

## **INVESTIGATION CLOSEOUT**

Report #: 2019-01

**Reason for Report:** Conduct of Officer

**Date/Time of Incident:** August 2018-January 2019

**Date/Time Reported:** January 22, 2019 / 1933 Hours

**Complainants:** Ms. Sonja Calcagno

**Employee Involved:** Officer Chris Calcagno #6494

**Investigator:** Mr. Phil Crochet

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### **Introduction**

This investigation results from a complaint filed by Ms. Sonja Calcagno on January 22, 2019. Ms. Calcagno alleges, in a letter addressed to Chief Ron Mitchell, that her husband Washougal Police Department (WPD) Officer Chris Calcagno has harassed her through various electronic media, including telephone, email, text and various social media applications. She further alleges that Officer Calcagno has inappropriately shared privileged information.

Based on the above information, Chief Mitchell initiated an Internal Affairs investigation to determine the validity of Ms. Calcagno's complaint. Chief Mitchell retained Phil Crochet of Crochet Investigations to perform the investigation and assigned Commander Allen Cook to serve as WPD Investigative Liaison to Mr. Crochet.

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### **Relevant Department Policies**

#### **Conduct**

340.5.9 M. – Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

#### **Unauthorized Access, Disclosure or Use**

322.5.6 – a. Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms or reports obtained as a result of the member's position with this department.

#### **Honesty**

Value Statement -- We are committed to the highest standards of honesty and ethical conduct, which are the cornerstones of our profession.

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### **Performance**

322.5.8 – c. Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of department-related business.

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### **Witnesses/Involved**

Ms. Sonja Calcagno -- Complainant, Spouse of Officer Calcagno

Ms. Jayme Jacobs – Former Intimate Friend of Officer Calcagno

Ms. Bobbi Wells – Co-Worker of Ms. Calcagno

Ms. Amanda Londo – Friend of Officer Calcagno

Officer Chris Calcagno – Subject Officer

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### **Documents Reviewed or Related to this Investigation**

Portion of Jayme Jacob's Cell Telephone Bill, August 2018

August Cell Telephone Bill for WPD Cell 360-518-3519

WPD Memorandum: Off-Line ACCESS Search

Various Emails and Cell Telephone Screenshots from Ms. Calcagno and Ms. Jacobs

Battle Ground Police Department (BGPD) Incident Report 18001706

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### **Investigation Details**

I completed this investigation via personal interviews of the witnesses and review of documents supplied by witnesses. In addition, WPD Commander Allen Cook forwarded the results of three queries: off-line A Central Computerized Enforcement Service System (ACCESS) search performed by Washington State Patrol personnel, a review of WPD cell telephone records, and a search of Clark Regional Services Agency (CRESA) Computer Aided Dispatch (CAD) records. In the following paragraphs I will outline the important evidentiary items from each interview, the document reviews and the searches, including noted discrepancies. The number of documents obtained from Ms. Calcagno is large, and many do not add significantly to the investigation. For this reason I have catalogued each document in this report; instead of referencing each specific document, I will refer specifically only to those documents that contribute significant evidence. For the sake of convenience and to allow the information in this report to be more easily understood, I have organized this report by pieces of documentary evidence, rather than speaking of each interview individually.

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### **Interviews and Documentary Evidence**

On January 22, 2019 WPD Chief Mitchell received Ms. Calcagno's complaint via email. Ms. Calcagno alleged harassment and inappropriate release of protected information on the part of her husband WPD Officer Chris Calcagno. She also expressed concern about what she believed to be Officer Calcagno's unstable behavior.

On February 11, 2019 I interviewed Ms. Calcagno at her home with her sister Jen Martin also in attendance as support for Ms. Calcagno. Ms. Calcagno reported that Officer Calcagno has a history of unfaithfulness to her and their marriage. She and Officer Calcagno have been living separately since January 2018 and she has filed for divorce. Over the course of the past year, Ms. Calcagno reports having been harassed on a continual basis by Officer Calcagno. She also alleges that Officer Calcagno shared privileged information, which he obtained directly through his employment with WPD. In addition to Ms. Calcagno, I interviewed other witnesses as follows: Ms. Jayme Jacobs at her home, February 19; Ms. Bobbi Wells at her home, February 19; Ms. Amanda Londo at the Longview Police Department, March 6, and Officer Calcagno at the WPD, March 14.

Many of Ms. Calcagno's alleged instances of harassment are at least partially supported by cell telephone screenshots, copies of which she submitted to me. Below I will list those instances of alleged harassment and outline existing evidence for each.

- a. Item #2, Tab D, pages 2-3; photocopies of two iPhone screenshots: Ms. Calcagno reported to have woken up at 12:10 AM on November 17, 2018 to 20 missed iMessages, 2 missed calls, 2 missed FaceTime calls, and 3 Messenger notifications from "Chris". She ignored those message and went back to sleep. When she awakened at 5:29 AM she found another missed call, another missed FaceTime call, and a missed Messenger call from "Chris". *Details:* Ms. Calcagno's screenshots are substantial evidence that someone named Chris in her cell Contacts list called her numerous times during the night of November 16-17. Her testimony is that "Chris" is Officer Calcagno and his calls went unanswered and were unwanted following her repeated requests that he not contact her. Officer Calcagno, when confronted with the screenshots, told me that he "didn't remember what was going on" at that time and that he may have had an equal number of missed calls from her. *Conclusion:* this item gives strong evidence that Officer Calcagno tried to contact his wife no less than 27 times during a period of a few hours during the early night of November 16-17, 2018. Officer Calcagno claims to have little recollection of an event that occurred 4 months prior, which is not unreasonable; however, calling ones spouse 27 times might be an event one would easily recollect. The evidence shows that this event, which is consistent with harassing behavior, likely occurred.
- b. Item #22, Tab D, pages 38-41; photocopy of iPhone screenshot: this item, showing a text string, was submitted by Ms. Calcagno. In the short Messenger conversation, the person named "Chris Calcagno" with whom Ms. Calcagno is conversing uses the term "FU" several times while responding to what appear to be innocuous comments from her. He also wrote, "...you best dig in. This won't be in the best

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interest of the kids anymore” and ends with him writing, “Fuck your family”. *Details:* It is possible to change names in an iPhone Contact list in order to also change the name in a Messenger string; however, Officer Calcagno did not deny sending this message. He went on to give some details about the status of his relationship with Ms. Calcagno at that time. His explanation seemed to be deflection as he did not directly address his use of profanity. When I asked specifically about the “FU” reference he said it “could have been an accidental text” and pointed out that some references were abbreviated while another was spelled out, so that the different spellings may have different meanings. He also commented that “FU” has unknown meanings. He did directly explain his “best dig in” comment as a reference to their divorce process and his belief that their children would suffer. *Conclusion:* The reference to the kids and the fact that “Chris Calcagno” appears on the screen, along with Officer Calcagno’s acceptance that he likely sent the message, it is apparent that this item shows an electronic conversation between Ms. Calcagno and Officer Calcagno. Further, Officer Calcagno’s use of the abbreviation “FU” is one that most people would recognize as a derogatory, hostile term and the phrase “Fuck your family” has a connotation that also communicates hostility. Finally, Officer Calcagno’s deflections and reported ignorance of what “FU” means significantly detract from his credibility. This item is evidence of harassment and intimidation.

- c. Item #1, Tab D, page 1; photocopy of screenshot sent to Ms. Calcagno from Yaret G. Marquez, with whom Officer Calcagno had a relationship while attending the police academy: this item shows a photo of Officer Calcagno, apparently on the telephone of Ms. Marquez, which she forwarded to Ms. Calcagno with the following message: “Can you tell your husband to leave me alone. He has been sending me messages and pictures on Snapchat. I blocked him on Instagram and he decided to add me on snap today. Tell him to LEAVE ME ALONE.” *Details:* Ms. Calcagno reported having received this unsolicited message from Ms. Marquez, who she believed had been dating her husband. Officer Calcagno said he did not know “where that came from”, meaning at the time he became aware of this message from Ms. Marquez to his wife, he did not know what might have prompted her to send it. He further explained that he had not spoken with Ms. Marquez in the last “couple years” when she messaged him asking for a recent photo. When he sent it, she forwarded the photo to Ms. Calcagno with the attached message mentioned above. In trying to determine whether Ms. Marquez would have a motive to lie, I asked Officer Calcagno about his relationship with Ms. Marquez. He told me that “they hung out in the academy”. Still not being clear on the extent of their relationship, I asked if they had had sex while at the academy. He replied, “I don’t remember” and later said they had “messed around.” *Conclusion:* I did not interview Ms. Marquez so am not able to directly dispute nor confirm Officer Calcagno’s testimony that he was “set up” by Ms. Marquez. However, Officer Calcagno’s initial statement that he was unable to remember whether he and Ms. Marquez had sex, is difficult to believe and reflects as dishonesty.



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- d. Item #5, Tab D, page 6; a screenshot of a message string between (360) 518-3519 and Ms. Calcagno: in this screenshot the following message was sent to Ms. Calcagno: "Hello, this message is to confirm your appointment at Vancouver integrated [sic]". *Details:* Ms. Calcagno reported that she was avoiding contact from her husband and had repeatedly asked him not to contact her. She responded to this message and later realized it had originated from Officer Calcagno's work cell telephone. I spoke with Commander Cook who confirmed that the above cell number is one routinely assigned to Officer Calcagno while he is on duty; however, since the date is not reflected in either the message or the screenshot, it is not possible to positively link Officer Calcagno to the cell telephone on the day the message was sent. Nonetheless, Officer Calcagno admitted to having sent the message and admitted he did so in order to manipulate his wife into responding. He went on to explain that she had stopped responding to messages and phone calls. He was concerned that her cell telephone had ceased working properly so he used the ruse of posing as "Vancouver Integrated" to determine if she would respond. Since she did respond, he was able to surmise that her phone was working properly. *Conclusion:* by Officer Calcagno's own admission, he knew one of two things: either his wife did not want to talk to him, or her phone was inoperable. Because she had already told him not to contact her, his responsibility was to abide that request; instead, he used a ruse to trick her in to responding to him. This is a clear instance of harassment.
- e. Item #7, Tab D, pages 8-9; photocopy of screenshots of a conversation between "Chris Calcagno" and Ms. Calcagno: Ms. Calcagno received messages, which she said were from her husband, at 10:56 AM (three messages), 3:01 AM and 8:11 AM. In the last message he acknowledges that she had unblocked him on some media. She responded at 8:11 AM with the following message, "Enough. I've asked you not to contact me unless it's regarding the children. Please stop this chris". During my interview with her, Ms. Calcagno said, "The more I would ignore him, the more he would come at me". *Conclusion:* Officer Calcagno's knowledge that his wife had blocked him at some point, gives credence to Ms. Calcagno's statement that she had notified him previously, and on several occasions, that she did not want him to contact her. This item is evidence that he is at best resistant to abide her wish and is evidence of harassing conduct.
- f. Item #15, Tab D, pages 24-25; photocopy of screenshots of a cell phone text conversation, which Ms. Calcagno said was with her husband: this conversation string is made up of several back-and-forth comments. The last two, which are reported to have come from Officer Calcagno are these: "You wanna see a dick...I can do that for ya." and "You got it." *Details:* this item shows an emoji (three broken hearts) in place of a name so it is not ascribed to Chris Calcagno on the photocopy of the screenshot. Ms. Calcagno explained that she periodically changed his name in her Contacts list. Officer Calcagno was not able to remember having had this text conversation with his wife; however, she calls him by name in one of the text remarks and mentions the names of their children, so it appears to show a

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conversation between the married couple. *Conclusion:* Officer Calcagno's use of the phrase "wanna see a dick...I can do that for ya" appears to hold a hostile connotation, used to intimidate. This item is evidence of harassing conduct.

- g. Items #23 and #24, Tab D, pages 42-45; photocopy of at least two Messenger strings that Ms. Calcagno reports to be between her and her husband: the date is unknown; however, there is a reference to Christmas being ruined so it is likely around December 2018. The times of the messages from "Chris Calcagno" to Ms. Calcagno's cell telephone are as follows: 6:39 PM, 7:24 PM, 9:39 PM, 9:47 PM, 6:07 AM, 12:27 AM (at least seven messages). There are no responses from Ms. Calcagno. *Details:* Officer Calcagno had no recollection of the conversation and believes his wife may have deleted her side of the conversation to give the appearance that he was harassing her. *Conclusion:* in the messages to Ms. Calcagno, "Chris Calcagno" makes several references to her lack of response, such as "you won't so much as fucking respond?", and "You don't respond. You're not answering my calls." Those messages from a person who appears to be Officer Calcagno are a clear indication that the sender knew Ms. Calcagno was avoiding the contact. This is a clear instance of harassing conduct.
- h. Item #26, Tab D, pages 50-52; printed emails from Ms. Calcagno to her attorney: Ms. Calcagno reported to me and her attorney that Officer Calcagno had visited her home uninvited on December 11. *Details:* She said Chris Calcagno had shown up at her home angry about a potential restraining order that she had mentioned may be necessary. He forced his way into her home, making no physical contact with her, and would leave only after she threatened to call police. Officer Calcagno denied having visited her home on December 11. The emails submitted by Ms. Calcagno show that Ms. Calcagno's attorney notified Officer Calcagno's attorney by email on December 11 of a Motion for Default and Notice of Hearing, scheduled for December 26. Ms. Calcagno's attorney also passed along Ms. Calcagno's complaint that Officer Calcagno continues to harass her. While the information was given to Officer Calcagno's attorney, it is not known for certain that the information was given to Officer Calcagno; during his interview he could recollect receiving a notification regarding communications sometime in January, but not December. If Officer Calcagno did receive such notification on December 11, the date Ms. Calcagno sent the email, it would provide a motivation for him to visit her home on that date. *Conclusion:* Ms. Calcagno's email to her attorney making notification to her of the unwanted visit is evidence that it occurred, but is not conclusive.
- i. Ms. Calcagno alleged to have been harassed by telephone at her place of employment by Officer Calcagno on several occasions, with one instance being especially memorable. She reported having received so many telephone calls from her husband that she asked a co-worker, Ms. Bobbi Wells, to screen her calls for her. Ms. Calcagno and Ms. Wells each told me, in separate interviews, that Officer Calcagno used a false name to cause his telephone call to be forwarded to Ms. Calcagno. Further, Ms. Wells said she has knowledge that Officer Calcagno called Ms. Calcagno "three to four times" over a period of "three to four days" "around

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Thanksgiving” and “before Christmas of 2018”. Ms. Wells commented that Ms. Calcagno shared with her texts she had received from Officer Calcagno. Ms. Wells said she “would have been fearful for the kids” and “definitely would have felt harassed” based on the frequency and number of the phone calls and the content of the text messages. Officer Calcagno denied ever having used a false name to contact his wife. *Conclusion:* because his use of an alias is similar in nature to Officer Calcagno’s admission that he posed as “Vancouver Integrated”, and because Ms. Wells had witnessed the act and would have felt harassed if placed in similar circumstances, it appears that this event did occur and is an instance of harassing conduct.

- j. Ms. Calcagno alleges to have been followed by Officer Calcagno, while he was off-duty and riding as a passenger in a vehicle being driven by Amanda Londo. Ms. Calcagno described the car as a black BMW. Ms. Londo, during my interview with her, told me she was aware of this allegation after being briefed by Officer Calcagno. She said he told her that he had been sick at his parent’s home at the time the alleged incident occurred. Ms. Londo denied having ever followed Ms. Calcagno. She described her car not as a BMW, but a black Honda. *Conclusion:* it is doubtful that this incident occurred as described by Ms. Calcagno.
- k. Ms. Calcagno reported to me via email that Officer Calcagno contacted her on March 18, 2019 through email, asking to meet with her. According to the email string she immediately reported the contact to her attorney and then forwarded the string to me. *Conclusion:* In his email to Ms. Calcagno, Officer Calcagno wrote, in part, “can we bring you lunch?” My assumption is that “we” is likely Officer Calcagno and the children; however, Officer Calcagno should know, as would most reasonable people, that such contact would not be welcome. This incident is harassing conduct.

A concern of Ms. Calcagno’s, mentioned in her complaint email and peripheral to this investigation, is her belief that Officer Calcagno is “irrational and emotionally unstable”. Her belief is grounded mostly in texts he has sent her and are referenced in the screenshots she furnished to me, such as the following:

- a. Item 8, Tab D, page 10: “I could die tomorrow and you just don’t care.”
- b. Item 8, Tab D, page 11: “I hate my life.”
- c. Item 17, Tab D, page 31: “My life is basically over at this point.”

When I interviewed Officer Calcagno and asked him if he ever wanted to hurt himself, he said that has never been something he has considered. His quote on the subject is as follows: “I never made a direct threat. There was times where I said things that I would just try and initiate conversations from her and try and get a response out of her but there was never a plan or anything like that. Never in my mind did I think I was going to do that stuff, it was just a scare tactic to try to get her to talk to me.” This type of manipulation, using an emotional ruse to attempt to get a response from his wife, who was otherwise refusing his communication attempts, is indicative of harassment.

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Another theme that Officer Calcagno mentioned to me on more than one occasion during my interview with him, is his belief that his wife "knew this was coming" (that she planned to file her complaint) and had several months to gather her evidence. At one point (roughly interview time 1:36:20) I asked Officer Calcagno, considering the evidence with which he had been presented during our interview, would he, as a police officer, believe the complainant would have been the victim of harassment. He responded, "Yep, if you go by just those facts alone. Sure." I then asked him what other facts and evidence is available and he responded, "There's not [any other evidence] is the problem. I had no idea that she's been setting this stuff up for months." "I didn't know this was coming or I would have kept everything, too" I presented to Officer Calcagno that he has known this was coming at least since January 23 when he was notified of the complaint. I asked if he has kept any copies of communications he has had with his wife since that time. He told me has kept "everything" concerning communications between himself and his wife since the date of his notification of this investigation. I invited him to forward that information to me and provided him with my cell telephone number and business card. As of April 20, 2019 I had not received any communication or evidence from Officer Calcagno.

The second allegation made by Ms. Calcagno against Officer Calcagno involves his release of protected information. During my interview with him, Officer Calcagno admitted to having shared several cell telephone screenshots of WPD Mobile Data Computer (MDC) terminals that displayed privileged call information and "could see the potential" for having violated WPD Policy 322.5.6. Following are some excerpts from his interview during our discussion relating to this potential policy violation during which I showed him several examples of MDC screenshots that he is alleged to have shared:

- a. "I could see the potential" for having violated the policy
- b. "I know there was mention in conversation that I had sent screenshots of, like, a call that I was dispatched to or something like that at some point or maybe multiple times."
- c. "I don't specifically remember doing that or not"
- d. "To the best of my recollection, if anything, if I did send a screenshot of anything like a picture from a cell phone or something like that, to the best of my knowledge, it was just the meat and potatoes of the call. It wasn't necessarily the, you know like, the pertinent or the sensitive information like an RP or an address or phone number or anything like that."
- e. When asked if he had sent the screenshot of a call at Rockwood Apartments, he replied, "If they have that picture, then no I wouldn't argue" that I had sent it. He later clarified saying that it is possible he sent the message but he would not say it was probable, just that "they got it somehow". But he also admitted to having shared screenshots "on occasion".
- f. I asked Officer Calcagno if he remembered going to a call involving a man who was a fishing guide and also a common friend of himself and Ms. Jacobs. He responded, "I know several fishing guides that live in Washougal, but none that she is friends with."
- g. "The majority of them...I won't say the majority...the specific one I can remember sharing with Sonja, or anyone else at the time," the calls were "comical". "I thought the majority of the time I was careful" to leave off personal information.
- h. "If it's [a call involving] scraping a dead cat off the road, I didn't see where it would be subject to discipline."



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- i. Officer Calcagno spoke about being careful to not share personally private information. "I was pretty cognizant for the most part that I can recall on keeping out or keeping information that was pertinent...or, or, or, sensitive out of that for the most part."
- j. When I showed him a screenshot of the Jerry Brown call (item #4, Tab D, page 5) he said, "That's the fishing guide you spoke of earlier". "Jaymes disclosed more information about this person than I had ever known". "Jayme has spent years at Jerry's house".
- k. When asked if it was a violation of public trust when he shared the screen shot of Jerry's call, he said, "Well, I was more doing it to have her check on Jerry. I know her and Jerry were pretty good friends". I posed the question to him again and got this response: "It's just a name and a phone number". "Do I think it's a blatant violation of the public's trust? Uh...no".

During my interview with Ms. Jacobs, she mentioned an instance during which she alleged Officer Calcagno showed up at her home intoxicated, driving his mother's car. She said she did not welcome the visit from Officer Calcagno, and in fact did not give him her current address, which had recently changed. I believed one source through which he may have been able to discover her address to be a query through ACCESS for a driver license. I passed my belief on to Commander Cook who requested a search of those records through the WSP for the calendar year 2018. I included Amanda Londo's and Yaret Marquez's names for inclusion in the search. Ms. Jacobs and Ms. Marquez were negative; however, the search results showed that Officer Calcagno ran Ms. Londo's name through ACCESS on two occasions: April 26, 2018 and August 19, 2018. During my interview with Officer Calcagno, I asked him about accessing privileged information in an inappropriate or unauthorized manner.

Me: "Have you ever accessed someone's personal information outside your official duties?"

Officer Calcagno: "Not that I recall off the top of my head."

Me: "Did you run Jayme Jacobs through a driver license check or through a wanted check?"

Officer Calcagno: "Yea, I think I did."

Me: "How about Amanda Londo?"

Officer Calcagno: "Mmm hmmm."

Me: "You ran her as well?"

Officer Calcagno: "Yea."

Me: "Outside your official scope?"

Officer Calcagno: "Uh, well, no. Not...ummmmm...I don't remember if I had or not."

When I told Officer Calcagno of the results of the ACCESS search, he responded by saying, "I don't know why I would have run her twice, to be honest with you." He then explained that he "may have" happened upon her car and ran the license plate. *Conclusion:* it is clear that Officer



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Calcagno ran ACCESS queries on at least one person (Jacobs) and likely two (Londo). When first presented the question, Officer Calcagno could not recall ever having performed such queries; however, when asked specifically about Ms. Jacobs, he admitted to having run her name. When asked about Ms. Londo, he admitted to having queried her name, but said it was within his job scope and his reply was delayed and stumbling. His explanation that he may have happened across Ms. Londo's vehicle is not realistic and does not match the query information located during the WSP ACCESS search.

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### **Summary**

Regarding Ms. Calcagno's allegation that Officer Calcagno harassed her, the following evidence is presented:

- a. Ms. Calcagno received no fewer than 27 missed messages from Officer Calcagno on November 17, 2018.
- b. Ms. Calcagno received numerous text messages that contained language hostile and aggressive towards Ms. Calcagno and her family.
- c. Ms. Marquez's message to Ms. Calcagno requesting that she tell her husband to "leave me alone" is consistent with harassing conduct.
- d. On at least one and possibly two occasions, Officer Calcagno used a false name/identity to contact his wife when he reasonably knew she did not desire such contact.
- e. On more than one occasion it is likely that Officer Calcagno sent his wife numerous messages in spite of her refusal to respond. At least once during those message strings, he acknowledged her lack of response in a hostile manner.
- f. As of March 18, 2019, four days after my interview with Officer Calcagno, he is apparently continuing to communicate inappropriately with his wife, in spite of numerous requests from her that he cease such communications.

It is apparent that Officer Calcagno has harassed Ms. Calcagno and has done so for several months. This is conduct that is unbecoming a police officer and reflects unfavorably on both the Washougal Police Department and Officer Chris Calcagno.

Regarding Ms. Calcagno's allegation that Officer Calcagno shared privileged information, the photocopies of the cell telephone screenshots serve as strong evidence. Officer Calcagno was not able to deny having sent the messages and conceded that he had shared such information "on occasion". For example, he spoke specifically of one incident in which he shared privileged information with Ms. Jacobs.

During the investigation into this portion of Ms. Calcagno's complaint, I was given information that led me to believe that Officer Calcagno may have inappropriately *accessed* privileged information, in addition to having possibly disclosed privileged information in an unauthorized manner. Since the original Notification Addendum specifically mentioned "on-duty releasing of

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law enforcement information”, I spoke to Commander Cook. Commander Cook served a second addendum to Officer Calcagno to include the accessing of privileged information. Officer Calcagno admitted to having accessed such information inappropriately and an off-line search of ACCESS records shows at least two queries that are evidence of unauthorized access.

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### **Aggravating Circumstances**

Throughout my interview with Officer Calcagno, I found him to be defensive and deflective. Rather than addressing my questions and the main topics, he consistently made excuses, minimized, blamed others and/or explained why the rules and statutes should not apply to his specific actions. He refused to take responsibility for any of his decisions; even on the few occasions when he admitted to having violated a policy, he minimized his actions by saying he did not think the consequences should result in discipline. In addition, he refused to admit to having an understanding that sharing protected information is a breach of the public trust. Finally, he seems to have learned little, if anything from this experience. When asked if he would still send the screenshots of the MDCs if he could go back in time, he responded by saying, “Not if I’d have known I’d get pulled in to an IA”. Officer Calcagno did not present as an employee who is at all remorseful, nor does he seem to understand or respect the responsibility with which he has been entrusted as a Police Officer for the City of Washougal.

I had formed an opinion that many of Officer Calcagno’s responses during my interview with him were misleading of material facts. Further, I believed that consideration should be given to making an additional allegation relating to honesty. On April 3, 2019 I met with Commander Cook and Chief Mitchell to discuss their preference in moving forward. Both Commander Cook and Chief Mitchell believed, based upon Officer Calcagno’s testimony, that a new allegation was warranted. On April 3, 2019 Commander Cook presented to Officer Calcagno a third addendum, which included an allegation that he may have violated two additional Department tenets: Policy 322.5.8 Performance, relating to honesty in communication, and a Department Value, Honesty.

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### **Second Interview with Officer Calcagno**

On April 20, 2019 I interviewed Officer Calcagno a second time. This subject of this interview was almost exclusively centered around the testimony he gave during our March 14, 2019 interview. My goal was to present to him the apparent inconsistencies, both within his testimony and between his testimony and the other evidence in an effort to achieve clarity. In the following paragraphs I will present each area of inconsistency from the first interview and offer evidence from the second interview.

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### **“Potentially” Violated Policy**

During the March 14, 2019 interview, Officer Calcagno admitted that he “potentially” violated the policy regarding the release of protected information; however, he claimed to have no independent recollection of actually having done so. During the second interview I reminded him of my questions and his answers from the first interview by referring to the transcript of the first interview. I presented to him the same question, “Did you send screenshots of protected information, being emergency calls on the MDC. Did you do that?” He quickly responded, “Yes” and added that he had likely done so a “handful of times”. Because this new testimony departed so dramatically from that given on March 14 when he claimed to remember having shared protected information on only one occasion, I asked him the reason for the discrepancy. Officer Calcagno reported that he did not intentionally try to hide information or mislead the investigation. He explained that in dealing with his divorce and its related issues, he was unable on March 14 to recall the instances of sharing protected information; however, since the original interview those same stressors, along with seeing the photocopies of the shared information, has allowed him to be able to remember having sent the screenshots. I pressed Officer Calcagno on this issue because I was skeptical that life stressors would prohibit him from remembering yet later cause him to remember. In addition the photocopy evidence was shown to him on March 14 yet according to his testimony it did not spark recollection until much later.

### **“Probably”**

During the March 14 interview Officer Calcagno gave varying accounts of his actions regarding the allegation that he released protected information by sending photographs of his MDC while it displayed emergency call information. He claimed to have recollection of having sent only one such screenshot; however, he gave an account of *how* he would have done it, *had* he done it, which seemed to indicate evasiveness on his part. During the March 14 interview in response to questioning, Officer Calcagno said he meant to explain how he *probably* would have sent the screenshots *had* he sent the screenshots. When I asked Officer Calcagno to explain why he did not use the word “probably” on March 14, he gave an explanation of why he was unable to remember sending the screenshots, but failed to adequately address the question.

### **Yaret Marquez**

During the March 14 interview Officer Calcagno claimed an inability to remember whether or not he had had sexual relations with Yaret Marquez, whom he met while attending the police academy. During the April 20 interview Officer Calcagno admitted to having lied and said he was able to remember having sex with Ms. Marquez on one occasion. He said the reason he answered differently during the first interview is that the sex was “extremely brief” and “barely occurred”. His answer was rambling and evasive.

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## **INVESTIGATION CLOSEOUT**

### **Overview of Second Interview**

While there are several additional discrepancies between the two interviews, it is simplest to consider most of them in the context of consistent personality traits, which are specified above in a paragraph entitled "Aggravating Circumstances". As in the first interview, Officer Calcagno was defensive and deflective in the second interview. He consistently made excuses for his actions, minimized his wrong-doing, blamed others, and explained why the rules or statutes should not apply to his circumstances. Following is an account of most instances of such behavior during the second interview.

1. When asked to explain how he had failed during the first interview to recollect sending the screenshots, he said he did not pay attention to those actions because he believed he could trust his wife. 12:50
  2. "I have the potential to be upside down on everything based on accusations from somebody else."
  3. "It's hard to formulate a response sometimes" due to stress. 14:15
  4. "This is a blatant attempt to get me in trouble for the stuff that I've done." 16:30
  5. "A part of me was completely upset about this entire thing and it didn't allow me to think straight." 16:45
  6. During questioning regarding how he would have forgotten having run ACCESS queries outside his job authorization, he explained that he runs a lot of queries and having forgotten the fact that he ran a single plate is not surprising. "If I would remember running a plate at one time or another?" (He minimized by omitting the most salient fact: making a query that was unauthorized.) 40:50
  7. "Do I have memory problems? I do have momentary lapses of when I don't recall." 42:20
  8. After Officer Calcagno admitted to lying in our first interview about having had sex with Yaret Marquez, I asked him to explain why he had lied. He said the sex "barely occurred". "I didn't really consider it sex. It was barely...I barely penetrated her." 45:15
  9. After making note to Officer Calcagno that he tends to deflect and avoid taking responsibility for his own actions, I asked him directly to define his part in these allegations. Officer Calcagno's first response was, "Well, I don't think we would be here had Sonya and Jaymes not come forward." 53:00
  10. Speaking about his wife he said, "I would send her messages at night and she would wake up to them and she would get upset." 53:30
  11. "None of this stuff that I did with any sort of mal-intent." 53:40
  12. "A couple of years this stuff had gone on and nobody had come forward with it until I had hurt somebody's feelings and I stepped on somebody's toes and they disclosed all the information." 54:05
  13. "I understand the allegations that are coming forward, but they had never been an issue until I upset Sonya". 54:50
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## **INVESTIGATION CLOSEOUT**

### **Officer Calcagno Evidence**

As noted above on page 8 I did not receive any evidence from Officer Calcagno immediately following our first interview up until April 20. Near the conclusion of the second interview on April 20 I mentioned to Officer Calcagno his offer to send evidence to me. He replied that he had sent several emails that apparently did not make it to my in box. I invited Officer Calcagno to text the information to me and asked that he send one message during our interview to ensure it would reach me. He sent me a text that included a screenshot of a conversation between him and Ms. Calcagno. I confirmed with him receipt of the information and asked that he send all other evidence of which he was in possession. As of this writing I have not received any additional information from Officer Calcagno.

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### **Final Summary**

In addition to the 13 items enumerated above, there were no less than 22 instances during the second interview in which Officer Calcagno's response to a question was some form of "I don't recall" or "I don't remember". He seemed evasive throughout most of the interview, as he was in the first interview on March 14, when he gave no less than 44 responses that were some form of "I don't know" or "I don't remember". His responses were often rambling, fumbling, and several contained very long pauses indicative of untruthful or misleading statements. By his own admission Officer Calcagno lied on at least one occasion; however, I found many of his statements to be misleading and other than completely truthful.

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### **Findings**

Conduct	Policy 340.5.9 M.	<u>Sustained</u>
Unauthorized Access, Disclosure or Use	Policy 322.5.6	
Access	Policy 322.5.6	<u>Sustained</u>
Disclosure	Policy 322.5.6	<u>Sustained</u>
Performance	Policy 3222.5.8	<u>Sustained</u>
Honesty	Value Statement	<u>Sustained</u>

PJC





# **Internal Affairs**

## **Summary of Findings**

Report #: 2019-01

**Employee Involved:** Officer Chris Calcagno #6494

**Investigator:** Mr. Phil Crochet

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### **FINDINGS**

**Count 1: Policy 322.5.6 Conduct:**

- m. Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

**Recommended Findings: Sustained**

The recommended findings is due to Officer Calcagno's continual pattern of harassing behavior against Ms. Sonja Calcagno, Ms. Yaret Marques, and Ms. Jamie Jacobs.

Pages 3 through 9 in Mr. Crochet's report thoroughly outlines a pattern of continual harassing type behavior on Officer Calcagno's part. When presented with the evidence and testimonies Officer Calcagno himself acknowledged the behavior as harassment.

The follow are just two examples of the harassing behavior, the examples were randomly selected from Mr. Crochet's report.

**Example of findings: Tab D, page 6** is a screen shot of text message sent from the WPD phone assigned to the patrol vehicle assigned to Officer Calcagno. It was sent to Sonja who was attempting to avoid Officer Calcagno due to continual unwanted contacting of her by him.

**Text from WPD Phone:** "Hello, this message is to confirm your appointment at Vancouver Integrated"

**Response:** Don't have an appointment. Please cancel whatever is booked.

**Text from WPD Phone:** Thank you!

**Example of findings: Tab D page 16** is a screen shot of text message recently sent from Ms. Yaret Marquez to Sonja Calcagno. Ms. Marquez attended CJTC BLEA with Officer Calcagno and was in a sexual relationship with Officer Calcagno while they were at BLEA together:

***Marquez - Can you tell your husband to leave me alone. He has been sending me messages and pictures on Snapchat. I blocked him on Instagram and he decided to add me on snap today. Tell him to LEAVE ME ALONE.***

Sonja – Thank you for sending this to me. He’s been begging me to come home. He is refusing to sign divorce papers but is still cheating on me. This is just more proof for my case. I appreciate you being an honest woman and telling me.

Marquez – I am really sorry that you had to find out this way. This all started in the academy. We were both attending during the same months. I approached him and asked if he was single. He said has[sic]. He later said that we[sic] was in a middle of divorce. Later I found out he and[sic] left over night for a family emergency. He then told me you were in labor. I can’t believe him.

Source: Documents provided by Sonja Calcagno.

(It should be noted that Officer Calcagno testified that he could not remember having a sexual relationship with Ms. Marquez during the first interview)

It should be noted that since the onset of this investigation I have received three new complaints of unwanted contact/harassing behavior on Officer Calcagno’s part. One from Ms. Jacobs and two from Ms. Sonja Calcagno.

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**Count 2:    Policy 322.5.6 Unauthorized Access, Disclosure or Use:**

- a. Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms or reports obtained as a result of the member’s position with this department.
- b. Disclosing to any unauthorized person any active investigation information.
- c. The use of any information, photograph, video or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.

**Recommended Findings:**

**Unauthorized Access (c): Sustained – 2 Documented Violations**

**Disclosure (a, b): Sustained – 3 Documented Violations**

During the first interview of Officer Calcagno he acknowledged that he may have run Jamie Jacobs through ACCESS/DOL because Jacobs had requested it to know if he could see her



tickets. Officer Calcagno acknowledged running Amanda Londo at least once but that it must have been work-related (Interview #1 Page 20, Line 23). A search of records did not locate any police reports, ACCESS records or other related material on Amanda Londo that corroborated Officer Calcagno's testimony of an official need to run queries on Amanda Londo through ACCESS.

**(Violation 1 – Unauthorized Accessing)**

**Tab 10, page 1:** On 4/26/18 at 3:16:04 AM Officer Calcagno ran an ACCESS/DOL search on Amanda L. Londo to include her date of birth. Source: ACCESS Off-Line Search.

**(Violation 2 – Unauthorized Accessing)**

**Tab 10, page 7:** On 8/19/18 at 2:47:23 AM Officer Calcagno ran an ACCESS/DOL search on Ms. Londo. Ms. Londo's full name and date of birth were entered for the query. Source: ACCESS Off-Line Search.

**Tab 10, page 7:** On 8/19/18 at 2:49 AM Officer Calcagno ran a 5 year "Abstract of Complete Driving Record" through ACCESS/DOL on Ms. Londo. Source: ACCESS Off-Line Search.

**Tab 10, page 21:** On 8/19/18 at 2:50:42 AM Officer Calcagno ran an ACCESS/DOL search on a Washington vehicle plate. Vehicle is jointly registered to Amanda L. Londo and another individual with the last name of Londo. Source: ACCESS Off-Line Search.

It should be noted that Officer Calcagno minimized the unauthorized accessing of information. His testimony was that he had forgotten the fact that he had ran a singular plate. Evidence from the Off-Line Search shows that it's wasn't a singular plate, in fact the queries were conducted by using full name and date of birth. Although evidence does also show he did run at least one vehicle plate of an individual he is/was in a relationship with).

**(Violation 1 – Disclosure)**

**Tab D, page 5:** MDC screen shot of a welfare check. The screen shot clearly shows RP's name, address, and telephone number. **Tab D, page 69** is a MDC screen shot of a female being transported from the Brass Lamp trailer park to PHSW by Officer Handley. Name, telephone number not visible. Source: Document obtained from Mrs. Sonja Calcagno.

**(Violation 2 – Disclosure)**

**Tab D, page 71:** MDC screen shot of an in-progress call. It involved a non-local law enforcement agency requesting assistance with locating and arresting a suspect who also made suicide-by-cop statements, The suspect's vehicle plate number is clearly visible in the screen shot as well as the location of where the incident "was to go down" at. Source: Document obtained from Mrs. Sonja Calcagno.

Releasing (texting) this information to non-law enforcement person created the potential of making an already in-progress dangerous call into a more dangerous call.

Releasing information provided by another law enforcement agencies created, and still creates, the risk of other law enforcement agencies losing confidence in being able to share information with officers of the Washougal Police Department.

**(Violation 3 – Disclosure)**

**Tab E, page 1:** MDC screen shot of an apparent welfare check of a person in a mental health crisis. The screen shot does not show RP's name, address, and telephone number but does list the name "Maria". Source: Document obtained from Ms. Jacobs.

The following minimizing statements of the releasing of information were made by Officer Calcagno during the 1st interview:

**"...I didn't think I'd be disciplined for sending my wife a call comment about a cat scooped up off the road". Ofc. Calcagno Interview #1 page 16 line 22**

The following statement was made by Officer Calcagno during the 2nd interview of him:

***"...if I was to send somebody a screen shot of a message, it would have been the meat and potatoes of the call. I would have left out the names. I would have left out the – the RP, the phone number, the address, that stuff". Ofc. Calcagno Interview #2 page 27 line 6***

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Counts 3 and 4 are in conjunction with each other

**Count 3:    Policy 322.5.8 Performance:**

- c. Failure to participate in, or giving false or misleading statements, or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.

**Count 4:    Department Value Statement Honesty:**

**Recommended Findings: Sustained for Count 3 and Count 4**

**Example:** During interview #1 Officer Calcagno testified that he had no memory of having a sexual relationship with Ms. Marquez. This relationship was reported to have taken place while they were both attending BLEA together as recruits. According to Officer Calcagno he had no memory of having a sexual relationship with Ms. Marquez. The testimony that he had no memory of the sexual relationship was one factor in conducting a 2<sup>nd</sup> interview of Officer Calcagno for honesty. I found it almost impossible to believe his answer for the following reasons: He and Ms. Marquez knew each other personally (it wasn't a "one night'er" with an unknown person), they were both attending BLEA (continual contact with each other), it was only two years ago, he was married (a typical person would remember due to infidelity factor), his wife was in the last term of pregnancy (references a time period



in his life). Any of the above factors should be enough for a person to recall. Even if none of the factors did jog his memory the recent communications by Ms. Marquez asking for Sonja to tell Officer Calcagno to leave her alone should have brought back a person's memory.

During Interview #2 Officer Calcagno acknowledged a sexual relationship with Ms. Marquez while they were attending BLEA.

Mr. Crochet: "If I asked you that same question today, did you have sex with Yurette Marquez, what would your answer be?"

Officer Calcagno: "**Yes**" (Page 45 Line 19 Interview #2)

**Example:** During interview #1 Officer Calcagno testified that he had no memory of sending screen shots of MDC to non-law enforcement personnel ***"I don't specifically remember doing that or not"***. Officer Calcagno went on to explain ***"...if I did send a screen shot of anything like a picture from a cellphone or something like that, to the best of my knowledge, it was just kind of the meat and potatoes of the call. It wasn't necessarily like the pertinent or the sensitive information like an RP or address or phone number or anything like that"***. When Mr. Crochet presented Officer Calcagno with a MDC screen shot of a call Officer Calcagno testified that he has no memory of sending the screen shot however he did remember the name (of the person on the MDC).

When presented with a second screen shot of another call Officer Calcagno testified ***"I remember the call. I don't remember sending that text message at all, though"***. Officer Calcagno also testified that he remembered talking to Sonya about the call but not sending the screen shots.

Regarding sending screen shots Officer Calcagno said ***"I wouldn't say that I probably had sent it. I would say, is there a possibility that I did send it? Well, sure, if these pictures are being presented in front of you, there's a possibility that they go them somehow"***.

Officer Calcagno was presented with screen shots from four different CAD calls, each of which Officer Calcagno testified to having no memory of sending the screen.

During interview #2 Officer Calcagno completely changed his testimony and admitted to sending MDC screen shots. Officer Calcagno said he now remembered that he sent screen shots because of the evidence that was shown to him during the 1<sup>st</sup> interview.

It is difficult to understand how an officer could remember the calls, remember the names of people on the calls, and could remember specifically talking about a call to his wife (now ex-wife) however he had no memory of ever sending screen shots even when they were presented as evidence during interview #1.

During interview #2 Officer Calcagno testified that not only did he send the screen shots presented to him but he also sent other screen shots as well. When asked how many times Officer Calcagno made the following statements



*"Honestly, I have no idea. I can't – I would say a handful of times: Less than six or so".*

*"I know that I've done it in the past, but I can't tell you how many times".*

*"I remember some calls that aren't brought up here that I did send pictures of to my wife"*

**Example:** During Interview #1 Officer Calcagno testified that he would have only ran an ACCESS/DOL search on Amanda Longo for official purposes only. ***"But - - let me clarify, I have no reason to run her outside of - - other than a work-related"***. Page 20 Line 22 Interview #1. Officer Calcagno also mentioned that would have also been the reason for running Ms. Longo's vehicle plate.

Off-Line records show that on 8/19/18 at 2:47:23 AM Officer Calcagno ran an ACCESS/DOL search on Ms. Londo. Ms. Londo's full name and date of birth were entered for the query. Source: ACCESS Off-Line Search. **Tab 10, page 7 ACCESS Off-Line Search Report**

Off-Line records show that on 8/19/18 at 2:49 AM Officer Calcagno ran a 5 year "Abstract of Complete Driving Record" through ACCESS/DOL on Ms. Londo. Source: ACCESS Off-Line Search. **Tab 10, page 7 ACCESS Off-Line Search Report**

I search of all WPD databases, CRESA CAD database found no evidence of Ms. Londo being associated to a WPD incident, call, or traffic stops during that time period.

During Interview #2 Officer Calcagno acknowledged that he had Ms. Londo's full name, date of birth, and SSN in order to purchase a fishing license for her ***"And that was the only time that I've ever had access to all of her information. Did I punch it in? I may have. I don't recall specifically doing it. But that was the only time"***.

Officer Calcagno's overall testimony was confusing regarding ACCESS searches of not only Ms. Londo herself, but also of a vehicle that belonged to Ms. Londo. As far as running the vehicle plate Officer Calcagno said it would have only been for official reasons and a short while later he said that it could have also been that they were trying to find each other because she was bringing him lunch and he was trying to locate her car. When asked if she was bringing him lunch at 2:50 AM (when the plate was ran) Officer Calcagno said no.


Officer Calcagno and Ms. Londo were/is in some sort of a relationship then and now, and it is very hard for me, as a law officer, to understand how Officer Calcagno ran Ms. Londo through the ACCESS system two different times and according to Officer Calcagno both times would have only been for official purposes yet he does not remember what the official reason was. Based on his testimony, even though they were/are in a relationship (she is personally known to him) he has no memory of the two separate times that he ran her through ACCESS or conducted a 5 year abstract. Nor does he have memory of running her vehicle through ACCESS as well. Unauthorized uses of ACCESS are strictly against policy and could subject a person to criminal charges thus it seems to reason an officer would

remember conducting such searches, particularly when presented with the information. If an officer cannot recall conducting unauthorized searches then the officer must either: #1: have memory issues, #2: conduct unauthorized queries on a regular basis, or #3: is being dishonest.

**Recommended Discipline:**

Due to the totality of this case, and specifically because of the dishonesty issues that occurred while under oath, I recommend that Officer Calcagno be **terminated** from the Washougal Police Department.

End of report

 6/4/17  
Allen Cook, Commander  
Washougal Police Department



August 25, 2020

Tony Golik  
Clark County Prosecuting Attorney  
1013 Franklin Street  
P.O. Box 5000  
Vancouver, WA 98666-5000

Dear Mr. Golik:

**Subject: NOTICE OF AGENCY ACTION – PA’S DISCLOSURE  
WATCH LIST**

This notice is to document our telephone conversation on August 24, 2020 to confirm a former Washougal police officer, Christopher Calgano, is on the Clark County Prosecuting Attorney’s Disclosure Watch List:

Name of Officer:	Christopher Calgano
Date of Determination:	July 15, 2019
Nature of Conduct:	Sustained IA finding of Untruthfulness

Summary of Conduct/Information:

Notice of termination and pre-disciplinary hearing is attached.

Sincerely,

WENDI STEINBRONN  
Chief of Police

CITY HALL  
1701 C Street  
Washougal, WA 98671  
(360)835.8501  
Fax (360)835.8808

POLICE DEPARTMENT  
1320 A Street  
Washougal, WA 98671  
(360)835.8701  
Fax (360)835.7559





To: Chris Calcagno  
CC: Union Representative  
From: Ron Mitchell, Police Chief  
Date: July 15, 2019  
RE: Notice of Termination

On July 3, 2019, I held a pre-disciplinary meeting to give you an opportunity to speak on your behalf and clear your name before I decided what, if any, action to take regarding your employment. Cmdr. Cook attended the meeting with me. You elected not to have your union representative or attorney present to accompany you. You did not provide me any documents for me to review before or during the meeting.

The reasons I was considering disciplinary action are set forth in the investigation memo of Phillip Crochet, which was provided to you prior to the pre-disciplinary meeting. In sum, I found, based on the investigation, that you violated the following policies:

- Conduct unbecoming, Policy No. 340 5.9 M
- Unauthorized access, disclosure or use, Policy No. 322.5.6
- Performance, Policy No. 322.5.8
- Honesty, Value Statement, for not being truthful with Mr. Crochet in responding to his questions and providing information during his investigation

At the pre-disciplinary hearing, you expressed some remorse for your conduct vis-à-vis your wife. However, I heard little to no remorse for your conduct during the investigation that resulted in Mr. Crochet concluding that you had been untruthful and deceptive. As you know, truthfulness is of the highest importance in law enforcement. This includes truthfulness during an investigation when one has been accused of misconduct. Even if I could look past the other violations, which I cannot, the additional finding that you had been dishonest is critical to my decision-making.

After considering the information in the Crochet investigation report and what you contributed during the pre-disciplinary hearing, I have decided to terminate your employment.

This is a particularly regretful day for me, as I had very high hopes that you would become a long-term, productive member of the department. I do hope that you are able to put these mistakes behind you and will become successful at whatever you pursue next.

Jeanette Cefalo will be in contact with you regarding medical benefits and other issues related to your separation.

CITY HALL  
1701 C Street  
Washougal, WA 98671  
(360)835.8501  
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