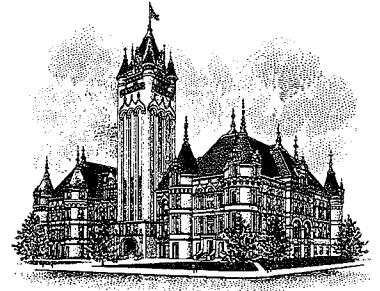




Spokane County Sheriff's Office

Ozzie D. Knezovich, Sheriff



"In partnership with the community - Dedicated to your safety"

February 18, 2009

Jody Lawrence-Turner
The Spokesman Review
PO Box 2160
Spokane WA 99210-2160

Dear Ms. Lawrence-Turner;

RE: *Public Disclosure request received February 9, 2009 and dated February 9, 2009.*

This correspondence is acknowledgment that you have viewed the requested documents that were prepared for you and have requested to have copies of 28 individual documents.

Necessary redactions to these documents have been completed. Justifications for the redactions are as follows:

1. RCW 42.56.250(3) - Social security numbers, etc., of persons employed by the Spokane County Sheriff's Office are exempt from public disclosure.
2. Names of complainants, witnesses and officers contained in police internal investigation files of sustained and other complaints are exempt from public disclosure (Cowles Publishing v. State Patrol, 109 Wn.2d 712)
3. RCW 42.56.240(2) - Information revealing the identity of persons who are witnesses to or victims of crime, or who file complaints with law enforcement agencies.

The cost is shown below to obtain these documents.

Initial page	\$0.90
27 Subsequent pages @ \$0.30 each	\$8.10
Tape or CD/DVD, 0 @ \$15.00	\$
Envelope	\$
Photographs	\$
Postage	\$
Total	\$9.00

We will consider this request fulfilled.

If you have any questions please call me 477-4754.

Respectfully,

OZZIE D. KNEZOVICH - SHERIFF

A handwritten signature in black ink, appearing to read 'Earl L. Howerton', with a long, sweeping horizontal line extending to the right.

Earl L Howerton

Office of Professional Standards, Lieutenant

OFFICE OF THE SHERIFF SPOKANE COUNTY
Internal Investigation
CASE FINDING NOTICE

TO: Sergeant Pete Bunch

DATE: July 23, 2004

FROM: Sheriff Mark Sterk

I. A. #: 04-0035

An internal investigation has been conducted concerning certain allegations of misconduct. These allegations stem from an incident that occurred on:

DATE/TIME June 21, 2004 @ 1545 hrs. AT Liberty Lake access area

COMPLAINANT Internal

INCIDENT NUMBER Fish & Wildlife report

COMPLAINT 1) Criminal Conduct; 2) Presented official department identification in attempt to gain special consideration or privilege.

You are hereby advised of the following finding:

☐

EXONERATED

SUSTAINED

☒

#2 1/2 #

☐

NOT SUSTAINED

UNFOUNDED

☐☐

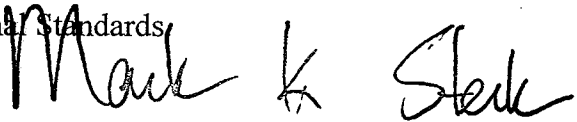
POLICY/TRAINING/EQUIPMENT FAILURE


NARRATIVE

Ten (10) Working day suspension without pay. May forfeit 7 days of annual leave in lieu of being suspended without pay. Will enter into a 3 year "Last Chance Agreement" (see order).

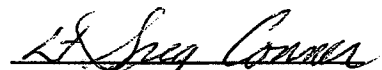
This case file will be maintained in the Office of Professional Standards


Division Commander


SHERIFF


Member

November 4, 2004
Date / Time Received
@ 0925 hrs.


Served by



Spokane County Sheriff's Office

Mark K. Sterk, Sheriff

Larry M. Lindskog, Undersheriff

David A. Wyrick, Inspector

Cal Walker, Inspector, Valley Precinct

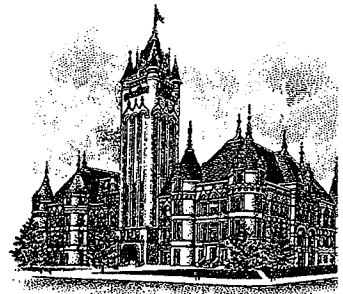
Bruce E. Mathews, Captain, Investigative Division

Gerry Fojtik, Captain, Downtown Precinct

Walter "Dick" Collins, Jail Commander

Thomas F. Mattern, Deputy Director of Emergency Mgmt.

Barbara "Joy" Munro, Administrative Business Manager



"Dedicated to protecting those entrusted to our care"

LAST CHANCE AGREEMENT

I, **Sergeant Patrick Bunch**, fully understand that this agreement is a legal and binding contract, entered into as a last resort to improve my work performance. I acknowledge that my past work performance problems consisted of the following incidents and that I received the following progressive discipline:

- 1) **November 27, 2002** - Demoted from the rank of Lieutenant to Sergeant for neglect of duty; failure to obey a direct order; failing to answer fully in a truthful manner all questions posed by a superior officer during an internal investigation.
- 2) **February 3, 2003** - Entered into a one (1) year Last Chance Agreement for false reporting of payroll/leave accrual/usage and misuse of county cell phone.
- 3) **July 30, 2004** - On June 21, 2004 in an off duty capacity, Patrick Bunch identified himself as a Spokane County Sheriff's Sergeant and willfully hindered and delayed a Fish and Wildlife Officer in the discharge of their official duties in violation of RCW 9A.756.020. Sergeant Bunch exhibited unprofessional and inappropriate behavior and failed to exercise good judgment and common sense.

Discipline: Good faith for cause exists to take disciplinary action against Sgt. Bunch and to terminate his employment with the Spokane County Sheriff's Office. Sergeant Bunch's employment will be conditionally reinstated if he knowingly agrees to and voluntarily enters into the **"Last Chance Agreement"**. In addition, Sgt. Bunch will be **suspended without pay for ten (10) working days:**


The aforementioned misconduct reflects a repeated and similar course of conduct that is unacceptable and in violation of the directives governing the efficient and safe operations of the Spokane County Sheriff's Office.

I, Sheriff Mark Sterk, agree to forgo additional progressive discipline against Sgt. Patrick Bunch under the following employment conditions:

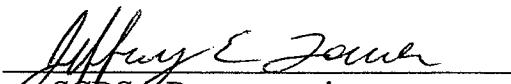
Sgt. Patrick Bunch
Last Chance Agreement
Page Two

- Sgt. Bunch will receive a ten (10) working day suspension without pay. He may forfeit seven (7) days of annual leave in lieu of seven (7) suspension days without pay;
- Sgt. Patrick Bunch knowingly and voluntarily agrees to enter into this "Last Chance Agreement" whereby he acknowledges that:
 - Good faith for cause exists to take progressive discipline against him, up to and including termination of his employment with the Spokane County Sheriff's Office at this time; and
 - He is granted a conditional continuation of his employment with the expectation that he comply and conform with all departmental rules, regulations, policies, procedures, laws, directives etc.; and
 - He is being given FINAL WARNING and understands that future sustained violations of a similar nature will be grounds for and result in the immediate termination of his employment with the Spokane County Sheriff's Office;
 - He knowingly, willfully and voluntarily waives any and all contractual right(s) to appeal this termination for similar violations regarding integrity, judgment, neglect of duty and failure to perform basic duties in a competent manner for a period of three (3) years from the date of employee's signature below;
 - He voluntarily agrees to contact the Employee Assistance Program if needed.

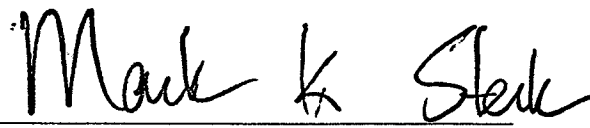
I, the undersigned have thoroughly read this agreement, understand and accept it's provisions/conditions, and have voluntarily signed.


Sergeant Patrick Bunch

080904
Date


SCDSA Representative

8/9/04
Date


MARK K. STERK - Sheriff

7-30-04
Date



Spokane County Sheriff's Office

Mark K. Sterk, Sheriff

Larry M. Lindskog, Undersheriff

David A. Wyrick, Inspector

Cal Walker, Inspector, Valley Precinct

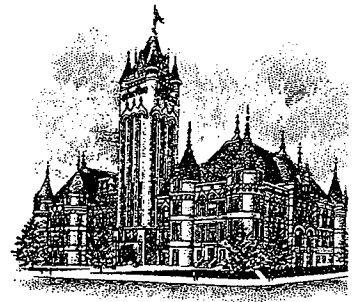
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Walter "Dick" Collins, Jail Commander

Thomas F. Mattern, Deputy Director of Emergency Mgmt.

Barbara "Joy" Munro, Administrative Business Manager



"Dedicated to protecting those entrusted to our care"

July 15, 2004

Sergeant Patrick Bunch
Spokane County Sheriff's Office
1100 W. Mallon
Spokane, Washington 99260-0300

RE: POTENTIAL FOR DISCIPLINARY ACTION (Loudermill Notification)

Dear Sergeant Bunch:

This correspondence is official notification that I am considering disciplinary action against you, up to and including termination.

Our records indicate that you were commissioned as a Deputy Sheriff on December 16, 1978 and were issued a Sheriff's Rules and Regulation Manual. On August 4, 1997 you acknowledged receipt of Sheriff's Office Policy and Procedure Manual #18.

The following incident was brought to my attention regarding your alleged improper off duty conduct on June 21, 2004:

On June 21, 2004 at approximately 1545 hours, Washington State Department of Fish and Wildlife agent [REDACTED] who was dressed in full uniform contacted you and female driver later to be identified as [REDACTED] at the Liberty Lake Boat access area and asked to see your separate vehicle access permits in accordance with RCW 77.32.380. As [REDACTED] attempted to advise the female driver that a permit was required to use the access area, you interfered with his lawful investigative stop and repeatedly yelled for the female driver to leave a [REDACTED] repeatedly ordered her to remain. When Sgt. Rahn directed his attention towards you and believes he told you to stop or you would be obstructing, the female driver drove off as you directed. When [REDACTED] asked you for your identification you allegedly responded "You don't need to see my identification". [REDACTED] felt further contact with you would result in a physical confrontation so he got into his vehicle with the intent of re-contacting the other driver so that he could complete his investigative stop, prior to dealing with you further. [REDACTED] returned to his vehicle, backed out of his parking stall and proceeded to the access entrance where he observed the female driver's vehicle standing. As [REDACTED] approached the tow vehicle you were driving he

Sgt. Patrick Bunch
Loudermill Notification
Page Two

alleged that you "intentionally" pulled in front of him blocking and interfering with his intended contact with the female driver. He described the speed you were traveling as "slower than I could walk". [REDACTED] honked his horn for you to speed up to no avail. As [REDACTED] exited his vehicle, you did the same and proceeded to walk towards him. [REDACTED] felt that the situation was close to escalating beyond a verbal confrontation, since you had already refused to identify yourself, you were visibly upset, and he had intentions of arresting you for obstructing him in the performance of his official duties. [REDACTED] told you that he wanted to see your identification and tried to calm you by explaining why he wanted to speak with the other driver. He reports that you walked back to your vehicle where you retrieved your Spokane County Sheriff's Commission Card. [REDACTED] told you that he could not believe that another law enforcement officer would act the way you did and treat a fellow officer in such a non-compliant manner. He again explained his intentions and informed you that the fact that he wanted to speak to the other driver (at this point you informed him the female driver was [REDACTED] didn't mean that she was going to receive a citation...in fact she probably would not have. You complied with [REDACTED] request to pull your tow vehicle into the upper parking lot but alleged that you gave a response similar to "Well that's a real show of authority". As [REDACTED] drove past you, he directed you to stay parked and told you he would be right back. [REDACTED] contacted [REDACTED] and informed her of the need to have a permit to access this area and of her obligation to "stop" when ordered to do by a law enforcement officer. At this point [REDACTED] noticed that you had left the area you were ordered to remain and had pulled behind his patrol vehicle. You walked past [REDACTED] vehicle halfway to [REDACTED] vehicle when you asked for the access permit RCW, which he told you was RCW 77.32.380. You then walked back to your vehicle. When [REDACTED] completed his contact with [REDACTED] he contacted you and asked for your identification, which you produced. [REDACTED] reiterated his surprise that you would treat another law enforcement officer the way you did, at which time you apologized two or three times for the way you acted.

A complete and thorough administrative investigation was conducted and based on that investigation, the following allegations of misconduct are being made against you:

1. **You willfully hindered and delayed [REDACTED] in the discharge of his official duties in violation of RCW 9A.76.020 Obstructing a Law Enforcement Officer;**
2. **You presented official department identification in an attempt to obtain special consideration or privilege.**

Your work history with the Spokane County Sheriff's Office consists of the following:

- **November 27, 2002** – Demoted to the rank of Sergeant for neglect of duty; failure to obey a direct order; failing to answer fully in a truthful manner all questions asked by a superior officer during an internal investigation.

Sgt. Patrick Bunch
Loudermill Notification
Page Three

- **February 3, 2003** - Entered into a Last Chance Agreement for false reporting of payroll/leave accrual/usage and misuse of county cell phone

The above information if proven, leads me to believe that you have demonstrated disgraceful conduct and have caused injury to public service and our agency's image. Your unprofessional off duty conduct is unbecoming an officer, reflects poor judgment, lacks common sense and is in violation of:

Civil Service : RCW 41.14.110 TENURE - GROUNDS FOR DEPRIVATION

The tenure of every person holding an office, place, position, or employment under the provisions of this chapter shall be only during good behavior, and any such person may be removed or discharged, suspended without pay, demoted, or reduced in rank, or deprived of vacation privileges or other special privileges for any of the following reasons.

- (1) Incompetence, inefficiency, or inattention to, or dereliction of duty;
- (2) Dishonesty, intemperance, immoral conduct, insubordination, discourteous treatment of the public, or fellow employee, or any other act of omission or commission tending to injure the public service; or any other willful failure on the part of the employee to properly conduct himself; or any willful violation of the provisions of this chapter or the rules and regulations to be adopted hereunder.
- (4) Dishonest, disgraceful, or prejudicial conduct;
- (7) Any other act or failure to act which in the judgment of the civil service commission is sufficient to show the offender to be an unsuitable and unfit person to be employed in the public service.

RCW 9A.76.020 – Obstructing a Law Enforcement Officer

- 1) A person is guilty of obstructing a law enforcement officer if the person willfully hinders, delays, or obstructs any law enforcement officer in the discharge of his or her official powers or duties (gross misdemeanor)

RCW 77.32.380 – Fish and Wildlife Lands Vehicle Use permits

- 1) Persons who enter upon or use clearly identified department improved access facilities with a motor vehicle may be required to display a current annual fish and wildlife lands vehicle use permit on the motor vehicle while within or while using an improved access facility (infraction)

Sheriff's Rules and Regulations:

7.00.00 - PERFORMANCE OF BASIC DUTIES

Deputies will perform their basic duties -- preserve the peace, prevent crime, detect and arrest law violators, protect life and property and enforce the criminal laws of this

Sgt. Patrick Bunch
Loudermill Notification
Page Four

jurisdiction, the State of Washington, and the United States -- to the best of their ability and in accordance with the directives of this manual. See **Policy 16.3.13**.

7.00.01 - PERFORMANCE OF DUTIES IN A COMPETENT MANNER

Members will perform their assigned duties in a competent manner. Incompetent work performance will be grounds for disciplinary action. Incompetence may be demonstrated by: See **Policy 16.3.14**.

- a. A lack of knowledge of the laws to be enforced.
- b. An unwillingness to perform assigned tasks.
- c. The failure to conform to work standards established for the member's rank or position.
- d. The failure to take appropriate action on the occasion of a crime, or disorder, or other incident.
- e. Repeated work evaluations showing substandard performance.

7.01.00 - CONTACT WITH THE PUBLIC

Members will, at all times, be courteous to the public. They will be orderly, attentive, and will exercise patience and discretion in dealing with the public. See **Policy 16.3.12**.

7.06.00 - EMPLOYEE MISCONDUCT

The duties performed by this agency are vital to the safety and well being of this community. Because of the importance of these duties, it is essential the organization set and maintains high standards of conduct among its personnel. Misconduct by members cannot be tolerated because it weakens the Sheriff's Office effectiveness, erodes public trust, and can endanger the public and members of this office. The following sections describe behavior, which is regarded as misconduct. Such behavior will be grounds for disciplinary action whenever it is brought to the attention of the Sheriff's Office. See **Policy 6.4.6**.

7.06.05 - GIFTS, GRATUITIES, PRIVILEGES

Members will not directly or indirectly solicit or accept any gratuities, loans, gifts, merchandise, meals, beverages, or any other thing of value in connection with or resulting from their official position. Nor will members use their official position, badges, or identification cards to obtain privileges not otherwise available to them. See **Policy 16.3.16**.

7.06.08 - CRIMINAL CONDUCT

Members will obey all laws of the United States, Washington State, and this jurisdiction. Violations of any law, an indictment or information filed against a member, or a conviction will be cause for disciplinary action up to and including termination of employment. See **Policy 6.4.4**.

Sgt. Patrick Bunch
Loudermill Notification
Page Five

7.08.00 - OFF-DUTY CONDUCT

Even while officially "off duty," members of the Sheriff's Office will be subject to orders from competent authority and to emergency requests for assistance from citizens. The fact that they are technically off-duty shall not relieve them from the necessity to take police action on any serious police matter coming to their attention at all times. See Policy 6.4.5.

7.08.03 - OFF-DUTY RESPONSIBILITIES

Off-duty members will perform necessary police service in the County of Spokane whenever public safety will urgently require.

When a minor misdemeanor comes to the attention of an off-duty deputy, the deputy will attempt to avoid involvement and will contact the appropriate law enforcement agency for necessary services if the incident so justifies.

Members will not exercise their official authority in disputes to which they are a party except in cases where there is an immediate danger to themselves or others.
See Policy 2.1.3., 6.4.5.

Prior to determining what ultimate progressive disciplinary action, up to and including termination to take, I will afford you the opportunity to respond in writing to the facts and assertions within this correspondence.

Accordingly, I will give you until ¹⁷⁰⁰~~1530~~ hours on the ^{22nd}~~20th~~ day of July 2004, to submit in writing any comments and or information that you believe may have a bearing upon the above information and what, if any, disciplinary action I should take with respect to such information.

Very Truly Yours,

Mark K Sterk

MARK K. STERK
Sheriff

Date and Time Served:

July 16, 2004 @ 0900 hrs.

Served by:

Lt. Jeff Conner

cc: Civil Service Commission
SCDSA President Knezovich
File

SPOKANE COUNTY SHERIFF DEPARTMENT

Loudermill Notification Response

DATE: 07/17/04

I. A. NUMBER: 04-

My behavior and conduct during my contact with [REDACTED] is most regrettable. I make no excuse and there is no reasoning for it. I recognized at the time (after I had time to reflect) that my behavior was inappropriate, which is why I apologized to [REDACTED] and shook his hand man to man. I also apologized to [REDACTED] and her friend. On my first day back I spoke with Captain FOJTIK to notify him of the incident, and to also apologize to him for my behavior.

I would like to give you some background to help you gain an understanding of the pressures and stress I have been attempting to deal with in these most recent months. Again, it is not an attempt to excuse my behavior in any way.

I am in the process of a divorce. I am also in the process of child support modification on my previous divorce. I have other stressors in my life at this time as well and have been doing my best to cope, but my stress level in my personal life is highly elevated at present.

My relationship with my soon to be ex, [REDACTED] is presently very emotionally charged. On this particular day I had visitation with my [REDACTED] I had agreed to return her to her mother by a certain time, 1600, so they could make an appointment. I had communicated with [REDACTED] the previous night and earlier that same morning. The conversations were not pleasant and further elevated my stress levels.

My [REDACTED] and her friend [REDACTED] met with [REDACTED] and I to go jet skiing to Liberty Lake. The plan as we have done for years was the same. Launch the jet skis, and then drive the other-non tow-rig over to the county park

[REDACTED] and [REDACTED] met [REDACTED] and I at 21st and Evergreen where I store the jet skis. [REDACTED] and [REDACTED] took [REDACTED] in [REDACTED] Explorer. They followed me in my truck that I was towing the jet skis.

We met at the Liberty Lake launch. I put the jet skis in and [REDACTED] and [REDACTED] rode them. I parked my truck, which has an access permit, and got into the Explorer, which does not have an access permit, and drove it to the county park.

We all met up at the park [REDACTED] said her Jet Ski was not running very well. She left [REDACTED] with me at the beach and took off on the jet skis.

About an hour passed and [REDACTED] and [REDACTED] had not come back. I could not see them on the water. I thought something might be wrong with the Jet Ski so I loaded [REDACTED] up and drove back to the launch [REDACTED] was waiting on her Jet Ski. She said it quit running and now the battery was dead.

I drove [REDACTED] and [REDACTED] back to the park, while [REDACTED] rode the operational Jet Ski [REDACTED] later met us at the park and it was getting close to 1530 hours, time to leave to have [REDACTED] back to [REDACTED] as they had a 1630 appointment.

We drove back to the launch. I was waiting in line to pick up the skis. I received one of several less than pleasant phone calls from [REDACTED] demanding to know if we were on our way and to not be late etc. I loaded up the jet skis and we were in the process of leaving [REDACTED] was driving her Explorer, which was in front of my truck, with [REDACTED] the front seat passenger and [REDACTED] buckled in the rear. I was standing next to [REDACTED] open window talking with her about getting [REDACTED] straight home so she could make her appointment.

A park ranger who had just arrived was talking to another vehicle behind us. I had heard the ranger ask them if they had a permit and them responding, no do you need one to launch? He told them that they did and even told them where the closest place to get one was and sent them on their way. (Except they were behind my truck and had to wait for me to leave.)

The ranger then asked me if I had a permit and I told him I did. He then asked about the Explorer and I told him no it didn't have one but that the driver was [REDACTED] and wasn't parking, she was just there to pick up [REDACTED] and take her to [REDACTED] for me. I asked [REDACTED] to go to take [REDACTED] to her moms so she wouldn't be late. He started to tell me she needed a permit. I told him I knew, that he could talk to me about it because I had driven it into the launch. I again tol [REDACTED] to go

take [REDACTED] to [REDACTED] At this point I wasn't sure what his issue was. I knew he wasn't going to issue a citation because he had been so friendly to the couple with the jet ski that had come to use the launch without a permit. It was not, in my experience, a stop. Based on my experience and his actions with other people I thought he was just making contacts. He in no way indicated that he was conducting a criminal investigation, or exercising any lawful authority.

I became frustrated and stressed because of the pressure I was getting from [REDACTED] to get her home on time and the fact that the ranger had already delayed us ten times longer than the other couple. I told [REDACTED] to go and stayed to talk with the ranger. I tried to explain that I would talk to him talk with him and to let him know that we weren't violating the law, that [REDACTED] was just basically turning around at the launch.

At no time did he indicate that I was obstructing him. At no time did he give me the obstructing warning, which is basically "stop doing what you are doing or risk arrest for obstructing.

He turned and walked away. I thought he was done and had understood what I was telling him about [REDACTED] and I understanding she needing a permit to park or to use the launch. I thought I was free to go, he never said anything to me to the contrary.

I got into my truck and was pulling away, my cell phone rang again and I figured it was [REDACTED] wanting to know where she was. I was looking for the phone, which had slipped down the seat, to answer it to let her know [REDACTED] was on her way home. I heard a horn honk behind me. (I was travelling slower than a person could walk. I had been in 1st gear when the phone rang and had depressed the clutch and was just coasting as I was looking for the phone and trying not hitting anything between the barriers on the right side and the line of boat trailers on the left side.) I thought it was the other car wanting to leave, and it made me angry that they would honk now on top of how my day was already going. I looked up in the rear view mirror and saw for the first time it was the ranger behind me in his truck who had honked (no siren, no emergency lights even though it was so equipped). I couldn't understand what he could want now or why would he be so rude as to honk and it further frustrated me.

I got out of my truck and walked back towards him asking what he wanted now. I showed him my department ID, which was in my back

pocket, not in my vehicle, so he would just leave me alone or at least be more courteous. I did not show him my ID to gain any other special benefit or privilege. (It was intimated that I showed my ID to avoid a ticket for [REDACTED] or even arrest for myself for obstructing. That is not correct!) I told him I knew about the use permit and [REDACTED] knew about the use permit and I didn't understand what he wanted from me. [REDACTED] did ask me for identification, and I did tell him I did not see any reason to give him my ID. He did not respond with any lawful reason or order for me to give it to him and did not ask again.

I never posed, stood, clenched or acted in any manner that should have made anyone, much less an armed law enforcement fearful for his personal safety. There are officers who are not very secure or confident in their presence or other abilities. I did not physically threaten or pose a threat to [REDACTED]. I never used any profanity and I was not demeaning or derogatory towards [REDACTED]. I did regrettably say the words to the effect "that is a real show of authority". In truth it was his first display of law enforcement authority, to which I did comply, and did continue to comply with until the end of what had now in my mind become a stop and I was released by [REDACTED].

I had a few minutes to think, and calm down. I went to see where he was (he still had my ID). He had [REDACTED] stopped at Molter and 3rd. Contrary to his allegation I walked all the way up to [REDACTED] vehicle where he was speaking with her at her open window. I reached into the dash, picked up the receipt for when I drove the Explorer over to the park (they charge admission to enter and give you a printed receipt) and showed him to prove I wasn't violating the use permit by parking without a permit. I then walked back to my vehicle to await his return. The question of the RCW was later.

He ultimately told [REDACTED] that she needed a use permit to use the launch, the same thing I had earlier told him we both already understood. While he and I finished talking my cell phone rang again. Again it was [REDACTED] calling. I did not answer the phone. He told me he felt like I had been obstructing him. I apologized to the officer for getting upset and tried to explain that I was feeling pressured by [REDACTED] and was trying to get [REDACTED] home and didn't think that having him talk to me so [REDACTED] could take her sister home on time was obstructing.

I apologized to Sgt. Rahn because I recognized my behavior was inappropriate. The allegation makes it seem I only apologized because "he reiterated his surprise...".

In response to the allegations of misconduct:

- 1.) I deny this allegation. While inappropriate my conduct was not criminal.
- 2.) I deny this allegation. I had no intent in attempting to obtain any special consideration or privilege.

I do not disagree that I disgraced myself personally as a member of this department. I do not disagree that my off duty conduct was inappropriate.

I have for years attempted to monitor and control the appropriateness of my conduct and behavior through a variety of means and ways. I have not always, as in this case been successful. But I will say that in 99 out of 100 instances I have been and will continue to be successful, but due to stress and pressure of current life events was not successful this time. I am taking additional steps beyond my current regiment to prevent further occurrence in especially high stress/pressure times.

I have used the Liberty Lake public access for over twenty years. It was always my understanding that you needed an access pass to park and fish or to use the launch and park. I was not aware that an access pass was needed to drive through the public access area. When questioned by Lt. CONNER I could not explain that understanding, and in fact when he read me the statute that was the first time I had ever really looked at it.

I was sure there was a reason I felt so strongly about the "parking" issue. I went to the public access. On the gate to the entrance was a big red sign on the left hand side. The sign said in part "Your vehicle must have a permit to 'park and use' this area." I have passed that sign hundreds of times. That is why I had it in my mind that use equated with parking. There was no sign prohibiting entry without a use permit.


I took photos to give you perspective on the launch area.

- 1.) 3rd avenue approaching the gated entrance.
- 2.) A closer approach shot with the signage and prohibitions
- 3.) Close up of vehicle use permit required sign at entrance.

- 4.) Close up of vehicle use permit required sign at entrance.
- 5.) Going through the gate.
- 6.) Public access sign at upper parking lot.
- 7.) Close up of public access sign at upper parking lot.
- 8.) East view of constricted exit lane of lower parking lot.
- 9.) Close up of east view of constricted exit lane of lower parking lot.
- 10.) Signage at fishing dock that you need a use permit to use the fishing dock.
- 11.) West view of exit lane. This is approximately where my truck and trailer was. The parking on the left was full and trailers were sticking even further out into the exit lane.

I have also included the portion of my cell phone bill that shows the calls I was receiving from [REDACTED] during this contact. Again, not an excuse for my behavior, but hopefully it will give you an understanding of how I didn't use my best judgment in my contact with [REDACTED]. Calls # 268 through #278 were communications or attempted communications from [REDACTED]. Calls #261 and #262, #279 and #280, one of each of those sets was also from [REDACTED].

Lastly, I do apologize to Sheriff Mark STERK and to each and every member and employee of the Spokane County Sheriff's Office for my off-duty conduct, I am sorry.

Sincerely,


OFFICE OF THE SHERIFF SPOKANE COUNTY
Internal Investigation
CASE FINDING NOTICE

TO: Sgt. Patrick Bunch

DATE: February 3, 2003

FROM: Sheriff Mark Sterk

I. A. #: 03-0002

An internal investigation has been conducted concerning certain allegations of misconduct. These allegations stem from an incident that occurred on:

DATE/TIME Jan. 1, 2001-Nov. 26, 2002 **AT** Spokane County

COMPLAINANT Internal

INCIDENT NUMBER N/A

COMPLAINT 1) False reporting of payroll/leave accrual/usage; 2) Misuse of county cell phone

You are hereby advised of the following finding:

☐ **EXONERATED**

SUSTAINED ☒

☐ **NOT SUSTAINED**

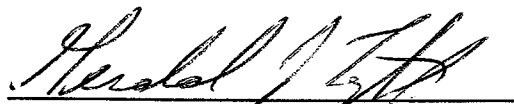
UNFOUNDED ☐

☐ **POLICY/TRAINING/EQUIPMENT FAILURE**

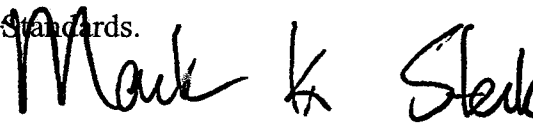
NARRATIVE

Entered into Last Chance Agreement

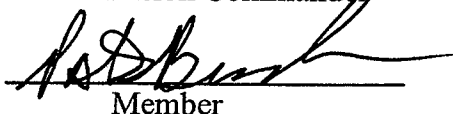
This case file will be maintained in the Office of Professional Standards.



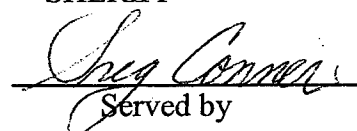
Division Commander



SHERIFF


Member

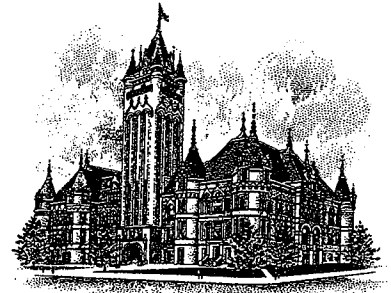
2-3-03 @ 1555 hrs
Date / Time Received


Served by



Spokane County Sheriff's Office
Mark K. Sterk, Sheriff

Larry M. Lindskog, Undersheriff
David A. Wyrick, Inspector
Bruce E. Mathews, Captain, Investigative Division
Cal Walker, Captain, Valley Precinct
Gerry Fojtik, Captain, Downtown Precinct
Walter "Dick" Collins, Jail Commander
David L. Byrnes, Deputy Director of Emergency Mgmt.
Barbara "Joy" Munro, Administrative Business Manager



"Dedicated to protecting those entrusted to our care"

LAST CHANCE AGREEMENT

I, **Sergeant Patrick Bunch**, fully understand that this agreement is a legal and binding contract, entered into as a last resort to improve my work performance. I acknowledge that my past work performance problems consisted of the following incidents and that I received the following progressive discipline:

1. On October 6-7, 2002 from 2100-0700 hours Lt. Bunch failed to properly staff 1st Shift patrol with an on duty graveyard supervisor/sergeant. Failure to staff the graveyard shift resulted in no supervisor or sergeant being physically present to coach, guide, monitor and/or direct the police actions of graveyard deputies. As the graveyard Shift Commander he was responsible for making good management decisions and trusted to properly staff his shift with supervisors/sergeants as well as patrol deputies. On October 6-7, 2002 he did not schedule an on duty supervisor/sergeant to manage shift personnel. In so doing, he failed to perform his function as a supervisor and shift commander in a competent manner and was neglectful/derelect in the performance of his official duties. (see November 1, 2002 Loudermill Notification)
2. On May 11, 2002 from 0400-0600 hours, Lt. Bunch failed to properly staff 1st Shift patrol with an on duty graveyard supervisor/sergeant. Failure to staff the graveyard shift resulted in no supervisor or sergeant being physically present to coach, guide, monitor and/or direct the police actions of graveyard deputies. As a Shift Commander he was responsible for making good management decisions and trusted to properly staff his shift with supervisors/sergeants as well as patrol deputies. On May 11, 2002 he scheduled a sergeant to be "On Call" from his residence from 0400-0600 hours. As a result of his actions, there was no sergeant physically present to coach, guide, monitor, and/or direct the police actions of shift personnel. In so doing, he failed to perform his function as a supervisor and shift commander in a competent manner and was neglectful/derelect in the performance of his official duties. (see November 19, 2002 Loudermill Notification)
3. Lt. Bunch failed to answer questions during the internal investigation regarding the shift of May 11, 2002 and failed to obey a direct order of a

Sgt. Patrick Bunch
Last Chance Agreement
Page Two

superior officer by missing a meeting scheduled for November 25, 2002. (see November 26, 2002 Notice of Disciplinary Action)

Discipline re: Violations #1-3: Lt. Bunch was **demoted** to the rank of Sergeant for neglect of duty; failure to obey a direct order; failure to perform official duties in a competent manner; and failing to answer fully in a truthful manner all questions asked by a superior officer during an internal investigation.

4. Between January 1, 2001 – November 26, 2002 Lt. Bunch repeatedly failed to properly and accurately report his payroll records; leave/sick time accruals; and usages. He misused his assigned county cell phone. He failed to perform his function as a supervisor and shift commander in a competent manner and was neglectful/derelect in the performance of his official duties. His book keeping practices exemplified egregious incompetence and an apparent unfamiliarity with his working agreement and county policy. (see January 20, 2003 Loudermill Notification)

Discipline: Good faith for cause exists to take disciplinary action against former Lt. Bunch. Discipline will be incorporated into the previous demotion with the provision that Sgt. Bunch knowingly agrees to and voluntarily enters into the **“Last Chance Agreement”** below:

The above misconduct reflects a repeated and similar course of conduct that is unacceptable and in violation of the directives governing the efficient and safe operations of the Spokane County Sheriff's Office.

I, Sheriff Mark Sterk, agree to forgo additional progressive discipline against Sgt. Patrick Bunch under the following employment conditions:

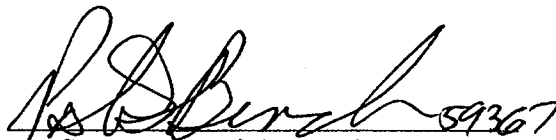
- Former Lt. Patrick Bunch will be **demoted to the rank of Sergeant, effective November 27, 2002 and will not appeal this discipline;**
- Sgt. Patrick Bunch **knowingly and voluntarily agrees to enter into this “Last Chance Agreement”** whereby he acknowledges that:
 - Good faith for cause exists to take progressive discipline against him, up to and including termination of his employment with the Spokane County Sheriff's Office at this time; and
 - He is granted a **conditional** continuation of his employment with the expectation that he comply and conform with all departmental rules, regulations, policies, procedures, laws, directives etc.; and
 - He is being given **FINAL WARNING** and understands that future sustained violations of a similar nature will be grounds for and

Sgt. Patrick Bunch
Last Chance Agreement
Page Three

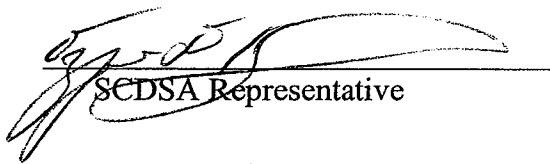
result in the immediate termination of his employment with the Spokane County Sheriff's Office;

- He knowingly, willfully and voluntarily waives any and all contractual right(s) to appeal this termination for similar violations regarding integrity, judgment, neglect of duty and failure to perform basic duties in a competent manner for a period of one year from the date of employee's signature below;
- He agrees not to work graveyard and to work a shift that closely mirrors the shift of his Lieutenant to ensure proper supervision;
- He agrees to reimburse the Spokane County Sheriff's Office for any financial discrepancies relative to reported vacation, sick, or compensation time; and
- He voluntarily agrees to contact the Employee Assistance Program.

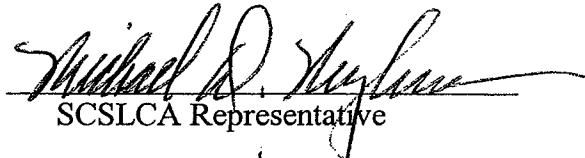
I, the undersigned have thoroughly read this agreement, understand and accept it's provisions/conditions, and have voluntarily signed.


Sergeant Patrick Bunch

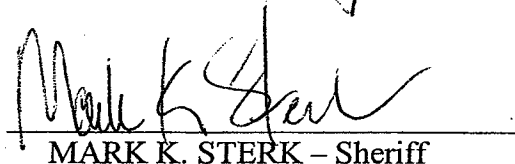
020303
Date


SCDSA Representative

2/4/03
Date


SCSLCA Representative

2/4/03
Date


MARK K. STERK - Sheriff

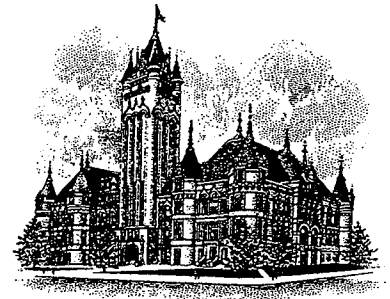
02/03/03
Date



Spokane County Sheriff's Office

Mark K. Sterk, Sheriff

Larry M. Lindskog, Undersheriff
David A. Wyrick, Inspector
Bruce E. Mathews, Captain, Investigative Division
Cal Walker, Captain, Valley Precinct
Gerry Fojtik, Captain, Downtown Precinct
Walter "Dick" Collins, Jail Commander
David L. Byrnes, Deputy Director of Emergency Mgmt.
Barbara "Joy" Munro, Administrative Business Manager



"Dedicated to protecting those entrusted to our care"

January 20, 2003

Sergeant Patrick Bunch
Spokane County Sheriff's Office
1100 W. Mallon
Spokane, Washington 99260-0300

RE: POTENTIAL FOR DISCIPLINARY ACTION (Loudermill Notification)

Dear Lieutenant Bunch:

This correspondence is official notification that I am considering disciplinary action against you, up to and including termination.

Our records indicate that you were commissioned as a Deputy Sheriff on December 16, 1978 and were issued a Sheriff's Rules and Regulation Manual. On August 4, 1997 you acknowledged receipt of Sheriff's Office Policy and Procedure Manual #18.

The following incidents (discrepancies) were brought to my attention concerning your the unauthorized, inaccurate, and erroneous record keeping and reporting of your annual/sick leave, and compensation time from January 1, 2001 to November 26, 2002 and your improper and unauthorized use of a departmental cell phone, while employed as a Spokane County Sheriff's Lieutenant:

1. May 2001 - black leave book reflects 20 hours of annual leave usage, but your time cards reflects 30 hours used.
2. June 2001 - black leave book reflects zero hours of annual leave usage, but your time card reflects 20 hours used.
3. July 2001 - black leave book reflects zero hours of annual leave usage, but your time card reflects 20 hours used.
4. February 2002 - black leave book reflects zero hours of annual leave usage, but your time card reflects 18 hours used.
5. March 2002 - black leave book reflects 20 hours of annual leave usage but your time card reflects 21 hours was used yet you recorded 23 hours.
6. May 2002 - black leave book reflects zero hours of annual leave usage, but your time card reflects 10 hours used.

Sgt. Patrick Bunch
Loudermill Notification
Page Two

7. August 2002 – black leave book reflects zero hours of annual leave usage, but your time card reflects 20 hours used.
8. Due to your errors and omissions in the “black leave book”, between January 1, 2002 – November 26, 2002 you failed to accurately report 99 hours of annual leave usage.
9. From April 1, 2001 – April 1, 2002 you have been recording your annual leave accrual at a rate of 20 hours per month versus the 16 hours authorized by contract for 24 years of service.
10. From April 1, 2002 – November 26, 2002 you have been recording your annual leave accrual at a rate of 20 hours per month versus the 18 hours authorized by contract for 25 years of service.
11. Your conduct in #8 & #9 has resulted in the unauthorized accrual of 64 hours of unearned annual leave.
12. Throughout 2001-2002 you carried an annual leave accrual balance in excess of the 320 hours authorized by county policy. All hours that exceeded the 320 hour limit were to have been forfeited.
13. In August of 2002 you erroneously added 5 unearned hours to your accrued annual leave.
14. In October of 2002 you entered 8 hours of annual leave usage, but neglected to record an additional 10 hours that you donated to another county employee.
15. On November 25, 2002 you converted 60 hours of annual leave overage to compensation time. All accrued leave in excess of 320 hours is forfeited. As a result, no leave overage existed.
16. On November 8, 2002 Captain Fojtik sent you an email requesting your payroll records (compensation time, vacation, sick, personal holiday usage and accruals). Despite the fact that you worked November 14, 15, 19, 20, 21, you did not respond to his request, which resulted in a second email dated November 21, 2002 @ 1755 hours, when he again requested your payroll records ASAP. On November 25, 2002 @ 2021 hours you forwarded your Excel formatted payroll records. Your delay in providing these records was neglectful and derelict.
17. As a Lieutenant you are provided a county cell phone for official use only and afforded a 300 minute per month calling plan at a cost of \$34.99 per month. Between October 26, 2002 – November 25, 2002 you violated Policy 37.19/37.19.1 by using the phone for personal calls and exceeded your calling plan by 264 minutes at a cost of an additional \$91.10 (total bill \$126.09)
18. Between November 26, 2002 – December 25, 2002 you violated Policy 37.19/37.19.1 by using the county phone for other than official calls and exceeded your authorized calling plan by 178 minutes at an additional cost of \$61.45 (total bill \$96.44)

Sgt. Patrick Bunch
Loudermill Notification
Page Three

It is being alleged that the above conduct exemplifies egregious incompetence and lack of responsibility on your behalf. It further reflects an apparent unfamiliarity with your working agreement and county policy.

A complete and thorough administrative investigation was conducted and based on that investigation, the following allegations of misconduct are being made against you:

1. **You repeatedly failed to properly and accurately report your payroll records; leave accruals; and usages.**
2. **You misused your assigned county cell phone.**
3. **You failed to perform your function as a supervisor and shift commander in a competent manner and were neglectful/derelict in the performance of your official duties.**

Your work history with the Spokane County Sheriff's Office consists of the following:

- November 27, 2002 – **Demoted** to the rank of Sergeant for neglect of duty; failure to obey a direct order; failing to answer fully in a truthful manner all questions asked by a superior officer during an internal investigation.

The above information if proven, leads me to believe that you have demonstrated disgraceful conduct and have caused injury to public service. Your conduct is unbecoming an officer and in violation of:

Civil Service : RCW 41.14.110 TENURE - GROUNDS FOR DEPRIVATION

The tenure of every person holding an office, place, position, or employment under the provisions of this chapter shall be only during good behavior, and any such person may be removed or discharged, suspended without pay, demoted, or reduced in rank, or deprived of vacation privileges or other special privileges for any of the following reasons.

- (1) Incompetence, inefficiency, or inattention to, or dereliction of duty;
- (2) Dishonesty, intemperance, immoral conduct, insubordination, discourteous treatment of the public, or fellow employee, or any other act of omission or commission tending to injure the public service; or any other willful failure on the part of the employee to properly conduct himself; or any willful violation of the provisions of this chapter or the rules and regulations to be adopted hereunder.
- (4) Dishonest, disgraceful, or prejudicial conduct;
- (7) Any other act or failure to act which in the judgment of the civil service commission is sufficient to show the offender to be an unsuitable and unfit person to be employed in the public service.

Sheriff's Policies and Procedures:

POL 6.3.2. Supervisor Accountability

Supervisors have the responsibility to guide, direct, motivate, and teach all personnel under their supervision. It is the supervisor's responsibility to organize work of personnel in an orderly manner. Supervisors will delegate authority and responsibility when appropriate. Supervisors will follow the progress of assigned tasks to ensure its' satisfactory completion. Supervisors at all levels within the Sheriff's Office will be responsible for the work performance of subordinates under their immediate control.

POL 6.4.3. Neglect of Duty

While on duty, employees of the Spokane County Sheriff's Office will remain attentive to their assigned responsibilities. Employees will not mangle or shirk their duties in the areas of law enforcement, peacekeeping or public safety. To do so will be deemed neglect of duty...

POL 6.4.6. Employee Misconduct

The duties performed by this agency are vital to the safety and well being of this community. Because of the importance of these duties, it is essential that the organization set and maintain high standards of conduct among its personnel. Misconduct by employees cannot be tolerated because it weakens the Sheriff's Office effectiveness, erodes public trust, and can endanger members of the public and members of this office. Misconduct will be grounds for disciplinary action whenever it is brought to the attention of the Sheriff's Office.

POL 13.1.1. Information is in the Union Contract

Association and/or union members will find the information concerning compensation in their current Labor/Management contract.

POL 16.3.13. Performance of Basic Duties

Employees will perform their basic duties – preserve the peace, prevent crime, detect and arrest law violators, protect life and property and enforce the criminal laws of this jurisdiction, the State of Washington, and the United States – to the best of their ability and in accordance with the directive of this manual

POL 16.3.14. Performance of Basic Duties in a Competent Manner

Employees will perform their assigned duties in a competent manner. Incompetent work performance will be grounds for disciplinary action. Incompetence may be demonstrated by:

- a. A lack of knowledge of the laws to be enforced.
- b. An unwillingness to perform assigned tasks.

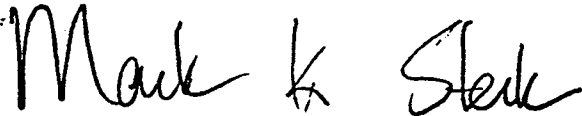
Sgt. Patrick Bunch
Loudermill Notification
Page Five

- c. The failure to conform to work standards established for the employee's rank or position.
- d. The failure to take appropriate action on the occasion of a crime, instance or disorder, or other incident.
- e. Repeated work evaluations showing substandard performance.

Prior to determining what ultimate disciplinary action, up to and including termination to take, I will afford you the opportunity to respond in writing to the facts and assertions within this correspondence.

Accordingly, I will give you until **0900 hours** on the **28th** day of **January 2003**, to submit in writing any comments and or information that you believe may have a bearing upon the above information and what, if any, disciplinary action I should take with respect to such information.

Very Truly Yours,



MARK K. STERK
Sheriff

Date and Time Served:

1/20/03 @ 1530 hours

Served by:

LT. Greg Conner

cc: Civil Service Commission
SCDSA President Knezovich
DPA O'Brien
File

SPOKANE COUNTY SHERIFF DEPARTMENT

ADMINISTRATIVE REPORT

DATE: 01/12/03

I. A. NUMBER: 03-002

CHARGE/INCIDENT: Internal Investigation

OFFICER INVOLVED: BUNCH, Patrick #59367

LOCATION OF INCIDENT: PSB

The following are the written responses to I.A. #03-002 as required by SCSO Policy.

1. May 2001- 20 hours were vacation. 10 hours were comp. I incorrectly subtracted 10 from vacation. I did not list the 10 hours as comp in the black book as I was on call for myself.
2. June 2001- The 20 hours were from comp. I incorrectly subtracted 20 hours from vacation. I did not list the 20 hours as comp in the black book as I was on call for myself.
3. July 2001- I documented 20 hours of comp on the 2nd and 3rd. I entered I took 30 hours, I do not recall when or if I took the other 10 hours, or if I entered it incorrectly and it was supposed to be only 20. I incorrectly subtracted 20 hours from vacation. I did not list the hours as comp in the black book as I was on call for myself.
4. February 2002- I should have entered the 18 hours vacation into the black book.
5. March 2002- I used 20 hours of vacation and 3 hours of comp. On the 22nd and the 27th the "4V" was used because I could not figure out how to change the 4 to a 5. The usage was reported correctly, except I subtracted the 3 hours of comp from vacation instead of comp.
6. May 2002- The 10 hours should have been subtracted from comp not vacation. I did not list the 10 hours as comp in the black book as I was on call for myself.
7. August 2002- The 20 hours should have been subtracted from comp not from vacation. I did not list the 20 hours as comp in the book as I was on call for myself.
8. My tally shows I incorrectly entered 101 hours. Of those 60 hours were in the county favor where I subtracted 60 hours from both vacation and comp, instead of just comp. 33 hours were subtracted from vacation instead of comp. And unfortunately I did fail to enter and deduct the 18 hours of vacation from the black book in February 2002, but I did deduct it from my card.
9. I was mistaken, I went by memory and that was incorrect. I did list the time as 20 hours because I was working 4/10s and two days vacation accrual would have been 20 hours. I did not find out until 011003 that the SCDSA does not receive days for vacation accrual for those working 4/10s at 10 hours per day

but are still at 8 hours per day. Captain FOJTIK did bring these discrepancies and errors to my attention and did correct me in November.

10. See above. I was not aware that the contract language of 2 days was still based on 8-hour days. I believed it to be 10 hours.
11. While I did over accrue those hours, they were never used. In fact I forfeited 60 hours of over accrual in November, which nearly equaled the number over accrued. (See # 15)(Also, I think you mean in #9 and #10?)
12. It was my understanding, when I went to 911 in February of 1999, as a sergeant in the SCDSA, that the members were still not bound by the county policy and that accrual over the limit was still a practice. When the county held the SCDSA to the policy I do not recall being notified. When I came back to patrol I was still operating under the old assumption.
13. I cannot account for that, it is an error.
14. I see that I failed to make that deduction. I suffered a personal loss towards the end of the month and forgot to make the entry.
15. See # 12. In addition, I was told an informal agreement existed between the Sheriff and the president of my association, that we would not lose our days. (I do not recall who told me this or exactly when, but I believe it was in the patrol lieutenants office.) I was later told the Sheriff never made such an agreement, and the president said the only previous agreement he could recall was about comp time being accrued over the 80-hour limit. (See #11)
16. I do not feel I was neglectful or derelict. I did not sense the urgency in the Captains first request; I would have had it to the Captain in a more timely manner otherwise.
17. I am aware of the policy for the Office cell phones. I am also aware of the general practice of using the cell phone for calls other than office business by members of the Office. I used the county cell for personal calls because I thought it would be okay if the minutes were kept under 300. I thought the plan was the same as my personal Verizon Plan, which additionally includes for free night and week end minutes. When Captain FOJTIK brought this bill to my attention I found out it did not. Captain FOJTIK admonished me for this incident on 11/26/02. He was aware I made personal calls to home and told me this was my first overage and to watch it closer in the future.
18. I didn't use the phone but a couple times during this period. In reviewing the bills attached the period would have been 09/26/02 - 10/25/02. I was not aware of this overage. I did make personal calls during this time frame.

I have usually managed my cell time well. In all the previous years I have had the responsibility of an Office cell phone I have never abused it or gone over my minutes. I am responsible for these two overages and I am willing to reimburse the county for my personal charges in the amount of \$91.10 and \$61.45.

I never intend to accrue or use leave in a manner that was not earned. I admit my mistakes. I would like to audit my leave and make the appropriate corrections.

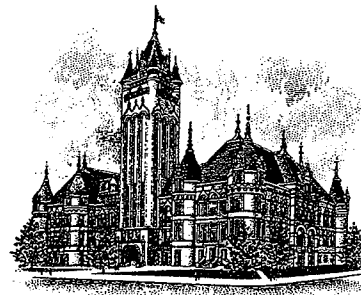
1-14-03 0945 hrs. Delivered to
Lt. Conner on behalf of Pete Bunch
and at Pete's request.

Lt. MR. Hughes



Spokane County Sheriff's Office
Mark K. Sterk, Sheriff

Larry M. Lindskog, Undersheriff
David A. Wyrick, Inspector
Bruce E. Mathews, Captain, Investigative Division
Cal Walker, Captain, Valley Precinct
Gerry Fojtik, Captain, Downtown Precinct
Walter "Dick" Collins, Jail Commander
David L. Byrnes, Deputy Director of Emergency Mgmt.
Barbara "Joy" Munro, Administrative Business Manager



"Dedicated to protecting those entrusted to our care"

March 12, 2004


[REDACTED]
Spokane County Sheriff's Office
W. 1100 Mallon
Spokane, WA. 99260-0300

RE: Disciplinary Action Notice – **Written Reprimand**

[REDACTED]

On January 1, 2004 @ approximately 0854 hours, you responded to a hit and run collision @ [REDACTED] N. Fairwood Drive. Your investigation revealed that the suspect driver who was an off duty WSP trooper became distracted as he drove his 4-wheel drive Dodge pickup northbound on Fairwood Drive causing him to travel in the southbound lane. When he tried to correct his lane of travel he lost control of his vehicle that was also occupied by his wife and another couple. He crossed the northbound lane and easterly sidewalk before striking a vehicle that was legally parked in a driveway at the listed address. Despite being cognizant of his legal obligation to notify the owner of the victim vehicle, he made no attempt to do so. Instead, the suspect driver claimed that he left a note on the victim vehicle before driving home. At 1132 hours the suspect driver contacted the victim vehicle owners who reported to you that he "smelled like a brewery". At 1146 hours you contacted the suspect driver who admitted having a few beers prior to the collision and told you that he had found the note he had left on the windshield of the victim vehicle on the sidewalk down the street as he was walking to victim residence to make this contact. You did not establish the existence of or collect this evidentiary note; you did not personally assess the odor of intoxicants on the suspect; you did not interview witnesses regarding the collision and suspect's state of sobriety; and you did not ask specific questions regarding the extent of suspect's consumption of alcohol prior to this collision. You did not conduct a complete and thorough investigation of this hit and run incident.

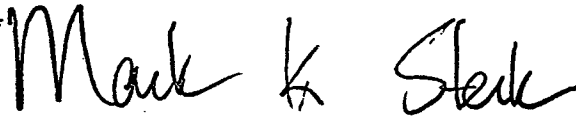
Upon full review and careful consideration of the internal investigative file, and your administrative file, I have determined that just cause exists to take progressive disciplinary action against you. Your actions are in violation of Sheriff's Office Rules and Regulations Manual, Policy and Procedures Manual, and Civil Service law. The specific sections are outlined in the Loudermill Notification.


Page Two

You are to consider this letter a formal written reprimand and are hereby notified that similar conduct on your behalf could result in progressive discipline. You are a valued employee and I trust that you will take whatever corrective action necessary to preclude any similar incidents.

This written reprimand becomes a part of your administrative file and reflects a portion of your performance history with this department.

Sincerely,



MARK K. STERK
Sheriff

Date and Time Served:

3-16-04 0737

Served by:

James E. Fike

cc. SCDSA Knezovich
Civil Service Commission
file

OFFICE OF THE SHERIFF SPOKANE COUNTY
Internal Investigation
CASE FINDING NOTICE

TO: Sergeant Pete Bunch

DATE: February 25, 2004

FROM: Sheriff Mark Sterk

I. A. #: 04-0009

An internal investigation has been conducted concerning certain allegations of misconduct. These allegations stem from an incident that occurred on:

DATE/TIME Jan. 1, 2004

AT [REDACTED]

COMPLAINANT Internal

INCIDENT NUMBER [REDACTED]

COMPLAINT Failed to Perform Basic Duties in a Competent Manner

You are hereby advised of the following finding:

☐

EXONERATED

SUSTAINED

☐☐

NOT SUSTAINED

UNFOUNDED

☐

POLICY/TRAINING/EQUIPMENT FAILURE

NARRATIVE

Sgt. Bunch was under the same understanding as
A was, that all collision reports went to traffic
This is a training issue.

This case file will be maintained in the Office of Professional Standards.

[Signature]

Division Commander

[Signature]

Member

[Signature]

SHERIFF

030404/1325

Date / Time Received

[Signature]

Served by

* On 3/4/04 Sheriff Steck advised he did not find this incident to be "high profile" & as a result did not warrant notification of Div. head. He was of same understanding as Sgt Bunch re: the automatic routing of all collisions to Traffic. Sgt Conner will be asked to provide dept. training on this issue. See Dep Blank's memo re: this.

OFFICE OF THE SHERIFF SPOKANE COUNTY
Internal Investigation
CASE FINDING NOTICE

TO: Sergeant Pete Bunch

DATE: February 25, 2004

FROM: Sheriff Mark Sterk

I. A. #: 04-0009

An internal investigation has been conducted concerning certain allegations of misconduct. These allegations stem from an incident that occurred on:

DATE/TIME Jan. 1, 2004

AT [REDACTED]

COMPLAINANT Internal

INCIDENT NUMBER [REDACTED]

COMPLAINT Failed to Perform Basic Duties in a Competent Manner

You are hereby advised of the following finding:

☐

EXONERATED

SUSTAINED

☐☐

NOT SUSTAINED

UNFOUNDED

☐

POLICY/TRAINING/EQUIPMENT FAILURE

NARRATIVE

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Alex, that all collision reports went to Traffic
This is a training issue.

This case file will be maintained in the Office of Professional Standards.

[Signature]
Division Commander

[Signature]
SHERIFF

[Signature]
Member

030404/1325
Date / Time Received

[Signature]
Served by

* On 3/4/04 Sheriff Sterk advised he did not find this incident to be "high profile" as a result did not warrant notification of Div. head. He was of same understanding as Sgt. Bunch re: the automatic routing of all collisions to Traffic. Sgt. Bunch will be asked to provide dept. training on this issue. See Dep. Dir.'s Memo. 3/4/04.
J. Conner



Spokane County Sheriff's Office

Mark K. Sterk, Sheriff

Larry M. Lindskog, Undersheriff

David A. Wyrick, Inspector

Bruce E. Mathews, Captain, Investigative Division

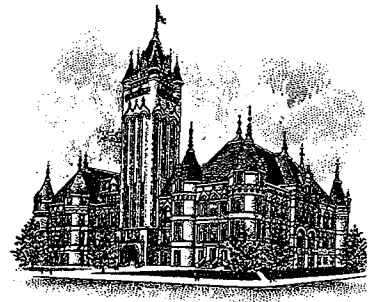
Cal Walker, Captain, Valley Precinct

Gerry Fojtik, Captain, Downtown Precinct

Walter "Dick" Collins, Jail Commander

David L. Byrnes, Deputy Director of Emergency Mgmt.

Barbara "Joy" Munro, Administrative Business Manager



"Dedicated to protecting those entrusted to our care"

March 12, 2004

[REDACTED]
Spokane County Sheriff's Office
W. 1100 Mallon
Spokane, WA. 99260-0300

RE: Disciplinary Action Notice – Written Reprimand

[REDACTED]

On January 1, 2004 @ approximately 0854 hours, you responded to a hit and run collision @ [REDACTED] N. Fairwood Drive. Your investigation revealed that the suspect driver who was an off duty WSP trooper became distracted as he drove his 4-wheel drive Dodge pickup northbound on Fairwood Drive causing him to travel in the southbound lane. When he tried to correct his lane of travel he lost control of his vehicle that was also occupied by his wife and another couple. He crossed the northbound lane and easterly sidewalk before striking a vehicle that was legally parked in a driveway at the listed address. Despite being cognizant of his legal obligation to notify the owner of the victim vehicle, he made no attempt to do so. Instead, the suspect driver claimed that he left a note on the victim vehicle before driving home. At 1132 hours the suspect driver contacted the victim vehicle owners who reported to you that he "smelled like a brewery". At 1146 hours you contacted the suspect driver who admitted having a few beers prior to the collision and told you that he had found the note he had left on the windshield of the victim vehicle on the sidewalk down the street as he was walking to victim residence to make this contact. You did not establish the existence of or collect this evidentiary note; you did not personally assess the odor of intoxicants on the suspect; you did not interview witnesses regarding the collision and suspect's state of sobriety; and you did not ask specific questions regarding the extent of suspect's consumption of alcohol prior to this collision. You did not conduct a complete and thorough investigation of this hit and run incident.

Upon full review and careful consideration of the internal investigative file, and your administrative file, I have determined that just cause exists to take progressive disciplinary action against you. Your actions are in violation of Sheriff's Office Rules and Regulations Manual, Policy and Procedures Manual, and Civil Service law. The specific sections are outlined in the Loudermill Notification.

Page Two

You are to consider this letter a formal written reprimand and are hereby notified that similar conduct on your behalf could result in progressive discipline. You are a valued employee and I trust that you will take whatever corrective action necessary to preclude any similar incidents.

This written reprimand becomes a part of your administrative file and reflects a portion of your performance history with this department.

Sincerely,

Mark K. Sterk

MARK K. STERK
Sheriff

Date and Time Served:

3-16-04 0737

Served by:

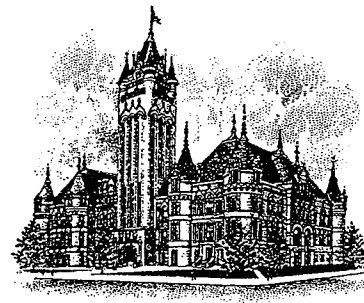
James E. Fritze

cc. SCDSA Knezovich
Civil Service Commission
file



Spokane County Sheriff's Office
Mark K. Sterk, Sheriff

Larry M. Lindskog, Undersheriff
David A. Wyrick, Inspector
Bruce E. Mathews, Captain, Investigative Division
Cal Walker, Captain, Valley Precinct
Gerry Fojuk, Captain, Downtown Precinct
Walter "Dick" Collins, Jail Commander
David L. Byrnes, Deputy Director of Emergency Mgmt.
Barbara "Joy" Munro, Administrative Business Manager



"Dedicated to protecting those entrusted to our care"

March 2, 2004

[REDACTED]
Spokane County Sheriff's Office
1100 W. Mallon
Spokane, Washington 99260

RE: POTENTIAL FOR DISCIPLINARY ACTION (Loudermill Notification)

[REDACTED]
This correspondence is official notification that I am considering disciplinary action against you, up to and including suspension.

Our records indicate that you were commissioned as a Deputy Sheriff on September 1, 1979.

On August 8, 1997, you acknowledged receipt of Policy and Procedures Manual #97 and on September 24, 1997 that you had read and understood the Policy and Procedure Manual given you. On May 11, 2002 you acknowledged receipt of Sheriff's Rules and Regulations Manual #10 and on September 27, 2003 that you had read and understood the Sheriff's Rules and Regulations Manual given you.

On February 25, 2004, the following incident was brought to my attention concerning your official conduct on January 1, 2004, while employed as a Spokane County Sheriff's Deputy and assigned to investigate [REDACTED] a hit and run collision:

On January 1, 2004 @ approximately 0854 hours, you responded to a hit and run collision @ [REDACTED] N. Fairwood Drive. Your investigation revealed that on January 1, 2004 @ approximately 0230 hours suspect motorist and off duty WSP trooper [REDACTED] became distracted as he drove his 4-wheel drive Dodge pickup northbound on Fairwood Drive causing him to travel in the southbound lane. When he tried to correct his lane of travel he lost control of his vehicle that was also occupied by his wife and another couple. He crossed the northbound lane and easterly sidewalk before striking a vehicle that was legally parked in a driveway at the listed address. Despite being cognizant of his legal obligation to notify the owner of the victim vehicle, he made no attempt to do so. Instead, [REDACTED] claimed that he left a note on the victim vehicle and drove home. At 1132 hours [REDACTED] contacted the victim vehicle owners who reported to you that [REDACTED]

[REDACTED]
Page Two

"smelled like a brewery". At 1146 hours you contacted [REDACTED] who admitted having a few beers prior to the collision and told you that he had found the note he had left on the victim vehicle earlier on the sidewalk down the street as he was walking to victim residence to make this contact. There is no indication in your report that you observed/examined/or collected this evidentiary note; personally assessed any odor of intoxicants on [REDACTED] administered a PBT; interviewed witnesses regarding the collision and [REDACTED] state of sobriety; or asked specific questions regarding the extent of [REDACTED] consumption of alcohol prior to this collision.

After a complete and thorough investigation into this matter, the following allegations of misconduct are being made against you:

1. You failed to confirm the existence of and collect the evidentiary note [REDACTED] claimed he left at the scene.
2. You did not attempt to determine [REDACTED] state of sobriety or level of consumption prior to the collision.
3. You did not fully investigate or document the path driven by [REDACTED] prior to or after the collision despite reporting that the suspect vehicle *"had been driving in circles in the street...onto the sidewalks and lawns both north and south of the victim's house"*.
4. You did not interview the witnesses of the collision.
5. You did not conduct a complete and thorough interview of [REDACTED]
6. You did not conduct a complete and thorough investigation.

The above information if proven, leads me to believe that you have been derelict and neglectful in the performance of your official duties. Your conduct is unbecoming an officer and in violation of:

Civil Service : RCW 41.14.110 TENURE - GROUNDS FOR DEPRIVATION

The tenure of every person holding an office, place, position, or employment under the provisions of this chapter shall be only during good behavior, and any such person may be removed or discharged, suspended without pay, demoted, or reduced in rank, or deprived of vacation privileges or other special privileges for any of the following reasons.

- (1) Incompetency, inefficiency, or inattention to, or dereliction of duty;
- (2) Dishonesty, intemperance, immoral conduct, insubordination, discourteous treatment of the public, or fellow employee, or any other act of omission or commission tending to injure the public service; or any other willful failure on the part of the employee to properly conduct himself; or any willful violation of the provisions of this chapter or the rules and regulations to be adopted hereunder.

SPOKANE COUNTY SHERIFF'S OFFICE

ADDITIONAL REPORT

CASE # [REDACTED]

DATE:

01-07-04

CHARGE / INCIDENT:

Hit and Run Crash

COMPLAINANT:

[REDACTED]

LOCATION OF INCIDENT:

[REDACTED] N. Fairwood Drive

DATE OF INCIDENT:

01-01-04

SUSPECT:

[REDACTED]

On 01-5-04, I received a phone call from [REDACTED]. He was curious about the status of a hit and run case he investigated on 01-01-04. He briefed me on the case then advised me the causing driver was a Washington State Patrolman. I obtained the report number for the case, [REDACTED] then printed a copy using application extender. The case had not been assigned.

I read the report, and determined that follow-up on the case, for purposes of pursuing hit and run/driving while intoxicated/negligent driving charges, would be very difficult. [REDACTED] neglected to confirm the existence of the note left by [REDACTED] at the scene. He did not attempt to determine [REDACTED] alcohol consumption prior to the crash by interviewing witnesses. He also did not pursue the tracks left by the [REDACTED] vehicle prior to the crash [REDACTED] never indicated he did anything more than cross over into the victim vehicle). Because the case involved a law enforcement officer, I spoke with my supervisor, [REDACTED].

I told Sgt. O'Leary about the incident. He said he would speak with his supervisor, and recontact me.

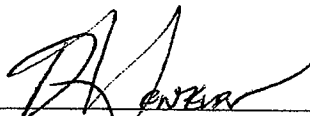
On 01-06-04, I was told by Sgt. O'Leary that he had contacted Capt. Fojtik and Lt. Finke. I was told to complete an additional indicating that follow-up would be unproductive. I advised him that follow-up would possibly determine what happened, but would be unproductive in the criminal matters. I also told him I was going

to contact Sgt. Golman, the Sgt responsible for assigning follow-up reports for Spokane Valley Police Department, and ask what his normal course of action would be for a report of this nature.

Sgt. Golman reviewed the case, not knowing any of the participants, and indicated he would send the case back to [REDACTED] for follow-up.

I contacted Capt. Fojtik and he requested I complete the additional. He said he would be certainly checking into the incident.

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.


DET. TOM HENDERSON #59560
SPOKANE COUNTY SHERIFF'S OFFICE
TRAFFIC DIVISION

SPOKANE COUNTY SHERIFF'S OFFICE

ADDITIONAL REPORT

CASE # [REDACTED]

DATE: 01-19-04

CHARGE / INCIDENT: Hit and Run Crash

COMPLAINANT:

LOCATION OF INCIDENT: [REDACTED] N. Fairwood Drive

DATE OF INCIDENT: 01-01-04

SUSPECT: [REDACTED]

On 01-15-04, at 1000hrs, I was contacted by Capt. Fojtik, and asked to phone Lt. Darren Grondel of the Washington State Patrol (IA). I was to explain to Lt. Grondel what investigation had already been completed reference [REDACTED]. I was told both [REDACTED] and [REDACTED] (the passenger) had been placed on administrative leave pending our investigation.

I called Lt. Grondel, and advised him that our investigation had been completed, and the charge of Negligent Driving second degree was the only defensible, appropriate charge. He asked if the Sheriff's Office was willing to release jurisdiction on the case and allow the WSP to conduct their own investigation. I advised him I could not make that decision, and would have to contact Capt. Fojtik. I attempted phone contact with Capt. Fojtik but had no luck.

Sheriff Sterk contacted me, and advised that he wanted both [REDACTED] and [REDACTED] interviewed reference the incident.

I called [REDACTED] and received numerous busy signals. I eventually was able to get through and left a message on his machine to call me. He called me back and we made an appointment for 01-19-04, at 1000hrs, at his house, to discuss the incident.

I left a message on [REDACTED] machine, asking for contact. I left another after [REDACTED] made his appt. I received no calls back

from [REDACTED] *I called him again on 01-19-04, and left a message, and received no call back.

On 01-19-04, at approximately 0920hrs, Det. Sherar and I left the Valley Precinct to contact [REDACTED] at his residence. [REDACTED] did not answer the door after we rang the door bell three times. We checked with a neighbor to confirm we had the correct address, and we did.

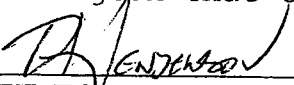
We then drove to the victims address on Fairwood. [REDACTED] was happy to talk to us. He said his vehicle, the Chev truck, had been totaled (\$6000+), and both of his garage doors had to be replaced to insure they matched (\$2000+). He said [REDACTED] insurance company was taking good care of him.

Deputy Sherar contacted the residence to the south of [REDACTED] and they did not recall hearing the crash on 01-01-04. There were no other residence's in the area that might have been in a good position to hear the crash.

I returned to the Valley Precinct. I had a voice mail from Attorney Chris Bugby [REDACTED]. Bugby advised me that he was representing [REDACTED] and he advised [REDACTED] not to talk to me. I called Bugby. I told him I always give everyone involved a chance to explain their side of a crash, and that if [REDACTED] wanted to explain his side, I would listen. I asked if [REDACTED] would have any new information for me, or if he would simply be repeating the information he had already given [REDACTED]. Bugby said he had no new information, but would be happy to talk to me if I had any new information. I told Bugby that I had concluded my investigation, and that WSP had asked for jurisdiction, to conduct their own investigation. I did not tell Bugby what charges had been decided by the Sheriff's Office.

I called both Lt. Grondel and Sgt Ken Wade(local WSP Office) and advised them we were done with our investigation, and Negligent Driving 2nd was our charge. Sgt. Wade asked that we hold off on charging [REDACTED] until they had concluded their investigation. I called Capt. Fojtik and advised him I was done, and of my conversations with Bugby, Grondel and Wade. He agreed to wait to cite [REDACTED]

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.


DET. TOM HENDERSON #59560
SPOKANE COUNTY SHERIFF'S OFFICE
TRAFFIC DIVISION



OFFICE OF THE SPOKANE COUNTY PROSECUTING ATTORNEY

Steven J. Tucker
Prosecuting Attorney

County-City Public Safety Building
1100 W Mallon Ave
Spokane, Washington 99260-0270
(509) 477-3662

December 3, 2003

To Sheriff Mark Sterk and to whom it may concern:

Having reviewed the affidavits and information available in the [REDACTED] and Deputy Sheriff Pete Bunch matter occurring November 18, 2003, I have determined that assault charges against Mr. Bunch are not warranted, nor are potential charges involving a (third party) violation of a restraining order warranted [REDACTED] both having knowledge of the existence of, and nature of the restraining order prohibiting their son [REDACTED] from contacting a [REDACTED]

As to the assault allegation, there is a dispute as to the facts giving rise to the allegation, what was said during the conversation between Mr. Bunch and [REDACTED] and, moreover, the nature of the contact. Additionally [REDACTED] has indicated that he does not wish to have criminal charges pressed.

As to the violation of the restraining order, it seems that the parties involved attempted to comply with the spirit of the order by seeking the aid of the Sheriff's Office before attempting to retrieve the property.

If you have any questions regarding this declination of prosecution, please feel free to contact me at your convenience.

Sincerely yours,

Brian O'Brien, DPA for
Steven J. Tucker
Prosecuting Attorney for Spokane County

UNIFORM INCIDENT REPORT

240C

D A T A	AGENCY NAME <i>Spokane Valley PD</i>		<input type="checkbox"/> OFCR SAFETY <input type="checkbox"/> OFCR ASSAULT		RESP	ASGN	EVIDENCE NUMBER		INCIDENT NUMBER <div style="background-color: black; width: 100px; height: 1.2em;"></div>											
	TYPE OF REPORT <input checked="" type="checkbox"/> PERSONS <input type="checkbox"/> PROPERTY <input type="checkbox"/> INFORMATION		<input type="checkbox"/> VEHICLE <input type="checkbox"/> ARREST <input type="checkbox"/> PHONE REPORT		<input type="checkbox"/> JUVENILE <input type="checkbox"/> CHILD ABUSE <input type="checkbox"/> DOMESTIC VIOLENCE		<input type="checkbox"/> HATE/BIAS <input type="checkbox"/> ARSON-LOSS \$ <input type="checkbox"/> OTHER:		<input type="checkbox"/> COMPUTER USE <input type="checkbox"/> DRUG RELATED <input type="checkbox"/> ALCOHOL RELAT											
	INCIDENT CLASSIFICATION <i>4th ASSAULT</i>					OFFENSE CODES														
	ADDRESS/LOCATION OF INCIDENT <i>S. University</i>			PREMISE TYPE/NAME <i>Duplex</i>			# OF UNITS ENTERED		CODE <i>2</i>	GEO CODES <i>05</i>										
P E R S O N S / B U S I N E S S E S	REPORTED ON		OCCURRED ON OR FROM				OCCURRED TO													
	MONTH <i>11</i>	DAY <i>19</i>	YEAR <i>03</i>	TIME <i>0730</i>	DOW <i>Wed</i>	MONTH <i>11</i>	DAY <i>18</i>	YEAR <i>03</i>	TIME <i>1600</i>	DOW <i>Tues</i>										
	ADD'L <input type="checkbox"/> PERSONS ON <input type="checkbox"/> VEHICLES <input type="checkbox"/> COLLISION RPT.		CODES: V - VICTIM W - WITNESS O - OTHERS		B - VICT. BUSINESS C - COMPLAINANT G - PARENT/GUARDIAN		D - DECEASED RO - REG. OWNER		LANDLORD NOTIFICATION											
	NO. <i>C-1</i>	NON-DISC.	NAME (LAST, FIRST, MIDDLE) <div style="background-color: black; width: 150px; height: 1.2em;"></div>			AFFILIATION		RACE <i>W</i>	ETH <i>3</i>	SEX <i>M</i>	D.O.B./AGE <div style="background-color: black; width: 50px; height: 1.2em;"></div>	HGT <div style="background-color: black; width: 30px; height: 1.2em;"></div>	WGT <div style="background-color: black; width: 30px; height: 1.2em;"></div>	HAIR <div style="background-color: black; width: 30px; height: 1.2em;"></div>	EYES <div style="background-color: black; width: 30px; height: 1.2em;"></div>					
S U S P E C T / S U B J E C T	STREET ADDRESS <div style="background-color: black; width: 150px; height: 1.2em;"></div>		APT.#	CITY <i>Spokane Valley</i>		STATE <i>WA</i>		ZIP <i>99206</i>		RES. STATUS: F P NO										
	RESIDENCE PHONE <div style="background-color: black; width: 100px; height: 1.2em;"></div>		BUSINESS PHONE <div style="background-color: black; width: 100px; height: 1.2em;"></div>		EMPLOYMENT/OCCUPATION/SCHOOL		HATE/BIAS CODE		TYPE VICTIM	TYPE INJURY	VICTIM OF OFNS.# OFNDR.#	RELATIONSHIP CC								
	NO. <i>W-1</i>	NON-	NAME (LAST, FIRST, MIDDLE) <div style="background-color: black; width: 150px; height: 1.2em;"></div>			AFFILIATION		RACE <i>W</i>	ETH <i>3</i>	SEX <i>F</i>	D.O.B./AGE <div style="background-color: black; width: 50px; height: 1.2em;"></div>	HGT <div style="background-color: black; width: 30px; height: 1.2em;"></div>	WGT <div style="background-color: black; width: 30px; height: 1.2em;"></div>	HAIR <div style="background-color: black; width: 30px; height: 1.2em;"></div>	EYES <div style="background-color: black; width: 30px; height: 1.2em;"></div>					
	STREET ADDRESS <div style="background-color: black; width: 150px; height: 1.2em;"></div>		APT.#	CITY <div style="background-color: black; width: 100px; height: 1.2em;"></div>		STATE <div style="background-color: black; width: 50px; height: 1.2em;"></div>		ZIP <div style="background-color: black; width: 50px; height: 1.2em;"></div>		RES. STATUS: F P NO										
V E H I C L E / T R A I L E R / B O A T	NUMBER OF SUSPECTS/ARRESTED PERSONS IN THIS INCIDENT: <i>2</i>		S - SUSPECT M - MISSING I - INSTITUTIONAL (MENTAL/DETOX) X - OTHER		R - RUNAWAY															
	NO. <i>5-1</i>	NAME (LAST, FIRST, MIDDLE) <i>BUNCH PATRICK D</i>			RACE <i>W</i>	ETH <i>M</i>	SEX <i>M</i>	D.O.B. <div style="background-color: black; width: 50px; height: 1.2em;"></div>	AGE <div style="background-color: black; width: 30px; height: 1.2em;"></div>	HGT <div style="background-color: black; width: 30px; height: 1.2em;"></div>	WGT <div style="background-color: black; width: 30px; height: 1.2em;"></div>	HAIR <div style="background-color: black; width: 30px; height: 1.2em;"></div>	EYES <div style="background-color: black; width: 30px; height: 1.2em;"></div>							
	ALIAS NAME(S)		IDENTIFIERS																	
	STREET ADDRESS <i>1100 W MALLON</i>		APT.#	CITY <i>SPOKANE</i>		STATE <i>WA</i>		ZIP <i>99260</i>		RES. STATUS: F P NO U		RESIDENCE PHO								
S I G N A T U R E	EMPLOYMENT/OCCUPATION/SCHOOL		BUSINESS PHONE		SOC. SEC. NUMBER		DRIVERS LIC./DCARD NO.		STATE											
	IBR ARREST OFFENSE NO.		BOOKED/WHERE		BOOKING #		CHARGES 1. M F 2. M F		CITATION/WARRANT#/AGENCY BA											
	ARREST DATE		LOCATION OF ARREST		AFFILIATION		ON VIEW ARREST <input type="checkbox"/> CITED <input type="checkbox"/> Y N		STATEMENT <input type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN		CHARGES <input type="checkbox"/> ADMITTED <input type="checkbox"/> DENIED									
	JUV. PARENT/ GDN. NOTIFIED Y N		NAME/RELATIONSHIP OF PERSON NOTIFIED				DATE/TIME NOTIFIED		NOTIFIED BY		DISPOSITION OF JUVENIL									
V E H I C L E / T R A I L E R / B O A T	VEHICLE CODES: <input type="checkbox"/> STOLEN # <input type="checkbox"/> RECOVERED #		<input type="checkbox"/> LOCATED <input type="checkbox"/> TOWED <input type="checkbox"/> EVIDENCE		<input type="checkbox"/> SEIZED <input type="checkbox"/> ABANDONING		<input type="checkbox"/> DAMAGED/VANDALIZED <input type="checkbox"/> OTHER		<input type="checkbox"/> VICTIMS VEH. <input type="checkbox"/> SUSPECTS VEH.		<input type="checkbox"/> HOLD - FOR:									
	NO.	LICENSE NUMBER		STATE	VIN/HULL NO.		YEAR	MAKE		MODEL	STYLE									
	COLOR		SPECIAL FEATURES/DESCRIPTION				VALUES		DRIVER IS: <input type="checkbox"/> R/O <input type="checkbox"/> PERSON #		REGISTERED OWNERS NAME									
	VEHICLE DISPOSITION <input type="checkbox"/> LEFT AT SCENE <input type="checkbox"/> DRIVEN AWAY <input type="checkbox"/> TOWED		TOW COMPANY/ADDRESS/PHONE				STATE TOW NO.		REGISTERED OWNERS ADDRESS											
S I G N A T U R E	LOCKED Y N	KEYS IN VEHICLE Y N	DELINQ. PAYMENT Y N	VICTIM CONSENT Y N	THEFT INS. Y N	DRIVE- ABLE Y N	DAMAGE TO VEHICLE Y N	SPECIFY DAMAGE BY SHADING DAMAGED AREA <input type="checkbox"/> TOP <input type="checkbox"/> UNDERSIDE		<table border="1" style="display: inline-table; border-collapse: collapse;"> <tr><td>7</td><td>5</td><td>3</td><td>1</td></tr> <tr><td>8</td><td>6</td><td>4</td><td>2</td></tr> </table>		7	5	3	1	8	6	4	2	DAMAGE EST. \$
	7	5	3	1																
	8	6	4	2																
	MAKING FALSE REPORTS TO PUBLIC OFFICERS: (1) A PERSON COMMITS THE CRIME OF MAKING A FALSE REPORT IF HE/SHE WILLFULLY MAKES ANY UNTRUE, MISLEADING OR EXAGGERATED STATEMENT IN ANY REPORT TO A POLICE OR FIRE DEPT. (2) MAKING A FALSE REPORT IS A MISDEMEANOR, IF PROPERTY CRIME: I DID NOT GIVE ANYONE PERMISSION TO ENTER MY PREMISES AND/OR TAKE/REMOVE MY PROPERTY/VEHICLE. IF FOUND PROPERTY, I HAVE BEEN ADVISED OF CHAPTER 63 OF THE R.C.W. AND () I DO () DO NOT WISH TO CLAIM THE PROPERTY IF THE TRUE OWNER CANNOT BE FOUND.																			
() RELEASED PROPERTY TO _____ () I HAVE READ, UNDERSTAND AND AGREE TO THE ABOVE () I ACCEPT LIABILITY FOR TOWING AND STORAGE () THE NAMED JUVENILE IS PRESENTLY A RUNAWAY () THE NAMED PERSON IS PRESENTLY MISSING																				
SIGNATURE OF PERSON _____ DATE _____																				
S T A T U S	OFFICER NAME/NUMBER <div style="background-color: black; width: 150px; height: 1.2em;"></div>		AREA	OFFICER NAME/NUMBER <div style="background-color: black; width: 150px; height: 1.2em;"></div>		AREA	APPROVED BY		BOOKING APPROVED BY		ASSIGNED									
	IBR CLEARANCE <input type="checkbox"/> ARR/A <input type="checkbox"/> EXC/A <input type="checkbox"/> ARR/J <input type="checkbox"/> EXC/J		ADMIN CLEARANCE <input type="checkbox"/> WARRANT <input type="checkbox"/> SUSPENDED		DISTRIBUTION <input type="checkbox"/> CA <input type="checkbox"/> PA		<input type="checkbox"/> CPS <input type="checkbox"/> DSHS		<input type="checkbox"/> JUV <input type="checkbox"/> MH		<input type="checkbox"/> HD <input type="checkbox"/> DET <input type="checkbox"/> PAT									
	OTHER:		DATA ENTRY																	

STATE OF WASHINGTON ADDITIONAL REPORT

DATE 11/19/2003	TIME 0930	PHONE <input type="checkbox"/>	CHARGE INCIDENT 4th Degree Assault	D.V. <input type="checkbox"/>	PAGE 1 OF [REDACTED]	REPORT NUMBER [REDACTED]
COMPLAINANT: LAST, FIRST MIDDLE [REDACTED]		RACE W	SEX M	D.O.B. [REDACTED]	EMP. AT SCHOOL [REDACTED]	
ADDRESS: (DIRECTION, NUMBER, STREET) CITY STATE ZIP [REDACTED] Spokane WA 99206			HOME PHONE [REDACTED]	BUSINESS PHONE [REDACTED]		
SUSPECT ARREST VICTIM <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	NAME: LAST FIRST MIDDLE N/A Bunch Pete R.	DOB [REDACTED]	LOCATION OF INCIDENT [REDACTED]		DATE 11-18-03	

On 11-19-03, at about 0730 hours [REDACTED] contacted the Front Desk of the Valley Precinct. He wanted to file a complaint against Pete Bunch. Bunch is the landlord of the duplex where [REDACTED] son was residing [REDACTED] also knows Bunch to be a Deputy Sheriff.

[REDACTED] had been to the Valley Precinct on 11-18-03, at about 1400 hours. At that time he contacted Det. Knight regarding a need for deputy assistance at his son's residence. His son [REDACTED] was moving out of the duplex he shared with his girlfriend [REDACTED]. He told Det. Knight that Bunch was the landlord.

[REDACTED] contacted Bunch and agreed to meet at the duplex on behalf of [REDACTED] who had been served a Protection Order that prohibited him from being at the address a [REDACTED]. When [REDACTED] came to the Front Desk on 11-19-03, he saw Det. Knight in the lobby and told him part of the incident which occurred after their initial contact. He told Det. Knight that he had been assaulted by Bunch. Det. Knight told [REDACTED] he needed to speak with me.

I interviewed [REDACTED] in the Valley Precinct, in one of the interview rooms [REDACTED] told me he went to [REDACTED] to help obtain items belonging to his son [REDACTED] was accompanied to the residence by his wife [REDACTED] boss [REDACTED]. He said there were 4 boxes of property on the ground in front of the garage door [REDACTED] said there was some items of his that was still missing [REDACTED] said it was [REDACTED] car. At this point, [REDACTED] go into his car to leave for the SCOPE Station where [REDACTED] was waiting. [REDACTED] said he was about to leave as well when Bunch told him he wanted remote control and set of keys returned from [REDACTED] said he told Bunch he would see what he could do. Bunch began yelling at [REDACTED] and said words to the effect that he didn't want to hear what [REDACTED] would "see what he could do" and then used his forearm to force [REDACTED] onto the hood of a vehicle in the driveway. Bunch was swearing at [REDACTED] and had him pinned to the hood of the car [REDACTED] tried to get up but was forced down onto the hood again. He was then able to get out from under Bunch and walk to his car that was directly behind the vehicle he had been forced onto. He got into his vehicle and began to back out of the driveway. He said he had to stop because Bunch was also backing out at the same time and almost hit his vehicle. Bunch backed out first and then drove northbound on University to the left turn lane at 16th (to go west on 16th) [REDACTED] also drove north on University and stopped at 16th for the light. When the light changed to green [REDACTED] drove to the SCOPE Station at 15th and University. He said Bunch changed from the turn lane and followed him to the SCOPE station.

[REDACTED] said his wife [REDACTED] was in their vehicle during the assault and was a witness to the assault. He said no one else was present except for [REDACTED] who had gone into the residence. He said she did not witness the assault.

Once at the SCOPE station, [REDACTED] he wished he [REDACTED] had not left so soon because he [REDACTED] had just been assaulted. [REDACTED] said Bunch heard him say this to [REDACTED] and Bunch responded that [REDACTED] had tripped over the car.

During my interview with [REDACTED] I asked if he had been injured as a result of the assault. He said he had been injured several months prior and this incident had aggravated that injury to his back. He said there was no visible marks to be seen. I did not take any photographs of [REDACTED] did not see any marks which may be consistent with an assault. [REDACTED] did state if any of the persons present had been drinking.

[REDACTED] said he did not necessarily wish to pursue any criminal charges at this time.

SPOKANE COUNTY SHERIFF DEPARTMENT

Additional Report

Date: 11/20/03

Case No.: [REDACTED]

Charge/Incident: Assault/DV

Complainant: [REDACTED]

Location of Incident: SV Station, 12710 E Sprague

Suspect:

On the afternoon of November 18th, 2003, Lt Finke asked if I could assist at the front counter. Several people were requesting assistance and Dep Garrett had a child safety seat appointment.

I met [REDACTED] who was in the lobby with his wife and 22year old son [REDACTED]

[REDACTED] told me his son had just been served a restraining order. Once the son got off the phone, I asked to see the order, I explained briefly what the order meant, that the son could not contact or go near the residence. I told [REDACTED] it was very important that he be present with any witnesses for the court date [REDACTED] had told me they had the girl friend on answering machine recorder threatening them [REDACTED] said that this is an ongoing relationship that has had numerous problems for the last 2 years.

I told him that if they failed to show for the court date it would be made permanent [REDACTED] said the problem was he could not make this court date due to work, I obtained a phone number from court window for him to contact district court downtown to learn how to change the court date.

I left and returned back to my desk after talking to the [REDACTED] for 10-15 minutes.

A short time later one of the volunteer's found me and asked me to return to further assist the [REDACTED]

Again in speaking to [REDACTED] he told me the girl friend had written a number of checks returned NSF, and had overdrawn the banking account shared by her and [REDACTED] the girl friend apparently had also pawned ring's belonging to her mother. Girlfriend now wanted the [REDACTED] to pay off the pawn slip and get her rings back.

The question came up of how the [REDACTED] could get property the son needed to go out of town on work that was at the residence. [REDACTED] wanted to know if he could go to the residence, Brent Garrett and I reviewed the order and advised that he would be considered a 3rd party and that any 3rd party contact was prohibited, (I believe I even read this part to include the in person or by phone portion to [REDACTED])

[redacted] told me that [redacted]'s boss and owner of the property in question was enroute to the station and he did arrive and I introduced myself to him. (I don't recall his name) He told me he needed to recover the property at the residence as his employee [redacted] needed it to get out of town the next morning to Moses Lake, that to not be able to obtain it would affect his business.

During nearly all my contact with [redacted] the son was on the telephone to someone,

Eventually [redacted] told me that his son and himself had both been arrested on DV charges due to the girl friend but the charges were always dropped.

[redacted] told me that Pete Bunch was [redacted]'s landlord and had responded several times on DV calls to the residence and was familiar with the situation. [redacted] told me his son was on the phone to Pete and Pete was going to meet them at 16th and University (?) and the son would remain at the SCOPE station. My understanding was that Pete and [redacted] boss would go and retrieve the property. [redacted] asked me to go with them, I explained I could not violate the DV order and would be acting as a 3rd party if I went to recovery the property.

I left the [redacted] and [redacted] boss in the lobby as they all were walking out and returned to my desk. I didn't talk to Pete Bunch and never accompanied the [redacted] to the address.

On 11/19/03, I arrived for work and found [redacted] in the lobby.

[redacted] began telling me that they had met Bunch and [redacted] his wife and [redacted] boss and Bunch went to the location. After retrieving the property in question [redacted] questioned the girlfriend as they stood outside by their cars, asking what they needed to do to resolve this matter and get [redacted] back his property. [redacted] was worried about Jet Ski and other personal belonging's currently under the girlfriends control at the house.

The rings came up again with the girlfriend again asking that they pay for the pawn ticket and get the rings back. [redacted] asked the girlfriend what about the check's she had written.

Girlfriend became upset and began cursing [redacted] said he began backing away, when Bunch shoved him against the car with his forearm. This act by Bunch caught [redacted] off guard, as he was backing away with his hands up and open. [redacted] said that Bunch shoved him against the car a total of three times before he was able to walk away. [redacted] said he was so caught off guard by Bunch's actions that he asked him "what are you doing"; Bunch reply was that "you tripped against the car." [redacted] got in his car with his wife and left.

[redacted] then began telling me he didn't want anything done about this incident but he was concerned about Bunch action during his encounter with him. [redacted] said if Bunch acted like this during this contact, what is he going to do while he's at work. [redacted] then told me Bunch is getting divorced, and that he is currently staying (living) with [redacted] girlfriend's mother.

[redacted] said he knows Bunch from having had Bunch respond to DV incidents involving [redacted] and the girlfriend, he said last time he met Bunch was at a DV incident and Bunch told the girlfriend that next time they came out to a DV call she would be going to jail.

[redacted] said he has been in contact with an attorney regarding this matter. He also mentioned that this incident (being shoved) had aggravated a previous neck injury.

CRIMES AGAINST PROPERTY

Roger Knight, Detective #453

SPOKANE COUNTY SHERIFF DEPARTMENT

Additional Report

Date: 11/24/2003

Case No.: [REDACTED]

Charge/Incident: 4th Degree Assault

Complainant: [REDACTED]

Location of Incident: [REDACTED]

Suspect: Bunch, Patrick D., w/m, DOB 07/06/57

Witness: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Background:

Pete Bunch owns a duplex at [REDACTED]. The renters of that duplex are [REDACTED] and [REDACTED]. Bunch is currently living at the residence of [REDACTED] who is [REDACTED] mother. Sometime over the weekend of November 15th / 16th [REDACTED] had an argument which resulted in [REDACTED] moving out of the duplex. Dustin apparently left a number of his personal belongings behind in his haste to move out. On Monday, November 17th [REDACTED] was granted a temporary order of protection against [REDACTED] which prevented him from returning to the duplex. On Tuesday, November 18th [REDACTED] and his parents [REDACTED] and [REDACTED] contacted Bunch in hopes that he could assist in the recovery of [REDACTED] property from the duplex. [REDACTED] specifically needed some items he uses at work which belong to his employer.

On the morning of Wednesday, November 19th [REDACTED] came to the Valley Precinct and reported he had been assaulted by Pete Bunch. The initial report was taken by [REDACTED]. Chief Walker assigned the follow-up investigation to Sergeant Dave Martin.

11/19/03

At approximately 1400 hours, [REDACTED] contacted me at the Valley Precinct. I explained that I would like to interview them separately. I escorted [REDACTED] to the conference room and asked her to describe the events that had occurred on 11/18/03. [REDACTED] said that she and [REDACTED] wanted to help [REDACTED] retrieve his belongings from the duplex he had moved out of. [REDACTED] had been served with a temporary protection order prohibiting him from going to the duplex. Tuesday afternoon she came to the Valley Precinct, along with [REDACTED] and [REDACTED] to see if they could get assistance from the Sheriff's Office. She learned that the Sheriff's Office would not be able to provide that assistance, so they contacted Pete Bunch by telephone, hoping that as the

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landlord he could help them. She explained that [REDACTED] desperately needed some items from the garage of the duplex in order to continue to work. [REDACTED] met with them in the lobby of the Valley Precinct to see if he could assist in collecting his company's property. Pete agreed to meet with [REDACTED] and [REDACTED] at the duplex as long as [REDACTED] wasn't present. [REDACTED] said she and her husband left for the duplex in their car, while [REDACTED] took [REDACTED] in his car. [REDACTED] dropped [REDACTED] off at University SCOPE and then met them in the driveway at the duplex. Pete's truck was already in the driveway. [REDACTED] rang the doorbell and [REDACTED] came out to open the garage door. [REDACTED] identified his company's property and loaded it into his car. Approximately 5 to 7 minutes after [REDACTED] had come out, Pete came out and met them in the driveway. [REDACTED] was trying to convince [REDACTED] to let them take the rest of [REDACTED]'s property. [REDACTED] stated that [REDACTED] was not going to get his property until he paid \$300 to get her rings out of pawn. [REDACTED] told [REDACTED] that she owed them money for a bad check she had written to them. This discussion went back and forth between [REDACTED] and [REDACTED] for a few minutes, with no one giving in. [REDACTED] said she walked back to her car and got in, while [REDACTED] went to his car and left.

[REDACTED] said [REDACTED] and Pete began discussing the return of a garage door opener and duplex key that [REDACTED] still had. She watched as the discussion became heated. She heard Pete yell at [REDACTED] "He's your fucking son. Just get my remote and keys from him." She said Pete continued to yell at [REDACTED] using what she described as the "F" word numerous times. She heard [REDACTED] tell Pete that he realized Pete was between a rock and a hard place because he was staying with [REDACTED] mother, to which Pete responded, "I don't need that room." She said she watched Pete grab [REDACTED] as [REDACTED] was starting to walk away. She described both Pete and [REDACTED] standing between Pete's truck and [REDACTED] car. She said Pete used his forearm to push [REDACTED] backward and across the hood of [REDACTED] car. [REDACTED] demonstrated what she had seen by lifting her left forearm and pushing it forward toward me. She said that [REDACTED] against the car with his forearm for approximately one minute, while Pete yelled at [REDACTED]. She said that during this time [REDACTED] hands were raised palm forward about shoulder height in a surrendering posture. [REDACTED] demonstrated this for me. When Pete let [REDACTED] up from the car, [REDACTED] began to walk away and Pete raised his arms in an aggressive manner. [REDACTED] said she thought Pete was going to hit [REDACTED]. At this point, [REDACTED] got out of her car and [REDACTED] said to Pete, "You don't want to go there." At that point, she and [REDACTED] got into their car and Pete got into his truck. She said Pete backed out of the driveway first and drove away northbound on University in the left lane. [REDACTED] said she and [REDACTED] also left the duplex northbound on University, but were in the right lane. She saw Pete move into the left-turn lane at 16th, as if he was going to turn west on 16th. She and [REDACTED] continued through the light and moved into the left lane so they could turn into the SCOPE office. She looked back and saw that Pete had followed them north on University and was pulling in behind them at the SCOPE office. [REDACTED] got out of the car and said to [REDACTED] "He assaulted me." Pete had walked up behind [REDACTED] and she heard him say, "He tripped over the car." Pete collected [REDACTED] duplex key and made arrangements to pick up his garage door opener. I escorted [REDACTED] back to the lobby and brought [REDACTED] into the conference room.

I asked [REDACTED] to describe the events of Tuesday, 11/18/03, beginning with the arrangements being made with Pete to meet at the duplex. [REDACTED] said that when he, his wife, and [REDACTED] arrived at the duplex, Pete's truck was already parked in the driveway. He saw four boxes near the garage in the driveway. [REDACTED] expressed a

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concern that there was additional property that had not been put out. [REDACTED] went to the door and [REDACTED] agreed to come outside. [REDACTED] opened the garage door and let them look through the garage for any additional property belonging to the company. [REDACTED] said he asked to speak with Pete, and Pete eventually came out of the duplex. [REDACTED] then described to me a dispute he had with [REDACTED] concerning a bad check and some rings in pawn. When [REDACTED] realized the dispute would not be resolved, he told [REDACTED] they would work it out in the courts. [REDACTED] responded, saying "Is that a threat?" [REDACTED] answered, "No, it's a promise."

[REDACTED] said at this point [REDACTED] had loaded the boxes into his car and was driving away. Pete and [REDACTED] were still standing near the front of [REDACTED] car. Pete told [REDACTED] he wanted his key and garage remote from [REDACTED]. [REDACTED] said he told Pete "I'll see what I can do." Pete again asked for the key and remote, and [REDACTED] again responded, "I'll see what I can do." Pete then stated, "I want my fucking remote and key from your fucking son" and [REDACTED] said he again responded "I'll see what I can do." [REDACTED] said Pete then raised his forearm (he can't remember which arm) and pushed [REDACTED] backward over the hood of [REDACTED] car. [REDACTED] said Pete's forearm contacted him in the neck area and the force bent him backward over the left front fender of [REDACTED] car. [REDACTED] demonstrated to me how his hands were up at about shoulder height with the palms open while Pete was holding him against the car. [REDACTED] said he tried to slide out from under Pete's arm, which caused Pete to push him down even harder. He said while Pete was holding him down, Pete said, "I don't fucking want to hear you say I'll see what I can do again." [REDACTED] said he was able to work his way out from under Pete and once he was free, he said "Do you realize you're assaulting me?" Pete responded "You tripped over the car." [REDACTED] said Pete started to come at him again and said, "I was fucking supposed to see my daughters today. It was my day off." [REDACTED] said Pete was coming at him aggressively with his arms up. [REDACTED] said he told Pete, "Don't even do it", and then told Pete to get into his truck and he could follow them to where [REDACTED] was so he could get his key and remote. [REDACTED] described Pete as leaving in the same manner as [REDACTED] had described. [REDACTED] said when they arrived at the SCOPE office, he was telling [REDACTED] about how Pete had just slammed him down on the hood of a car when Pete stated, "You tripped over the car." Pete collected his key from [REDACTED] and made arrangements to get the remote on a later date.

At my request [REDACTED] provided me with a hand-drawn sketch indicating where the cars were parked in relation to each other. He marked [REDACTED] car with an "S", Pete's car with a "B", his car with an "M", and [REDACTED] car with [REDACTED]. See attached copy marked [REDACTED].

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At 0830 hours, I drove to the duplex at [REDACTED]. When I arrived, I saw a white Honda Civic bearing Washington license [REDACTED] parked in the driveway of the duplex. This was the vehicle that had been described to me as belonging to [REDACTED]. It was parked in the same position in the driveway as had been described by both [REDACTED] at the time of this incident. I saw that in order to approach the front door of the duplex, a person would have to walk up the driveway alongside [REDACTED] vehicle. There was no sidewalk or path leading directly from the front door of the duplex out to the street. I walked up the driveway and examined the hood area of this vehicle. The car did not appear to have been washed recently and

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although it had rained heavily on 11/18/03, it had not washed all the dirt off the car. I could see where some of this dirt had been disturbed in the left front area of the hood, as well as along the center portion of the chrome fender flare on the left front fender. Dirt appeared to have been wiped off of these areas, which tended to support the description of the incident as provided by both [REDACTED]. I took several photographs of the vehicle, including the left front fender and hood area.

The front of this duplex faces west, and as I looked to the west from the driveway, I could see that three houses on the opposite side of University could have a view of the driveway. These houses were [REDACTED]. I spoke with [REDACTED] who said he was at home on 11/18/03 in the afternoon, however, he did not see anything occur at the duplex across the street. I spoke with the residents a [REDACTED] and they had not seen anything unusual at the duplex across the street, however, they leave for work at 1430 hours. I spoke with [REDACTED] [REDACTED] told me that late in the afternoon she did see a number of cars parked in the driveway at [REDACTED]. She saw at least four people standing around in the driveway. She saw a female come out of the duplex and watched as they all went into the garage, but said she did not continue to watch any further and did not see anything out of the ordinary. [REDACTED] told me he saw nothing unusual occur at [REDACTED] on the afternoon of 11/18/03.

I contacted [REDACTED]. She invited me inside and told me she would describe what she saw on Tuesday, 11/18/03, involving Pete and [REDACTED]. [REDACTED] first explained that Pete does reside at the home of her mother [REDACTED] but they do not have a romantic relationship. She said that her mother and Pete are friends, and that Pete needed a place to stay, so [REDACTED] told Pete he could move in with her and her boyfriend, [REDACTED].

I asked [REDACTED] to describe the events as she remembered them on 11/18/03. She said that in the early afternoon, she received a phone call from her landlord, Pete Bunch, who told her that [REDACTED] needed some items from the duplex so that he could continue to work. [REDACTED] said that Pete agreed to come over, at her request, and that [REDACTED] could come over once Pete was there and collect the items [REDACTED] needed for work. [REDACTED] said that the items she believed [REDACTED] needed were placed in the driveway so that she would not have to have contact with [REDACTED] boss. [REDACTED] said that Pete arrived and came into her residence. Shortly after that, [REDACTED] parents pulled in the driveway, along with [REDACTED]. She said that [REDACTED] asked her to come outside and let them look in the garage for additional items that [REDACTED] needed. She opened the garage door and let them look inside. She said [REDACTED] wanted to discuss the situation without fighting about it, and they started to talk about [REDACTED] property, which remained at the duplex. She explained she wanted some rings out of pawn that [REDACTED] would need to pay for, and then [REDACTED] got upset, talking about a bounced check. [REDACTED] said she realized the argument was getting her nowhere, and told [REDACTED] 'Okay, we're done talking.' [REDACTED] said she and Pete began walking toward the front door of the duplex when she reminded Pete that [REDACTED] still had a house key and a garage door opener. Sonya said Pete went back to ask [REDACTED] about these items, and she said [REDACTED] goes off'. She couldn't remember exactly what [REDACTED] was saying other than it had something to do with "you're going to

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pay". She remembers asking [REDACTED] if that was a threat, and hearing him respond "No, that's a promise." [REDACTED] said at that point she went into the house and upstairs, where she could look out the main floor window. She said that as she watched from the main floor front window, she could both see and hear what was taking place in the driveway. She described a heated discussion between both Pete and [REDACTED] concerning the keys and the garage door opener. At one point she heard Pete say "He's your son." [REDACTED] said she walked back down to the front door and peeked out in time to see both Pete and [REDACTED] standing in front of her car. She said she could hear [REDACTED] yelling [REDACTED] "don't do this. You're going to cause more problems." Then as she was peeking out the front door, she saw [REDACTED] fall over backwards over the hood of her car. She said that as he fell [REDACTED] arms came up in what she believed to be an aggressive manner. She said she saw Pete put his forearm across [REDACTED] chest after [REDACTED] had put his arms up in this aggressive fashion. [REDACTED] told me she believed [REDACTED] might strike Pete, and she believed Pete to be acting in self-defense when he put his forearm across [REDACTED] chest. I asked [REDACTED] to step out into the driveway in front of her car and demonstrate for me [REDACTED] position when he fell back over her car. [REDACTED] and I went outside and she went to the right front bumper area of her car, where she raised both hands to approximately shoulder height with the palms open while bending over backwards across the hood of her car. She said that Pete held [REDACTED] over the hood of her car for a couple seconds, and then released him. I asked [REDACTED] about what time this occurred, and she said that it was after 3:30 p.m., but still daylight. She said it was possibly between 4:00 and 4:30. I asked [REDACTED] if Pete had been drinking. She said she did not believe so, she did not smell any odor of liquor.

11/21/03

At approximately 0735 hours, I met with Pete Bunch at the Public Safety Building for an interview. We went into the training room located just outside the general detectives' area. I advised Pete of his Constitutional Rights, which he indicated he did understand and wished to waive. Pete signed the rights card at 0737 hours. I asked Pete to, in his own words, describe the events that occurred on Tuesday afternoon, 11/18/03. Pete told me he received several phone calls that afternoon from the [REDACTED]. They were asking for his assistance in recovering [REDACTED] property from the duplex he owns at [REDACTED]. Pete said that at first he told them he could not become involved in any property dispute and the best thing they could do is wait for the upcoming hearing. Pete said he eventually received another phone call, this time from [REDACTED] who was wanting [REDACTED] work materials. Pete said he figured this was a reasonable request, and he called [REDACTED]. [REDACTED] agreed to release the items to [REDACTED] boss [REDACTED] and [REDACTED] asked Pete to be present during the exchange. Pete said he made arrangements to meet [REDACTED] at the convenience store at 16th and University, and from there they would drive to the duplex. Pete said he arrived at the convenience store and no one was there to meet him. He said he drove to the duplex and saw that [REDACTED] had already placed a number of boxes in the driveway for [REDACTED] to pick up. Pete clarified that he did not expect anyone beside [REDACTED] to be coming to the duplex for the property. Pete said he went inside the duplex with [REDACTED] to look at a leaky toilet, and that after awhile [REDACTED] came and got him, telling him that [REDACTED] was outside and wanted to talk. Pete said he did go outside and saw [REDACTED] looking through the garage. Pete said that up until this day, he had never met [REDACTED]. Pete told me that when he got outside [REDACTED] and [REDACTED] were discussing what sounded like an issue over a bad check and some rings that were in pawn. Pete said that when [REDACTED] spoke with him [REDACTED] treated Pete as if he was his best friend. Pete said it was obvious to him that [REDACTED] wanted something from him. Pete said [REDACTED] evidently tired of

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arguing with [REDACTED] and told him "I'm done, you have to leave." He said [REDACTED] closed the garage door and as she was walking away back toward the front door, she said "Tell [REDACTED] I want his garage opener and key." [REDACTED] did not get a positive response from [REDACTED], so Pete said he stepped in and told [REDACTED], "I am the landlord, I would like the key and garage opener." Pete said this discussion was taking place while he and [REDACTED] both stood at the front of [REDACTED]'s white Honda. Pete said [REDACTED] angrily responded, "You didn't help me get stuff. I don't know why I should help you get your stuff back." Pete said that [REDACTED] then told him that he was taking her side only because he was staying with her mom. Pete said he told [REDACTED] that he was only there as a mediator, and Pete said that at that point he (Pete) was walking back toward the driver's door of his pickup. Pete said [REDACTED] was following him and still arguing about the issue. Pete said he had reached the driver's door of his pickup, but turned and came back around the front of his truck, walking toward [REDACTED] to address the accusation [REDACTED] had made about sleeping with [REDACTED]'s mom. Pete said that as he walked toward [REDACTED] started to back up. Pete said he was walking toward [REDACTED] but not in an aggressive or threatening manner. Pete said that as [REDACTED] backed up, he backed into the left front fender of [REDACTED] car, which caused him [REDACTED] to fall backward onto the hood of the car. Pete said that as [REDACTED] fell, his hands came up and Pete demonstrated by bringing his own hands up to about shoulder height with the palms open, as the other witnesses in this incident have all demonstrated. Pete said that when [REDACTED] hands came up, Pete was within one step from [REDACTED]. Pete said that as upset as [REDACTED] was, he felt he needed to take a defensive posture so as not to get hit. Pete said he brought his left forearm up and placed it diagonally across [REDACTED] chest. Pete said this was not a forceful action, but used "just enough force to hold my space and distance". Pete said he held [REDACTED] against the car just long enough so that he (Pete) "could finish what he had to say". Pete said he then stepped back, but remained in a defensive posture and allowed [REDACTED] to get up and go to his car. Pete said that when [REDACTED] did get up [REDACTED] stepped forward toward Pete, maintaining contact with Pete's forearm against [REDACTED] chest. Pete said that [REDACTED] stated, "I can't believe you just assaulted me." At that point [REDACTED]'s wife said, "Come on [REDACTED], it's not worth it." Pete said that at that point the [REDACTED] got in their car and he got in his truck and they all pulled out onto University. Pete said he started to go to the convenience store at 16th and University to find [REDACTED] so he could get his key and garage remote. When he saw that [REDACTED] was not at that convenience store, he followed the [REDACTED] to University SCOPE, where he saw [REDACTED]. Pete said he got out of his truck to talk to [REDACTED] but [REDACTED] was there telling [REDACTED] that he had just been assaulted by Pete. [REDACTED] and Pete were able to step away from [REDACTED] and have a calm discussion about the key and the garage door opener. Pete told me he had not had any liquor to drink prior to this incident. Pete did provide me with a hand-drawn diagram of the position of the vehicles in the driveway at [REDACTED] at the time of this incident. I have attached that to this report and labeled it "Pete Bunch".

At approximately 1100 hours on 11/21/03, I received a phone call from [REDACTED] who told me that on Tuesday afternoon, 11/18/03, he did wait at University SCOPE while his parents and his boss [REDACTED] drove to [REDACTED] to obtain items he needed for work. Dustin said that when his father [REDACTED] returned [REDACTED] told him he had been assaulted by Pete Bunch. [REDACTED] said Pete was also present and overheard [REDACTED] statement about being assaulted. [REDACTED] said that Pete stated, "You tripped over the car."

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At the time of this report, I have been unable to speak with the residents of the duplex adjacent to [REDACTED]

11/24/03

At approximately 1030 hours, I spoke with [REDACTED] supervisor [REDACTED]. Al confirmed that he left the duplex prior to any physical confrontation between [REDACTED] and Pete. He said he drove to University SCOPE and was standing in the driveway with [REDACTED] when [REDACTED] and [REDACTED] pulled up. [REDACTED] said Pete pulled in behind the [REDACTED] and got out of his truck. [REDACTED] had walked up and was telling he and [REDACTED] that "You won't believe what he just did (referring to Pete). He pushed me onto the hood of a car." [REDACTED] said Pete walked up and said, "I did not such thing. You just slipped." [REDACTED] said, "that's bullshit." [REDACTED] said at that point [REDACTED] and Pete stepped away and had a discussion outside of [REDACTED] earshot.

I contacted [REDACTED] by phone. I told him the investigation was all but complete, and I asked him if he had made a decision on whether he wanted to pursue this criminally. [REDACTED] said that he did want to see some kind of action taken for the inappropriate behavior, however, at this point in time he did not want to see Pete prosecuted criminally.

Investigation inactivated.

CRIMES AGAINST PROPERTY

Dave W. Martin

Dave Martin, Sergeant #628

SPOKANE COUNTY SHERIFF DEPARTMENT

Additional Report

Date: 11/25/2003

Case No.: [REDACTED]

Charge/Incident: 4th Degree Assault

Complainant: [REDACTED]

Location of Incident: [REDACTED]

Suspect: [REDACTED]

Witness: [REDACTED]

11/25/03

I contacted [REDACTED] for a clarification on the statement she had given me previously. [REDACTED] told me that at no point did she see Pete push [REDACTED]. I asked what caused [REDACTED] to fall and she said she wasn't certain. I asked if [REDACTED] was backing up when he fell, and she said no. She said it appeared to her that Pete was walking toward the front door of the duplex with [REDACTED] slightly ahead of him when [REDACTED] suddenly fell over the hood of her car. She said perhaps [REDACTED] caught his pants on the front license plate of the car. Contrary to her original statement, this time she told me that [REDACTED] fell sideways onto the hood of her car, landing on his hip. She could not recall exactly what was being said between Pete and [REDACTED] at the time [REDACTED] fell. She thought it had something to do with Pete living with her mother.

Investigation inactive.

CRIMES AGAINST PROPERTY

Dave Martin, Sergeant #628

pjl

GARAGE

231751

CAR

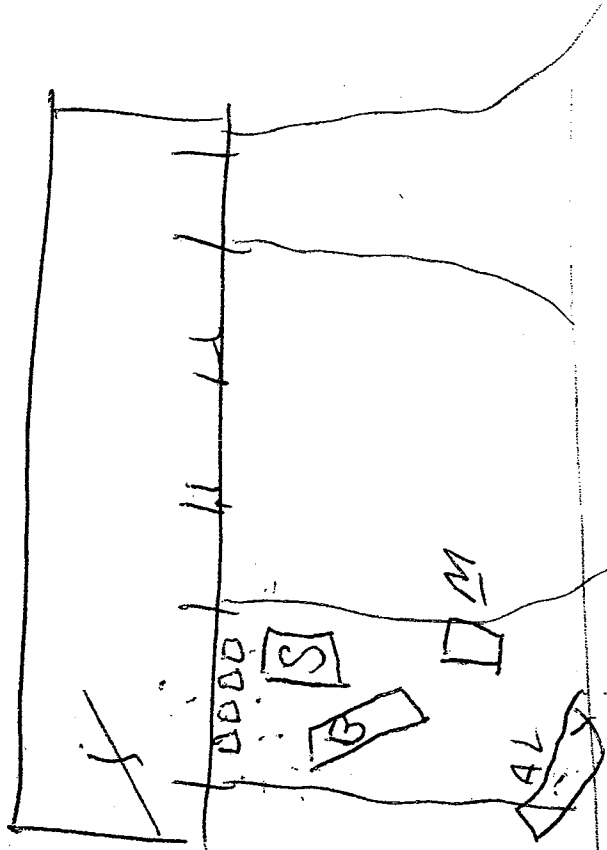


MY TRUCK



DRUGWA

UNIVERSITY



SPOKANE POLICE/SPOKANE COUNTY SHERIFF PHOTOLOG

[illegible]

To: Lt. Greg Conners

From: [REDACTED]

Re: Response to Loudermill Notification dated 3-2-04

Date: March 7, 2004

1. I failed to confirm the existence of and collect the evidentiary note [REDACTED] claimed he left at the scene. Since [REDACTED] was a WSP trooper (he identified himself at the scene) and knew what the requirements were in the event he was involved in an accident. If he had provided me with this note it would have been to his benefit and would have cleared up the Hit and Run designation. But since he didn't provide me with that note I took that, as it being nonexistent. Also since he had contacted the Victim on his own volition this would have most likely saved himself from prosecution too.
2. As stated in my additional report to the Hit & Run I asked [REDACTED] if he was intoxicated at the time and he stated "No" but that he had consumed a "couple of beers" prior to the accident.
3. At the time of the initial accident report the only tracks that could be confirmed to be involved in this accident were the ones that came from the southbound lane across the northbound lane and into the driveway striking the parked vehicle (see Photos taken of them). I included the vehicle that had been driving in circles on the street in the area since it appeared at that time to me this was not an accident but an intentional act or Malicious Mischief. Since the confirmed tracks were straight and it appeared to have been driven into the victim vehicle. The tracks in the street were covered by numerous other traffic that had driven over them since the time of the accident. I inspected the area but with so many tracks I could not tell what was involved and what wasn't. I also looked at the "donut" tracks and could not find any tread to connect them to what I did have in the driveway. After checking the area of the victim's residence for either more victims or possible suspect vehicles and finding none I

completed my report. After [REDACTED] contacted the victim and explained the accident I then realized this was an accident and not intentional act.

4. The only subject at the scene was [REDACTED], which I interviewed about the accident. After talking with Sgt. Bunch about possible Hit and Run charges I was advised not to make any arrest in the incident and let the powers higher up do so. I assumed that the traffic Detective or who ever else higher up would be assigned to follow this through. I then wrote up what I had and turned it in. On I believe Friday my day off I contacted Det. Henderson to give him the heads up of this report coming in. I believe he was off so I again called him on Monday to confirm he knew about the case.
5. In talking with [REDACTED] I asked him about his alcohol consumption, what time it happened, why he was in the opposing lane, why he then drove back into his lane and that he "lost control" running off the roadway and into the victim's car. I also asked what speed he was doing which he stated 25mph. This seemed reasonable to the amount of damage done to the victim's car.
6. The investigation that I preformed at this scene is no different then all the other accidents that I have investigated but never been told anything was wrong.

Citizen Complaint and Inquiry Form

Nature: Failure to Perform Basic Duties in a Competent Manner

IA Control #: 04-0009

Complainant's Name: Internal Review

Race & Sex: _____

Home Address: _____ Telephone: _____

Business Address: _____ Telephone: _____

If applicable, list other complainants and / or witnesses: _____

Member involved: (1) [REDACTED] Division: Patrol

Member involved: (2) Sergeant Pete Bunch #59367 Division: Patrol

Member involved: (3) _____ Division: _____

Location of Incident: [REDACTED] N. Fairwood Drive

Date: January 1, 2004

Time: 0901-1411 hours

Complaint Received By: Captain Gerry Fojtik Date: 1/22/04

Forwarded for Investigation to: Lt. Finke

Summary of Incident: Disposition of Complaint or Inquiry:

- ☐ COURT ISSUE (Criminal-Civil)
- ☐ INQUIRY - Resolved with Citizen and/or No Further Action Deemed Necessary
- ☐ COMPLAINT - Service
- ☒ COMPLAINT - Personnel
- ☐ WITHDRAWN (date/time)

Preliminary Investigation Comments:

It appears that [REDACTED] failed to complete a thorough investigation on a Hit and Run accident, Incident [REDACTED]. The suspect was not thoroughly interviewed about his drinking and driving. [REDACTED] did not pursue the suspect's claim that he left a note on the victim vehicle by asking to see the note and collecting it for evidence. [REDACTED] made reference to numerous tire tracks through adjoining yards but failed to photograph those tracks or make comparisons to suspect's vehicle. No attempt was made to interview three other witnesses who were in the vehicle with the suspect at the time of the accident. Sergeant Bunch reviewed and approved the report. Sergeant Bunch was made aware that the suspect was a WSP Trooper yet took no special action that was warranted; such as informing the Shift Commander, notifying WSP Command personnel, or consulting with a Traffic Investigator. Captain Fojtik 59475

Routing:

Responsible Shift Commander
Responsible Division Commander
Office of Professional Standards

[Signature] 1-29-04
[Signature] 1/22/04
[Signature] 1/23/04

To: Lt. Finke
From: [REDACTED]
Re: Answer to Investigation
Date: 02-19-03

1. At the time of my contact I asked [REDACTED] if he was intoxicated at the time of the accident. His response was No he wasn't but had a few beers earlier that night. I also asked why he was in the other lane as indicated by the tracks left at the scene and he advised he was distracted and then realized he was in the wrong lane. Since the only track that I could see that morning among the many it had appeared that his vehicle had only been in the opposing lane briefly. I that seemed to be the case. That it was a brief period of time when he was driving in the wrong lane then corrected for it. I saw no need to ask about his drinking when he was denying be intoxicated.
2. At the time of my contact with [REDACTED] he identified himself as a trooper. When we were discussing the why he had not complied with the law he said he had left a note that was found "down the street". Since being a WSP officer and knowing what his requirements would be to relieve him of his actions of leaving the scene would be to give me the note he reported to have left but he didn't. I accepted that as there being no note.
3. I checked not only the other tracks that were noted in the area but also checked for other victims with damage or possible suspect vehicles with damage in the area. None were found. There were no discernable tracks in these "donuts" and I made a decision that they were of no evidence value to be tied into this case. Also when the suspect vehicle was identified, as be an extended cab Dodge Ram pickup they were then proved not to be from this incident due the size of them.
4. The only subject at the scene was [REDACTED] After calling Sgt. Bunch and advising him of what I had and the possibility of an arrest for Hit and Run he advised for me not to do so and to let the other people make that decision later. I did not ask why but felt this case being involved with an officer that further careful follow up would be made before any arrests would be made. I then wrote up my report and turned it in.

ADMINISTRATIVE

Date: February 24, 2004

To: Captain Fojtik

From: Lieutenant Jim Finke

Subject: Inter Office Complaint. [REDACTED], Sgt. Pete Bunch, 59367.
IA # 04-0009

01-26-04 I received and read the information in this complaint. 01-29-04 at 0730 hrs. I contacted [REDACTED] after roll call and explained that I had received this complaint and that I would be following it up. He said he did not smell alcohol on the suspect. He said he did take pictures. I asked if he had called Sgt. Bunch about the investigation at the time he went out on the second call where the suspect had shown up at the complainant/victims house after he had taken the initial collision report earlier in the day. He said that he did and it was about 1130 hrs. that morning.

Sgt. Bunch was in the office and I asked him if he had received a call about this incident from [REDACTED]. He said he did not. That if [REDACTED] called he did not specifically remember. He reminded me that this was a day that [REDACTED] had taken the day off and there was no Sgt. available so [REDACTED] worked overtime from 0500 to 1100 hrs. Sgt. Bunch came on at 1100 hrs to 1700 hrs. on overtime to cover supervision on this day shift.

I spoke to [REDACTED] and he did not receive a call from [REDACTED] during his shift coverage of 0500 to 1100 hrs. He went home at 1100 hrs. and if [REDACTED] made the call after 1100 hrs. it would have been Sgt. Bunch that answered. [REDACTED] was sure it was Sgt. Bunch. He described Sgt. Bunch as sounding like he had a horrible cold while talking to him on the telephone.

Cpl. Tom Henderson had done the follow up on this hit and run. 01-30-04 I asked him for his input as to the collision investigation and how [REDACTED] had investigated it. He said he would and he came back later with the report he had completed on his investigation of the hit and run. He highlighted a portion that says [REDACTED] neglected to confirm the existence of the note left by [REDACTED] at the scene. He did not attempt to determine [REDACTED] alcohol consumption prior to the crash by interviewing the witnesses. He also did not pursue the tracks left by the [REDACTED] vehicle prior to the crash.

I had a lot of tasks that were placed on me and they had to be completed in a timely manner. I did not get back to this complaint until 02-16-04. 02-12-04 at 1630 hrs. I called Captain Fojtik to let him know about the delay. He said he understood.

02-17-04 at 0730 hrs. again after roll call. I contacted [REDACTED] I explained that I had not been able to work on this complaint until now. I had prepared a list of questions that were taken from the preliminary investigation comments by Captain Fojtik. I asked him to respond to these questions in written admin report form. He said he would and advised he could have it to me by the weekend. I asked him to be very complete and detailed in his report.

I had requested the investigation photos [REDACTED] took from the Photo Lab and received them 02-18-04. I have viewed them and they are attached to this report.

I was able to meet with Sgt. Bunch 02-19-04 after roll call. I read him the preliminary investigation comments and made a copy of it for him. I also read him and gave him a copy of the incident reports made by [REDACTED] I asked that he write an admin report and address the issues in Captain Fojtik's preliminary investigation comments as completely and as detailed as possible.

Later in the afternoon I received Sgt. Bunch's admin report by inter office mail.

He says in his report that he did sign off on the collision report and additional reports on this investigation by [REDACTED] He received them the morning of 02-02-04 because they were in the cold report bin. He sent it to records to be processed and forwarded to the unincorporated Traffic Cpl. He felt Cpl. Henderson should review it for completeness and accuracy before any charges were filed. He felt that [REDACTED] could answer any further questions that Cpl. Henderson would have. 02-02-04 was a Friday and Cpl. Henderson and [REDACTED] were off until the following Monday.

He says that [REDACTED] did call him while the second half of the investigation was being done. This was shortly after 1100 hrs. on 01-01-04. [REDACTED] did ask him the specific question about if he should call the State Patrol. Sgt. Bunch told him no that he could complete the investigation and he would submit it to the Traffic Cpl. for review. He told [REDACTED] that the Traffic Cpl. would make the proper notifications after charging had been determined.

Sgt. Bunch said he did not make any special notifications to the Shift Commander, WSP or the Traffic investigators because he did not think it was necessary at that time. He said had it been a member of the Sheriff's Office he would have notified the Shift Commander. He said he felt notifications would be made after the investigation review.

He does not recall [REDACTED] expressing any concerns or doubts on his ability to complete the investigation. If he had he would have called the Traffic Investigator for his help.

He did not learn until the day I talked to him about this complaint that the report had not made it to the attention of the Traffic Investigator. He did not know that the Traffic Investigator was only aware of the initial investigation when [REDACTED] Blair called him to ask about the status of the case on 01-05-04. Sgt. Bunch's expectation was that it would automatically go to the Traffic

Investigator from records because it was titled Hit and Run since all other reports go to the proper investigative folks such as assaults and thefts.

He added at the end of his report that he would remember to send an e-mail notification and/or make a copy of the reports to inter office mail to the appropriate persons for such incidents.

01-20-04 [REDACTED] called me to let me know his report was completed. I asked him to send it to me by interoffice mail and I would get it on Monday morning.

Monday, 02-23-04, I did receive [REDACTED]'s admin report. I have read it and attached it to this report. He says that at the time of his contact with [REDACTED] he asked if he was intoxicated at the time of this collision. [REDACTED] said he was not but had a couple of beers earlier that night. He also asked why he was in the other lane as indicated by the tire tracks. [REDACTED] said he had been distracted and then realized he was in the wrong lane. [REDACTED] said he felt there was no reason to question [REDACTED] further about his drinking when he was denying being intoxicated. It should be noted that in the original report written by [REDACTED] the complainant [REDACTED] said that after his first contact with [REDACTED] that morning [REDACTED] smelled like a brewery. Even though [REDACTED] asked [REDACTED] about her suspicion of intoxication and that she was too far away to notice any smell of intoxicants, he should have pursued this further with a portable breath tester. This collision occurred around 0230 that morning. [REDACTED] had contact with [REDACTED] at about 1146 hrs. The admissibility of this evidence would definitely be contested due to the length of time elapsed, it still should have been tried.

[REDACTED] also says that at the time of the 1146 hrs. contact with [REDACTED] he said he was a Trooper. [REDACTED] says he questioned him as to why he had not complied with the law and [REDACTED] said he had left a note on the pickup that he found had blown down the street. [REDACTED] says that since [REDACTED] was a law enforcement officer he would know the requirements to relieve him of his required responsibility to contact the victim of the crash, that he would give him the note. He did not give him the note. [REDACTED] took that to mean there was no note.

[REDACTED] checked the tire tracks in the snow. The tracks that were in the "donuts" he found in the street had no tread detail and felt there was no evidentiary value to taking photos of those tracks. He felt they could not be tied to the suspect's vehicle. It should be noted that he did take photos of other tracks that led into the victim's driveway and pickup. They show good detail and they match the tires on the suspects pickup tire photos that he took. When the suspect pickup was identified he was sure the suspect pickup did not make the "donuts" because the tires on the suspect pickup were too large.

Reference to witnesses the only person at the scene at the time [REDACTED] was there at 1146 hrs. was [REDACTED]. The other witnesses did not come back with him. [REDACTED] called Sgt. Bunch and advised him he had the possibility of arrest for hit and run on a Trooper. Sgt. Bunch advised him not to do so and to let the other investigators make that decision later. He did not ask

Sgt. Bunch why, but felt that since there was an officer involved that further careful follow up would be made before any arrests would be made.

I have made a copy of the RCW 46.52.010 that is the duty on striking an unattended car or other property. It says that the operator of a vehicle that collides with another vehicle shall stop and shall then and there either locate and notify the operator or owner of such vehicle of the name and address of the operator striking the unattended motor vehicle or shall leave in a conspicuous place in the vehicle struck a written notice, giving the name and address of the operator and of the owner of the vehicle striking such other vehicle.

The note that [REDACTED] said he left is very important to the whether or not the charge of hit and run can be made. [REDACTED] should have required that [REDACTED] provide that note to him at the scene. His just saying that he left a note is not sufficient. Especially since he said he found the note down the street. He could have produced it. Without the physical note that could have been collected the charge of hit and run could not be prosecuted under the law as written.

Policy 21.6.1 says that on preliminary investigations patrol deputies shall be responsible for all preliminary investigations on a call to which they respond. Policy 21.6.2 under follow up investigations says in the second sentence that all deputies should try to complete as thorough an investigation as they can to eliminate the need for any further action after the original report.

Rules and Regulations 7.00.00 is for performance of basic duties. It says the deputies will perform their basic duties preserve the peace, prevent crime, detect and arrest law violators, protect lives and property and enforce the criminal laws of the State of Washington, and the United States, to the best of their ability and in accordance with the directives of this manual.

7.00.01 says members will perform their assigned duties in a competent manner. Incompetent work performance will be grounds for disciplinary action. Incompetence may be demonstrated by:

- a. A lack of knowledge of the laws to be enforced
- b. An unwillingness to perform assigned tasks
- c. Failure to conform to work standards established for the members rank or position
- d. The failure to take appropriate action in the occasion of a crime, or disorder, or other incident.
- e. Repeated work evaluations showing substandard performance.

It should be noted here that hit and run is a criminal misdemeanor.

The photos [REDACTED] took are sufficient to be able to identify the tire tracks in the snow leading up to the impact with the victim pickup. His photos of the suspect pickup tires are good and the tire tread matches those tire tread in the snow. He also later had the admission of the suspect, [REDACTED] as the driver and registered owner of the pickup.

He could have followed up at that time or later with the witnesses. Since he knew who they were and where they could be located he had all he needed to do this. He did talk to Sgt. Bunch at this time. It was Sgt. Bunch that told him he could write up the report and the Traffic Investigator

could follow up on if the report was complete and accurately done. Then a decision would be made whether to charge the hit and run or something else.

It appears that Sgt. Bunch was given the information and decided to pass it on to the Traffic Investigator via Records. He may not have known there were witnesses that could have been followed up on at the time [REDACTED] was doing the initial collision investigation [REDACTED] should have contacted the witnesses for their statements. Sgt. Bunch also did not notify his Shift Commander or the WSP supervisors or command staff. This should also have been done since this is or could have been a misdemeanor offense on a law enforcement officer from another agency.

Policy 21.5.1 defines notifications up the chain of command. There is nothing there that addresses this specific type of incident. I have attached a copy.

The Sergeants have also received a list of expectations from the lieutenants, which I have attached. It pretty much describes the situations in the policy above. It does not specifically address this specific type of incident. I have highlighted a part of it that says any high profile call whether an arrest is made or not.

In summary [REDACTED] did not collect for evidence the note [REDACTED] said he had left on the vehicle that he said he found blown off down the street somewhere. This was a critical piece of evidence necessary to show he complied with the law as to hit and run. [REDACTED] did not pursue the alcohol consumption even though the victim [REDACTED] said [REDACTED] smelled like a brewery. He did call Sgt. Bunch and advise him what he had. I had Training look up the training records for [REDACTED]. He attended and passed the 40-hour Basic Collision Investigation class, 11-18-02.

Sgt. Bunch should have called the Shift Commander at least, even though this specific type of incident is not spelled out in policy. This was possibly a misdemeanor crime on a State Trooper. He also assumed that the report would get to the Traffic Investigator through Records and the Investigator would make the notifications. It would have been best to call the Traffic Investigator and see if he needed to be called out or could give advise on what was needed for the furtherance of his investigation. As it turned out Cpl. Henderson did not find out about this collision investigation until 01-05-04 when [REDACTED] called to see if he was working on it yet. This was too late to retrieve evidence that was already lost. The witnesses and suspect could have been interviewed except they decided to get lawyers and the lawyers told Cpl. Henderson they were not willing to re-interview now.

SPOKANE COUNTY SHERIFF DEPARTMENT

ADMINISTRATIVE REPORT

DATE: 02/19/04

I. A. NUMBER: 04-0009

CHARGE/INCIDENT: Internal Investigation

OFFICER INVOLVED: BUNCH, Patrick #59367

LOCATION OF INCIDENT: PSB

The following are the written responses to I.A. #04-0009 as required by SCSO Policy.

1. I did review and sign off this report the morning of Friday, 01/02/04. The report had been written and turned into the cold report bin on Thursday, 01/01/04.

I submitted the report to records to be processed and forwarded to the unincorporated traffic investigator/corporal (HENDERSON) for review and any further investigation prior to charging. I reasoned that it was best to have the report reviewed by the traffic investigator, for completeness and accuracy much like I directed in the investigation and charging of the at fault collision of [REDACTED]

[REDACTED] was on his first of three days off, due back on Monday. Corporal HENDERSON, also on his weekend, was due back on Monday. I reasoned that any further questions the investigator had could be answered by [REDACTED] at that time.

2. [REDACTED] did me call by phone and discuss this incident with me shortly after 1100, 01/01/04.

[REDACTED] specifically asked me if he should contact the state patrol to inform them of the incident. I told him no. I told him to complete his investigation and submit it for review by the traffic investigator. I told him that the investigator would make the proper notifications after the charging had been determined.

I did not make any special action to notify the; 1) Shift Commander, 2) WSP, or 3) a traffic investigator, as I did not believe such notifications were necessary at that time.

- 1) If a member or employee of the Sheriff's Office had been the driver or even a passenger I would have notified the on call Shift Commander.
- 2) I had already discussed my intentions on the notifications to the WSP to be made after the investigators review.

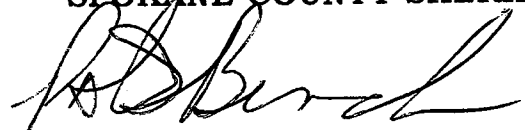
3) I do not recall [REDACTED] expressing any concerns or doubts on his ability to complete the investigation. Had he, I would have called or called out the traffic investigator for his assistance.

I do not know, have never met, or made the acquaintance of any of the parties involved with this incident (with the exception of [REDACTED] of course).

I did not learn until today that the report only made it to the attention of the traffic investigator because [REDACTED] called to inquire on status of the case. Had he not it may have never come to light. My expectation was/is that reports titled Accident Hit and Run would automatically go to the traffic investigators much as an assault would go to major crimes and thefts would go to property crimes.

I will in the future ensure to send an e-mail notification and/or make a copy of the report to inter-office mail to the appropriate person for such incidents.

PATROL DIVISION
SPOKANE COUNTY SHERIFF

A handwritten signature in black ink, appearing to read 'P. Bunch', is written over the typed name.

P. BUNCH #59367