these cases of ammunition out to the use of the Benton County Sheriff's Office. I had already placed signs on the ammunition prior to our initial contact about the ammunition indicating to anyone who could see it that the 14 cases of ammunition were not be used. Between the time of my contact with the law enforcement personnel on the 14th of January 2020 and up to and after the first contact with Sheriff Hatcher relating to the 14 cases of ammunition, described above, I had not been provided any

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information that changed my mind that the 14 cases of ammunition may be evidence of a crime. Between the 13th of January 2020 and 14th of February 2020 I took no action relating to the re-distribution of the ammunition. It was my feeling that if I re-distributed the ammunition, I would be changing the nature and character of the 14 cases of ammunition as evidence. Between the 13th of January 2020 and the 14th of February 2020, I sought and received legal advice regarding the possible legal ramifications I would be exposed to for following a directive to alter the nature of evidence of a crime. My understanding on my duty to comply with RCW 42.20.100 was reviewed with legal counsel.

On the 14th of February 2020, in the morning I was advised that Lt. Jason Erickson had made a decision to resign as a Lt. and effectively self-demote by operation of the Civil Service Rules. Until this time Lt. Erickson had been a member of the Benton County Command Guild.

Upon becoming aware of this I was concerned that this was related to continuing legal or ethical conflicts that Lt. Erickson was having at that time with Sheriff Hatcher's actions. I was not aware that Lt. Erickson had made the decision to self-demote until after he had notified Sheriff Hatcher. Following Lt. Erickson's resignation on the 14th of February 2020 I was informed by Sheriff Hatcher that Lt. Erickson had resigned and accused him of illegally obtaining property.

Later, on the 14th of February 2020, I became aware later in the day that former Lt., now Sgt. Erickson had been summoned back to the Benton County Sheriff's Office and was in contact with Sheriff Hatcher. In the morning I was not aware of the specific nature of what was being addressed with Lt. Erickson as I was not part of the process. It is my understanding that Sgt. Erickson was questioned by Sheriff Hatcher about the content of his resignation letter in the afternoon of February 14, 2020. Immediately after Sheriff Hatcher ended his contact with Sgt. Erickson, at approximately 4:14 p.m. Sheriff Hatcher called Cmdr. me and discussed the status

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of the ammunition that I had secured and which had been inventoried by K.P.D on the 13th of January 2020.

As indicated above, Sheriff Hatcher had already had a discussion with me prior to the 14th of February 2020 about the ammunition. During the previous conversation Sheriff Hatcher had directed me to disseminate the ammunition back into use by the Sheriff's Department. On the 14th of February 2020, at 4:14 p.m. Sheriff Hatcher referenced this prior discussion topic and asked me what the status of the ammunition was at that time. I indicated to Sheriff Hatcher during the conversation that the signs were still on the ammunition indicating that the ammunition had not disturbed or used. Sheriff Hatcher indicated that he wanted Cmdr. me to follow through with his original request and I replied that I had concerns about this activity.

Sheriff Hatcher requested an explanation about why I had not engaged in the directive he had previously been given. I indicated to him that that I was concerned that the 14 cases of ammunition were potential evidence in a criminal act. Sheriff Hatcher asked where or how I had come to this conclusion, and I indicated that I had this impression during my contact with the Kennewick P.D. staff when they had handed possession of the ammunition back to the Benton County Sheriff's Office on the 13th of January 2020. I also informed Sheriff Hatcher that I had also spoken to an attorney about the matter. Sheriff Hatcher ended the call at approximately 4:19 p.m. As indicated I had written a report relating to this matter (BCSO Report # 20-00768) and Sheriff Hatcher was aware of my report prior to the 14th of February 2020.

On the 17th of February 2020, Alan Harvey sent an email to Sheriff Hatcher and Benton County Prosecuting Attorney Andy Miller addressing the facts relating to the above telephonic conversation between myself and Sheriff Hatcher. The email specifically identified me and Commander Law as material witnesses in a Whistleblower Complaint that had been made regarding the ammunition and firearms located at a residence maintain jointly by Sheriff Hatcher and Monica Hatcher on January 13, 2020. On the 17th of February 2020 Sheriff Hatcher responded to Mr. Harvey's emails, he never denied he made the call to me. Sheriff

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Hatcher never denied that he discussed the content of the status of the ammunition with me. Sheriff Hatcher responded by email and the only response to Mr. Harvey related to the issue of whether the guild to which I am a member, the Commanders Guild, had a Collective Bargaining Agreement.

Ammunition:

In summary, on the 13th of January 2020, I was perplexed by the enormous volume of ammunition and the fact that it was possessed in "case" distribution amounts. There were 14 cases of Benton County ammunition located in Sheriff Hatcher's control and possession at his common residence with Monica Hatcher were the following variety and secured by K.P.D. on or about the 13th of January 2020 were as follows from the information on the outside of the cases:

#	Ammunition	Case(s)
1.	308 Caliber	2 Cases .308 (SWAT Duty ammunition)
2.	.223 Caliber	6 total 5 full cases 1 open case
3.	.40 caliber	4 Cases
4.	9mm	1 Case
5.	22 caliber LR	1 Case (50 boxes)

In my experience at the Benton County Sheriff's Office it is unusual to be provided ammunition in many "case" amount distributions. An additional factor related to the fact that the cases of ammunition were of a variety of calibers, in case amounts, that did not appear to be calibers associated with assigned duty weapons. The fact that Sheriff Hatcher had not been able to lawfully control or possess a firearm since October of 2019 was an additional factor of concern for me. These factors coupled with the fact that Sheriff Hatcher on more than one occasion had in his capacity as public servant ordered me to re-distribute this ammunition created great apprehension in me relating to my job and the financial security.

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- 4) On the 5th of March 2020, I was served with a notice of an administrative review investigation (BCSO IA#20-001) asserting 37 separate potential violations of B.C.S.O policy and I was apparently the subject of the investigation. 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 11th of March 2020, I appeared with counsel for this scheduled interview. The interview was recorded. The interview was conducted by F.C.S.O. Captain Adam Diaz and F.C.S.O. Captain Monty Huber.

At the outset of the interview I informed F.C.S.O. Captain Adam Diaz and F.C.S.O. Captain Monty Huber that the notice of allegations did not appear to comply with B.C.S.O. policy on a number of levels. Additionally, I expressed concern that I was being retaliated against given my role as an identified witness in a whistleblower complaint (s). I indicated that in my experience of doing IA's at the Benton County Sheriff's Office I had never seen an administrative investigation commence with no companion criminal investigation when the allegations related to potential criminal conduct. In summary that engaging in an administrative investigation prior to and separate from a related criminal investigation was not a practice I had experienced and that the process could negatively impact a related criminal investigation. I expressed concerns during the interview as to future retaliation based upon his answers in the interview. I complied with the order and answered the questions in the interview. The interview was conducted during work hours and I was paid during the period I appeared for the interview.

During the interview I provided information in responses to questioning that would lead any reasonable person could to reasonably conclude "wrongdoing" on behalf of Sheriff Hatcher with respect to having thousands of rounds of Benton County property at his residence. Generally, I indicated that I had never experienced the fact that someone had in their possession and control such a large volume, and in many case amounts of distribution. The sheer volume of ammunition was

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beyond my experience. Finally, these facts were addressed, while additionally it was clear to me that F.C.S.O. Captain Adam Diaz and F.C.S.O. Captain Monty Huber were aware that Sheriff Hatcher could not lawfully possess or control firearms since October 2019.

I am directly aware that F.C.S.O. Captain Adam Diaz and F.C.S.O. Captain Monty Huber were informed before the close of the investigation that Sheriff Hatcher interacted with a witness, Todd Carlson, during the pendency of their investigation. I am aware that Sgt. Erickson put Captain Adam Diaz and F.C.S.O. Captain Monty Huber on notice about Sheriff Hatcher's conversation with BCSO Det. Todd Carlson, which occurred on or about the 7th of April 2020.

On the 7th of April 2020, I was BCSO Det. Todd Carlson's immediate supervisor. I was made aware of Sheriff Hatcher's unsolicited communications with Todd Carlson on the 7th of April, shortly after the contact occurred. I was made aware of the accusations by Sheriff Hatcher made to Det. Carlson, of conduct attributed to myself and Jon Law. It was clear to me in early April 2020 that Sheriff Hatcher's conversation with Todd Carlson was an attempt to communicate with a witness in an investigation that Sheriff Hatcher had initiated. In early April I was aware of the letter, dated the 14th of February 2020, from Sheriff Hatcher to Sheriff Raymond initiating BCSO IA 20-001. In the letter Sheriff Hatcher indicated to Sheriff Raymond as follows:

I would request the Administrative Review be started without delay and will make myself and all personnel available to your assigned investigators. ***If the Review turns towards any wrongdoing, I would request you contact me immediately*** and I will have you forward the information to the appropriate agency or authority.

Therefore, the contact with Todd Carlson on the 7th of April 2020 was shocking and terrifying conduct by a public official interacting with a witness to a potential future official proceeding. I indicate "potential future official proceeding" as on the 7th of April 2020, IA 20-001 was an "open" investigation. There is no reasonable or possible conclusion that can be made on my part that Sheriff Hatcher would disparage identified witnesses in a pending investigation as he would not know the

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matter had concluded or have any reason to believe he had been determined to be cleared by anyone of criminal activity with respect to the 14 cases of ammunition located in control and/or possession. Further, as Todd Carlson is specifically mentioned in my report related to the ammunition and given his position in the department relative to accounting for ammunition and firearms, I was aware that on or about the 7th of April 2020 Sheriff Hatcher was aware of Todd Carlson's value as a witness, my value as a witness and Cmdr. Law's value as a witness in any future official proceeding.

Sheriff Hatcher's conduct with Todd Carlson made me as potential future witness in an official proceeding as though the efforts by Sheriff Hatcher were intended to influence me by a threat. When I use the term "Threat" here I mean it as follows under these facts and circumstances in the interaction with my subordinate Det. Todd Carlson on/ or about the 7th of April 2020:

- Accuse me and/or Jon Law of a crime and/or due to his position the Sheriff of Benton County, Sheriff Hatcher would cause criminal charges to be instituted against myself and/or Cmdr. Jon Law;
- Sheriff Hatcher's efforts with Det. Carlson was an effort to expose a secret, i.e. not known to Det. Todd Carlson, or publicize an asserted fact, which was false, and which tending to subject myself and/or Cmdr. Jon Law to hatred, contempt, and/or or ridicule;
- In his capacity as Sheriff this appeared as the beginning steps of wrongful actions as against myself and/or Cmdr. Jon Law.
- My impression was that the actions with Det. Todd Carlson were intended to threaten my business, i.e. my professional ability, my financial condition, i.e. subject me to potential future termination due to the accusation of criminal conduct, and/or impact my personal relationships, specifically in this instance with my subordinate Det. Carlson.

Given, Sheriff Hatcher's conduct and contact on or about the 7th of April 2020, it is my belief and reasonable conclusion that his actions violated RCW 9A.72.110.

To be clear, the conduct and activity that Sheriff Hatcher discussed is covered in Ms. Blatt's 22 page report, dated the 24th of April 2020. Ms. Blatt's report is

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accurate with respect to her contact with me. Upon reading in Ms. Blatt's report, statements by Sheriff's Hatcher about of his disclosure's to Det. Todd Carlson, it is clear Sheriff Hatcher admitted he made the statements to Det. Carlson disparaging Cmdr. Law and myself. Sheriff Hatcher's statements, as Ms. Blatt recorded them at pages 19-20 of her report, were specifically troubling to me. Sheriff Hatcher admitted to Ms. Blatt that he had mentioned the possible inappropriate ammunition use in 2017 by myself and Cmdr. Law, unsolicited, to Det. Carlson. Additionally, Sheriff Hatcher statements to Ms. Blatt, appear to be a clear admission that he made no report or allegation to any other person than Det. Carlson about Cmdr. Law and I as related to the 2017 use of ammunition.

Further, Sheriff Hatcher stated to Ms. Blatt that he had not approved the use of Benton County ammunition for the trip. This statement is false. Sheriff Hatcher indicated to Ms. Blatt that he had "recently" heard that alcohol had been consumed in relation to the use of ammunition on the 2017 trip. To be clear, no alcohol was consumed during the use of any county ammunition. If this statement was made by Sheriff Hatcher to Ms. Blatt, this statement would also be false.

Sheriff Hatcher admitted to Ms. Blatt his motive for contacting Det. Carlson, he stated he believed there is a double standard being applied to him concerning the use of county ammunition. Sheriff Hatcher's reference to "use" of ammunition by others is really in applicable to his situation, as on the 13th of January 2020 the Kennewick Police Department located 14 cases of ammunition that was stockpiled, it was being "used" for practice. This ammunition contained at least 2 cases of duty ammunition, .308 ammunition. I agree with Ms. Blatt that Sheriff Hatcher's disclosures that he could also could "whistleblow" where promptly followed by him an allegation that the Cmdr. Law and I had engaged in inappropriate activity in 2017 by using county ammunition for personal purposes during a hunting trip. This was an allegation of "wrongdoing" that at the time of the trip, in 2017, he did nothing about. I agree with Ms. Blatt's conclusion the Sheriff's motive for raising this allegation now, and not in 2017, can be for ***no other purpose*** than to retaliate against the Cmdr. Law and I for participating in an

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investigation against him. I agree that Sheriff Hatcher's behavior and actions were intended to damage the reputation of the Cmdr. Law and myself by raising an allegation of impropriety. I believe that Sheriff Hatcher intended clearly to make Cmdr. Law and I believe that we lose our jobs or be demoted if they share any negative information about the Sheriff in any future official proceeding.

As of the date of this declaration Sheriff Hatcher has now assigned me to engage in more duty assignments and has now promoted a corporal from the BCDSG to the rank of Undersheriff.

I should also note that I believe that the above described actions of Sheriff Hatcher involve violations of RCW 9A.76.180, incorporating duties by law and statues specifically, but not limited to those set out in RCW 42.20.100. I am a public servant. Cmdr. Law is a public servant. Erik Magnuson is a public servant. Jason Erickson in a public servant. We all have a duty by law and in the public trust to report criminal activity especially as it relates to crimes relating to how public funds or property are mistreated, miss used, and generally where the application of RCW 40.16.020 and/or RCW 42.20.070 would be applicable. Using threats against a public servant or public servants influence a public servant's decision, or official action as a public servant is a class B felony. It appears clear to me that the actions I have describe above by Sheriff Hatcher involve multiple violations of RCW 9A.76.180.

Further, RCW 42.41.040 applies to Whistleblowers in local government and makes it unlawful for any local government official, such as Sheriff Hatcher, to take retaliatory action against a local government employee, such as myself, Cmdr. Law, Lt. Magnuson, and/or Sgt. Erickson because, one or all of us provided information in good faith in accordance with the law that improper governmental action(s) had occurred. It is my belief that Sheriff Hatcher has violated RCW 42.41.040. The changes in our respective working conditions, include but are not limited to, after Sheriff Hatcher was provided Ms. Blatt's report, Sheriff Hatcher ordering myself, Cmdr. Law, and Erik Magnuson to report our daily travel when we leave the physical confines of the Sheriff's Office. The changes in our respective

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working conditions, include but are not limited to, after Sheriff Hatcher was provided Ms. Blatt's report, Sheriff Hatcher changed my job assignment regarding workload. Sheriff Hatcher has changed Erik Magnuson's job assignment and workload. Sheriff Hatcher has changed the manner, or attempted to change the manner, in which all members of the Benton County Sheriff's Department can report violations of the county harassment or antidiscrimination policy, specifically excluding the role of the elected prosecutor. This occurred starting on or about the 19th of March 2020, where Sheriff Hatcher proposed a standalone Harassment /anti-discrimination policy. Finally, after the 7th of May, and after two years of daily 9:00 a.m. meetings with Sheriff Hatcher where Cmdr. Jon Law and I would meet with Sheriff Hatcher in staff meetings, Sheriff Hatcher instituted a change in the meeting structure whereby Cmdr. Law and I do not meet with Sheriff Hatcher at the same time. This action impacts both commanders, myself and Commander Law, as it requires additional interaction between Cmdr. Law and myself to coordinate on common topics relating to our respective duties.

- 5) Prior to the 5th of February 2020, I was aware that BCSO Lt. Magnuson had filed a antiharassment/ discrimination whistleblower complaint with Benton County Human Resources. I was contacted and interviewed by Ms. Blatt. I have read Ms. Blatt's 22 page report, and the attachments included with Ms. Blatt's report. The content relating to Ms. Blatt's report is accurate regarding her reference to statements attributed to me. I incorporated Ms. Blatt's rendition of statements attributed to me by reference as accurate into this declaration. I have also attached a copy of Ms. Blatt's report with the exhibits with my declaration.

I sent the following email on the 5th of February 2020 to Benton County HR Director Lindsey Wingfield and it is true and accurate copy of the content of the email:

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From: Steve Caughey
Sent: Wednesday, February 5, 2020 11:42 AM
To: Lexi Wingfield
Subject: Information

Lexi,

Thank you for talking with me over the phone a minute ago. I am following up that conversation with an email to document what I informed you of as I feel I was required to inform you, the Human resources Manager, of a conversation I had with Sheriff Hatcher about confidential or possible whistleblower information concerning Benton County Sheriff's Office Lieutenant Erik Magnuson.

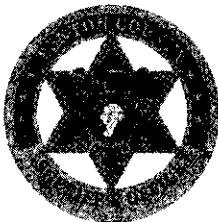
On 02/05/2020, at about 0715 hrs, I was in the office and went to see Sheriff Hatcher to inform him I needed to run to the County Shops. At that time he spoke with me about the recent Deputy Sheriff Guild letter and if his command staff supports and stands by him. During this conversation Sheriff Hatcher told me he wanted to know about the issues Erik Magnuson has with him.

Back story (On 02/04/2020, at about 0700 hrs, Sheriff Hatcher had called me into his office and had a discussion with me about the recent Guild letter. During this discussion he had asked me if Erik Magnuson, who is a Deputy Sheriffs Guild member, is the one poisoning the guild and sharing information from his command staff. I told the Sheriff that he needs to speak with Erik. The Sheriff asked why I could not tell him what was occurring with Erik and I told the Sheriff that Erik has personal issues with him and I did not feel I could share or discuss this with him and he needed to speak with Erik. That piece of the conversation ended with the Sheriff telling me the three of us should meet and talk.)

Back to the present conversation The Sheriff asked me to tell him what issues Erik has with him. I told the Sheriff, from our conversation from yesterday, I felt could not speak with him about this and he needed to talk with Erik. The Sheriff became frustrated, told me I was his commander and it was my job to inform him of what was happening with Erik. I told the Sheriff I could not discuss this with him as I did not want to violate county policy or state law. The Sheriff sternly told me that I had one more chance to tell him what the issues were with Erik. I took this to mean that I if I refused to answer his question that I was facing discipline to include demotion or termination and that I had no choice but to provide the Sheriff with an answer. I told the Sheriff that Erik has made a complaint against him. The Sheriff asked what kind of a complaint, what could Erik have to complain against him about. I again restated that to discuss this with him could be a violation of county policy and/or state law. The Sheriff did not pursue this line of questioning any further.

There was further discussion in reference to the Sheriff's command staff and the guild letter until about 0900 hrs when the Sheriff had another meeting to attend.

Steve Caughey



COMMANDER STEVE CAUGHEY

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- 6) Prior to the 7th of May 2020, Sheriff Hatcher requested he would discuss staffing on Patrol and in the Investigation's units. On 05/07/2020, at 1:30 p.m. Cmdr. Jon Law and I met with Sheriff Jerry Hatcher at the Sheriff's Office, in the Administration conference room. The meeting went from 1:30 p.m. to approximately 8:00 p.m. It was never anticipated by myself or Cmdr. Law that we were going to be in a meeting for 6.5 hours.

The discussion initially covered staffing and we talked about staffing for Patrol and/or Gang Team staffing issues. For the first time in a definite statement, Sheriff Hatcher indicated he will have an undersheriff. Sheriff Hatcher made this statement several times and at one point in our conversation, I said since he brought it up, what was his plan for his command staff. In summary he indicated he didn't yet have one. The staffing discussion lasted for about an hour and then the Sheriff began to discuss how Jon was not managing Lt Clarke reading all patrol reports and response times, then he talked about detective investigations and a recent investigations issues that he stated was not being managed.

Sheriff Hatcher turned the conversation to recent investigations that have occurred with himself as the subject and stated he was sick and tired of people blaming him for everything that has happened over the last 6-8 months, and that both Jon and I are partially responsible as well. On the 7th of May 2020, Sheriff Hatcher was aware that Cmdr. Law and I both are witnesses in both investigations and that we had provided statements in both of these investigations. The discussion moved to issues of equipment and some staff related issues. During this point in the conversation Jon and the Sheriff discussed how items were purchased and the approval process relating to the purchase of equipment, which even the most minor expenditures must be approved by the Sheriff. Sheriff Hatcher turned his attention toward me and made some comments about a investigation and accused me of not being honest. I indicated that the accusation was not true. Sheriff Hatcher became angry and told me I better get that look off of my face and stop being disrespectful. I told him I was not being disrespectful to him. The Sheriff used his authority as my boss, he pointed his finger at me and said, "Say one more word." I said yes sir and

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nothing further as I felt if I did he would fire, demote or discipline me. Sheriff Hatcher went on to say all of us are disrespectful to him, that our disrespectful behavior would never be tolerated by previous Sheriff's that they would have fired us. At this point in the meeting I don't believe either Cmdr. Law or I had been or displayed distrustful attitudes or conduct toward Sheriff Hatcher.

Sheriff Hatcher started talking about Erik Magnuson and gave examples of how he felt Erik Magnuson was stirring the pot in investigations unit, such as Mike Wilson having issues with Sheriff Hatcher. Sheriff Hatcher stated that he was no longer going to tolerate this and it was going to stop. I began to write on my tablet not to be disrespectful to the Sheriff. Sheriff Hatcher told me to stop. Sheriff Hatcher then stated that we write down things that are used against him later when we talk with our attorney Mr. Harvey.

The Sheriff said our attorney, Mr. Harvey has an agenda against him and, that he is always causing issues and challenges everything. Sheriff Hatcher continued on saying when he allowed us, (Commander Law, Lt. Jason Erickson and I) to form a Guild that it was only for monetary gain, as the County had not been dealing with us fairly in wages and this has become a his worst nightmare and he should have never allowed it.

Sheriff Hatcher said when the time comes for negotiations and language for our Collective Bargaining unit that he will be fighting tooth and nail on wording.

Sheriff Hatcher then changed the topic about the ammunition investigation and the HR investigation relating to Erik Magnuson's complaint. Sheriff Hatcher stated he had the FCSO investigation on his desk and he would get the entire HR investigation. The Sheriff talked about the investigation he gave to FCSO about the ammunition he had at his house. Sheriff Hatcher indicated that people are calling him a thief. Sheriff Hatcher then looked at me and asked if I had called him a thief when I did my interview at FCSO. I replied to Sheriff Hatcher that I didn't recall using those words, but did state that was a lot of ammunition he had at his house. Sheriff Hatcher replied to me by asking me "are you sure" and then stated that he

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had the completed investigative binders on his desk and that he was "going to know." Sheriff Hatcher then asked me why I had done a report and taken photos when the ammo and guns had been brought to me by KPD. I answered his question by indicating that I was accepting property from his house and I did that in summary as I believed it was within the scope of my duties. Sheriff Hatcher became angry and said the ammunition matter was KPD's case, that I should not have done that and then confronted me about not placing the ammo from his home in the 104 building in with all of the other ammo for the department like he had asked. This relates back to Sheriff Hatcher's previous requests that I take 14 cases of ammunition and redistribute them for use for the deputies as opposed to preserving them as evidence.

I answered the Sheriff's question and indicated that he and I had talked about this before and I said I did not get to it and I did not say anything else. Sheriff Hatcher made the inference that I had lied to him and I was not going to tell him at that time that I felt that it was possibly a crime involving the ammo and I was not going to move it.

The Sheriff stated, again he had the FCSO investigation in his office, and that he will know what we said, but somehow we had done something wrong by the statements we made against him if we said he stole the ammunition. I then indicated to the Sheriff I still did not understand how he could investigate himself. Sheriff Hatcher became angry and said it is because it is the law, I had better read it and understand that it is in his authority as a sheriff to investigate any crime in Benton County, including those where he is the suspect.

Sheriff Hatcher asked Cmdr. Law the same questions he had asked about stating that Sheriff Hatcher had stolen the ammunition. Cmdr. Law said he truthfully answered the questions he was compelled to answer by Sheriff Hatcher's directive. Cmdr. Law then made a statement that we should not be talking about an "open" investigation. Sheriff Hatcher then stated the investigation was closed and is sitting on his desk and to answer that Cmdr. Law was required to answer the question.

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Cmdr. Law told Sheriff Hatcher that he did not completely remember what he said but not that he “stolen” the ammo, however Cmdr. Law recalled stating that it was an excessive amount to have for Sheriff Hatcher to have in his possession. There was some more back and forth about being compelled to answer questions in the FCSO investigation. The Sheriff stopped the back and forth by stating that Cmdr. Law and I should have answered that we did not know if Sheriff Hatcher had stolen the ammo. Sheriff Hatcher then looked at Cmdr. Law and I and stated that he would read the report and find out what we really said, that then he said that we had better hope that we didn’t say he stole the ammunition.

Cmdr. Law then asked Sheriff Hatcher if he had told Cmdr. Tom Croskrey that Cmdr. Law and I had taken department ammunition on the 2017 trip to Oregon. The Sheriff stated to Cmdr. Law and I that he did not know we had taken department ammunition. Cmdr. Law stated to Sheriff Hatcher that this was a lie and that he had conversations with him asking if we could take department ammunition. Sheriff Hatcher then changed his statement and said that he did not know how much ammunition we had taken. Cmdr. Law stated to Sheriff Hatcher that Sheriff Hatcher had specially given authorization for Cmdr. Law and I to take department ammunition and knew what we were doing because he (Sheriff) was suppose to come with us. The Sheriff said he was supposed to come on the trip and he did know we took department ammo on the trip, but did not know how much we had taken.

Sheriff Hatcher then asked how much ammunition we took on the trip. Cmdr. Law said he could not remember exactly and provided estimates which were below 1000 rounds between three county employees. Cmdr. Law said he had also heard that Sheriff Hatcher had talked with other members of the office about our ammo use and the Sheriff said he had talked with Todd Carlson. Cmdr. Law stated to Sheriff Hatcher that it was his understanding that Sheriff Hatcher had basically accused Cmdr. Law and I of a crime. Cmdr. Law stated this didn’t make any sense as we had used the ammunition for training and that we had Sheriff Hatcher’s permission to take the ammunition for the trip. Sheriff Hatcher, again admitted he had given permission.

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Sheriff Hatcher turned his attention back to me and said he had been questioned by the HR investigator about Erik Magnuson's complaint. The Sheriff asked me if a crime had been mentioned in the questioning from the HR investigator and I told him there were crimes mentioned. The Sheriff said he was not asked about anything criminal when questioned, but said he would leave that alone. Sheriff Hatcher said as Cmdr. Law and I move forward with him, this "Wolfpack mentality" was going to stop by Cmdr. Law and I, where we gang up against him. It was my impression that Sheriff Hatcher was indicating more people than just Cmdr. Law and I. Sheriff Hatcher stated that he knew that we are sharing information with our attorney as our conversations came up in letters that Mr. Harvey had previously sent. Sheriff Hatcher, again stated that he would read the FCSO report and he will get the HR report and see who is after him. He said this several times. Sheriff Hatcher then stated it feels like this is all being used against him and he will know who has been loyal or not and there will be consequences. The Sheriff said he will not have a commander that is not committed to him and will not stand with him. Sheriff Hatcher stated that he knew that Cmdr. Law and I both worked hard, but he then stated he need a commitment from us and that he need to know that we were going to stand with him. Sheriff Hatcher stated several times that Cmdr. Law and I would have to be standing at the plate with him; have to have skin in the game and have to be committed to him or he is going to make changes. Sheriff Hatcher asked if we were committed to him. Neither Cmdr. Law nor I replied. Cmdr. Law voiced frustrations about the Sheriff's actions as it related generally to the issue of trust. Sheriff Hatcher became angry and said "Jon, I don't care if you want to go back being a sergeant, do it... This is bigger than you and you better let it go, everything is not all about you." I was concerned at that point for Cmdr. Law and I felt Cmdr. Law was going to be sent home, fired, demoted or disciplined. I informed the Sheriff it was well past 7:00 p.m. and my family was blowing up my phone. Sheriff Hatcher again reiterated that Cmdr. Law and I had to stand by him and be committed to him if we were to move forward. Cmdr. Law and I both stated we had a lot to think about and we all then left at that time.

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Regarding, the meeting the occurred on the 7th of May 2020 I should note, as I did above about prior actions that I believe that the above described actions of Sheriff Hatcher involve violations of RCW 9A.76.180, incorporating duties by law and statues specifically, but not limited to those set out in RCW 42.20.100. I am a public servant. Cmdr. Law is a public servant. We have a duty by law and in the public trust to report criminal activity especially as it relates to crimes relating to how public funds or property are mistreated, miss used, and generally where the application of RCW 40.16.020 and/or RCW 42.20.070 would be applicable. Using threats against a public servant or public servants influence a public servant's decision, or official action as a public servant is a class B felony. It appears clear to me that the actions I have describe above by Sheriff Hatcher involve multiple violations of RCW 9A.76.180.

Further, RCW 42.41.040 applies to Whistleblowers in local government and makes it unlawful for any local government official, such as Sheriff Hatcher, to take retaliatory action against a local government employee, such as me and/or Cmdr. Law because, one or all of us provided information in good faith in accordance with the law that improper governmental action(s) had occurred. It is my belief that Sheriff Hatcher has violated RCW 42.41.040. Again, the changes in our respective working conditions, include but are not limited to, after Sheriff Hatcher was provided Ms. Blatt's report, Sheriff Hatcher ordering myself, Cmdr. Law, and Erik Magnuson to report our daily travel when we leave the physical confines of the Sheriff's Office. The changes in our respective working conditions, include but are not limited to, after Sheriff Hatcher was provided Ms. Blatt's report, Sheriff Hatcher changed my job assignment regarding workload. Sheriff Hatcher has changed Erik Magnuson's job assignment and workload. Sheriff Hatcher has changed the manner, or attempted to change the manner, in which all members of the Benton County Sheriff's Department can report violations of the county harassment or antidiscrimination policy, specifically excluding the role of the elected prosecutor. This occurred starting on or about the 19th of March 2020, where Sheriff Hatcher proposed a standalone Harassment /anti-discrimination policy. Finally, after the 7th of May meeting set out above, and after two years of daily 9:00 a.m. meetings with Sheriff

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Hatcher where Cmdr. Jon Law and I would meet with Sheriff Hatcher in staff meetings, Sheriff Hatcher instituted a change in the meeting structure whereby Cmdr. Law and I do not meet with Sheriff Hatcher at the same time. This action impacts both commanders, myself and Commander Law, as it requires additional interaction between Cmdr. Law and myself to coordinate on common topics relating to our respective duties.

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 14th of July 2020.



Steve Caughey BCSO
Commander and Executive
Committee Member of the
Benton County Command
Guild
Signed at Benton County, WA