



DAVID J. STANKO
JEFFERSON COUNTY SHERIFF

79 Elkins Road • Port Hadlock, Washington 98339 • (360) 385-3831

RECEIVED

SEP 02 2016

JEFFERSON COUNTY
PROSECUTING ATTORNEY

September 1, 2016

On 07/16/2014 Jefferson County Sheriff's Office (JCSO) Deputy **Darrin Dotson** conducted a traffic stop (JCSO case number 14-7085) which resulted in a complaint being filed (IA 14-02) regarding his behavior during his interaction with the driver of the stopped vehicle. Tony Hernandez, who was the Jefferson County Sheriff at the time of the incident, ordered JCSO Special Investigator Bob Gebo to conduct an internal investigation pertaining to the allegation against Dotson. At some point Gebo completed his investigation.

On 08/29/14, subsequent to Hernandez's voluntary departure, I was sworn in as Jefferson County Sheriff by the Board of County Commissioners. Shortly before my swearing in Hernandez handed me a stack of folders and papers that he said needed to be reviewed. These were documents that had accumulated on Hernandez's desk.

Within a week or two of receiving the stack of folders and papers from Hernandez I noticed that Dotson's internal investigation file (IA 14-02) was included with those documents. I also observed that the complaint had not been acted upon by Hernandez.

I reviewed Dotson's internal investigation file and determined that discipline was appropriate for violating department policy 316.2, Response to Calls and 340.3.2, Conduct. I also found that Dotson used poor judgement in stopping the complainant's vehicle while en route to back up a fellow deputy on a report of gunshots and a women screaming.

Prior to meeting with Dotson I reviewed Sheriff's Office policy and the Commissioned Deputies Collective Bargaining Agreement (CBA). Per the CBA, "The County shall initiate disciplinary action within a reasonable period of time, but not more than 20 working days of the completion of the Sheriff's investigation leading to discipline." By the time I received Dotson's internal investigation report from Hernandez more than 20 working days had already passed. I was therefore unable to take disciplinary action.

However, I did call Dotson into my office and had a closed door meeting with him regarding the allegations. I apologized to Dotson for how long it had taken for someone to meet with him regarding his internal investigation. I told Dotson that he had used poor judgement in stopping the complainant's vehicle while on route to a high priority call to back up a fellow deputy. Dotson stated that he understood. I also explained to Dotson that his demeanor on the traffic stop was unnecessary and he commented that he was upset at the driver for shinning lights in his eyes.

I told Dotson that due to the time that had elapsed since the completion of the internal investigation and my speaking with him I would not be administering any discipline. I explained to Dotson that



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therefore the internal investigation would not be going into his personnel file. Dotson stated he understood and thanked me.

Since I was unable to initiate any disciplinary action, and considered placing the internal investigation report into Dotson's personnel file to be disciplinary, I submitted the investigative file to Susan Zoya, the Sheriff's confidential secretary, for destruction. In hindsight, and with more experience now than I had then, even though I considered the matter to be tainted due to the time delay in addressing it, I should have retained the file in a location other than Dotson's personnel file.

Had I had the opportunity to deal with the matter within the 20 day time limit I would have, at the very least, issued a written reprimand to Deputy Dotson for violating department policy 1000.3.7, Judgment Under Pressure and 340.3.2, Conduct.

A handwritten signature in black ink, appearing to read "Joe Nole". The signature is fluid and cursive, with the first name "Joe" and last name "Nole" clearly distinguishable.

Joe Nole

Undersheriff

Orig: JCSO
Teamsters
Boc
HR Consultant.
Cc: HR
Aud.

AGREEMENT
by and between
JEFFERSON COUNTY
and
TEAMSTERS LOCAL UNION NO. 589
OF THE INTERNATIONAL BROTHERHOOD OF
TEAMSTERS
covering

SHERIFF'S OFFICE
COMMISSIONED DEPUTIES

For the period January 2015 through December 2017



GRIEVANCE: A complaint by an employee, a Union Representative or the County concerning the interpretation or application of this Agreement. A grievance may be filed when the employee believes an injustice has been done because of unfair application of a policy or an alleged violation of any term or condition of this Agreement or policy.

Letters of Reprimand and other non-economic disciplinary actions are not grievable upon issuance. Disciplinary action, including any underlying supporting Letters of Reprimand, with an economic impact on the employee shall be subject to grievance processing as a single procedure.

WORKING DAY: Days the Court House is open for business.

EMPLOYEE: Any Employee of the Jefferson County Sheriff's Office covered by this Agreement.

IMMEDIATE SUPERVISOR: The person, who assigns, reviews or directs the work of an Employee.

SUPERIOR: The person to whom an immediate supervisor reports.

REPRESENTATIVE: A person who appears on behalf of the employee.

DEPARTMENT HEAD: The Sheriff of the County of Jefferson.

- 14.3 **TIME LIMITS:** Time limits are established to settle grievances quickly. Time limits may be extended by agreement of the parties. If the grievant is not satisfied with the decision rendered, it shall be the grievant's responsibility to initiate the action which submits the grievance to the next level of review within the time limits specified. Failure of the Employee to submit the grievance within the time limits imposed shall terminate the grievance process and the matter shall be considered resolved. Failure of the County to respond within the time limits specified will allow the grievant to submit the grievance to the next higher step of the grievance procedure. The County shall initiate disciplinary action within a reasonable period of time but not more than 20 working days of the completion of the Sheriff's investigation of the incident leading to discipline. The above referenced Sheriff's investigation will be completed in a reasonable length of time.

14.4 **PARTIES RIGHTS AND RESTRICTIONS:**

1. A party to the grievance shall have the right to record a formal grievance meeting at the expense of the requesting party.
2. An Employee may have a Union representative present at all steps of the grievance procedure.
3. Reasonable time in processing a grievance will be allowed during regular working hours for the shop steward, with advanced supervisory approval.
4. Nothing within this grievance procedure shall be construed as limiting the right of management to manage the affairs of the County.
5. Grievances of an identical nature, involving an alleged violation of the same Article, section, etc., concerning the same subject matter, may be consolidated.

Jefferson County Sheriff's Department

Policy Manual

Conduct

- (d) Failure to notify the Department within 24 hours of any change in residence address, home phone number, or marital status.
- (e) Failure to comply with attendance-related policies.

340.3.2 CONDUCT

- (a) Unauthorized or unlawful fighting, threatening, or attempting to inflict unlawful bodily injury on another.
- (b) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment without first notifying the Sheriff of such action.
- (c) Using Departmental resources in association with any portion of their independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.
- (d) Engaging in horseplay resulting in injury or property damage or the reasonable possibility thereof.
- (e) Unauthorized possession of, loss of, or damage to department property or the property of others or endangering it through unreasonable carelessness or maliciousness.
- (f) Failure of any employee to promptly and fully report activities on their own part or the part of any other employee where such activities may result in criminal prosecution under this policy.
- (g) Failure of any employee to promptly and fully report activities that have resulted in official contact by any other law enforcement agency.
- (h) Using or disclosing one's status as an employee with the Department in any way that could reasonably be perceived as an attempt gain influence or authority for non-departmental business or activity (RCW 9A.80.010).
- (i) The use of any information, photograph, video or other recording obtained or accessed as a result of employment with the Department for personal or financial gain or without the expressed authorization of the Sheriff or his/her designee may result in discipline under this policy.
- (j) Seeking restraining orders against individuals encountered in the line of duty without the expressed permission of the Sheriff.
- (k) **Discourteous or disrespectful treatment of any member of the public or any member of this department or another law enforcement agency.**
- (l) Unwelcome solicitation of a personal or sexual relationship while on or off-duty or through the use of official capacity.
- (m) Engaging in on-duty sexual relations including, but not limited to sexual intercourse, excessive displays of public affection or other sexual contact.

Jefferson County Sheriff's Department

Policy Manual

Recruitment and Selection

1. Having been disciplined by any employer (including the military and/or any law enforcement training facility) for acts constituting racial, ethnic or sexual harassment or discrimination.
2. Uttering any epithet derogatory of another person's race, religion, gender, national origin or sexual orientation.
3. Having been disciplined by any employer as an adult for fighting in the workplace.

1000.3.7 JUDGMENT UNDER PRESSURE

- (a) The ability to apply common sense during pressure situations.
- (b) The ability to make sound decisions on the spot.
- (c) The ability to use good judgment in dealing with potentially explosive situations.
- (d) The ability to make effective, logical decisions under pressure.
- (e) The following shall be disqualifying:
 1. Admission(s) of administrative conviction or criminal convictions for any act amounting to assault under color of authority or any other violation of federal or state Civil Rights laws.
 2. Any admission(s) of administrative conviction or criminal conviction for failure to properly report witnessed criminal conduct committed by another law enforcement officer.

1000.3.8 ILLEGAL USE OR POSSESSION OF DRUGS

- (a) The following examples of illegal drug use or possession will be considered automatic disqualifiers for public safety applicants, with no exceptions:
 1. Any adult use or possession of a drug classified as a hallucinogenic within seven years prior to application for employment.
 2. Any adult use or possession of marijuana within one year prior to application for employment.
 3. Any other illegal adult use or possession of a drug not mentioned above (including cocaine) within three years prior to application for employment.
 4. Any illegal adult use or possession of a drug while employed in any law enforcement capacity, military police, or as a student enrolled in college-accredited courses related to the criminal justice field.
 5. Any adult manufacture or cultivation of a drug or illegal substance.
 6. Failure to divulge to the Department any information about personal illegal use or possession of drugs.

JCSO SPECIAL INVESTIGATOR
BOB GERB'S NARRATIVE REPORT
OF HIS INTERNAL INVESTIGATION
Note/#2

IA # 14-02

Accused : Deputy Darrin Dotson #29

Allegations: 316.2 RESPONSE TO CALLS & 340.3.2 CONDUCT

Complainant: Cochran, Aaron Zebulon W-M-6-19-1973 S.S.# 527-71-0704 WA DOL # CO-Ch-
RA-Z270LR CDL Status : Clear

408 Penn Street Port Angeles, WA 98362 Endorsed for Motorcycles Expires 6-19-
2017

No DUI or DWLS

No criminal history found locally

No WASCIC or NCIC record found

Witness: Deputy Adam Newman #28

Synopsis: On 7-16-2014 at approximately 0031 hrs. Deputy Kevin Denney #36 was dispatched by JEFFCOM to the area of Crocker Lake on a report of a gunshot heard and a woman screaming. Deputy Darrin Dotson #29 and Deputy Adam Newman #28 were dispatched as back ups.

At about the same time, the complainant was driving a Food Services of America tractor-trailer west bound on HWY 104. He noticed two vehicles approaching behind his truck at high speed and surmised they were either WSP vehicles or Sheriff's vehicles due to their overtaking speed. He reported neither vehicle had any visible emergency lights. The driver/complainant indicated he was attempting to manipulate a light switch in the cab but mistakenly turned on the work lights which are white lights directed toward the rear of the truck normally used for backing and

illuminating the rear at a loading dock. He observed the lead vehicle behind him brake sharply, nearly colliding with the following vehicle.

The complainant reportedly pulled over to a stop and opened his driver's door so that the trooper/deputy could see inside. He stated the now identified deputy slammed the door shut with his hand or fist with enough force to cause him pain in his previously injured arm and slightly dent the exterior of the driver's door, and directed the complainant to "Stay in There!" The deputy then asked for the driver's license and registration and said "Thanks for that. You almost made me wreck at 110 mph. I'm on my way to a high priority call. That's why I didn't have my lights on." The complainant stated he apologized and tried to explain how the work lights were accidentally turned on. The deputy reportedly yelled at the complainant "That's fucking bullshit and you know it!" The deputy then returned to his patrol car and a short time later returned with the complainant's paperwork and a traffic infraction for Negligent Driving 2nd Degree.

According to Captain Stamper's timeline analysis, Deputy Denney was dispatched at 0031 hrs.; Deputy Newman was dispatched at 0032 hrs. and Deputy Dotson as a third unit at 0049 hrs. when he had cleared the traffic stop. Deputy Dotson may have broadcast the traffic stop prior to 0043 hrs. but was covered by other radio traffic. Deputy Denney broadcast his arrival at 0041 hrs. Deputy Newman broadcast his arrival in the area at 0045 hrs.

Deputy Dotson cleared his traffic stop at 0049 hrs. and arrived in the Crocker Lake area at 0053 hrs.

All three deputies cleared the call as Unfounded at 0120 hrs. having found no disturbance.

In a compelled statement Deputy Dotson describes responding to the Crocker Lake area for a verbal domestic, screaming, with the sound of a shotgun firing as described by Deputy Denney in 14-7084. He indicates he and Deputy Newman were using their emergency lights and sirens as they responded and he observed the westbound tractor-trailer from a distance of two or three miles but deactivated his emergency equipment as he neared Milepost 1 on Hwy 104. His statement makes no mention of reducing his speed at that point but does describe overtaking the complainant's tractor-trailer. He describes the bright white LED light on the tractor suddenly being illuminated as he was attempting to pass which blinded him briefly and caused "the second scariest time of his career." He reports no close call or near collision with Deputy Newman's vehicle. He describes approaching the commercial vehicle on foot with his vision greatly impaired and hearing the driver's door open. He states he feared an attack by the driver and pushed the door closed and instructed the driver to keep the door closed. He denies punching, striking, or hitting the door. He does state that he reacted to the driver's explanation of how the light came on as "Bullshit" and that it was too coincidental that the only time the

light came on was when it greatly affected the deputy as he attempted to pass the truck. Deputy Dotson describes issuing a citation to the truck driver/complainant for Negligent Driving.

In a compelled statement Deputy Adam Newman states he was well behind Deputy Dotson and unable to see his patrol car as they responded to the JEFFCOM dispatched call to the area of Crocker Lake. He states he and Deputy Dotson discussed shutting down their emergency equipment for the brief time in the open section of HWY 104 at MP1 as it was viewable from the location of the call. Deputy Newman estimated his vehicle speed to be around 85+ MPH. Deputy Newman heard Deputy Dotson announce on TAC radio that a truck turned on an alley light and then observed Deputy Dotson following behind a semi with his emergency lights activated..Deputy Newman proceeded around the deputy's car and the stopping truck on to the dispatched call. He reports he did not observe any contact with the truck driver by Deputy Dotson and that at the scene of the dispatched call Deputy Dotson described issuing a citation to the driver of the truck.

A review of the JEFFCOM transmissions shows the original call was broadcast at approx. 0031 hrs. to Deputy Kevin Denney #36. Deputy Adam Newman #28 advised that he was responding which was acknowledged by JEFFCOM at 0031 hrs. Deputy Darrin Dotson #29 advised that he was also responding which was acknowledged by JEFFCOM at 0032 hrs. No mention of a Code 3 was made by any unit or JEFFCOM. At 0036 JEFFCOM advised that WSP had been notified acknowledged by Deputy Denney #36. He advised that he was in the area at 0041 hrs. Deputy Dotson #29 advised that he was on a traffic stop on HWY 104 mile 1 at 0043. 0045 hrs. JEFFCOM advised a call from Border Patrol; they have two agents in the area and are responding. Deputy Dotson cleared the traffic stop at 0049 hrs. Deputy Denney cleared the call "D" David at 0117.

ANALYSIS

The initial broadcast of the call contained a description of a shotgun blast followed by loud yelling between a male and female, followed by loud music, hardly the cause for a 100+ MPH response, but at least the response by Deputy Dotson and Deputy Newman involved the use of emergency lights and siren. The decision to shut off that equipment without a substantial reduction in speed clearly is a violation of policy. That poor decision becomes an even greater problem when Deputy Dotson overtakes the semi-truck, presumably observing the speed limit, and is blinded by a rear-facing light from the truck. Deputy Dotson describes it to have been the second scariest time in his career. His assessment might have been accurate, but his high speed approach to the tractor-trailer probably added to his concern. Deputy Newman estimated his speed to be 85+ MPH, 25+ MPH slower than Deputy Dotson's estimated speed,

and he was able to maneuver around the tractor-trailer being unexpectedly stopped by Deputy Dotson.

The issue then becomes how a traffic stop of the tractor-trailer took priority over what had just been a high speed response to a multiple unit call possibly involving a firearm.

Deputy Dotson clearly exhibited poor control of his emotions in his interaction with the truck driver. The complainant describes the strong language used Deputy Dotson which is partially admitted to in his compelled statement and is clearly the result of the high emotions brought on by the high-speed response and the unexpected light shining to the rear of the truck.

Captain Stamper observed and photographed the dent in the driver's door which the complainant stated was caused by Deputy Dotson striking the door. The issuing of a traffic citation in this situation shows a lack of good judgment also the probable result of the high-speed response and unexpected light on the truck.

1407084

REPORT NUMBER

Jefferson County Sheriff's Office
79 Elkins Rd, Port Hadlock, WA 98339
INCIDENT REPORT



AGENCY JCSO **CAD EVENT** 1948 **RELATED CASES**
CLASSIFICATION Suspicious Suspicious Vehicle/Person
MAJOR VIOLATION Suspicious Situation **STATUS** Closed
DISPOSITION Information
OFFENSES Suspicious Suspicious Vehicle/Person

REPORTED 07/16/14 00:29 **OCCURRED** 07/16/14 00:29 **TO** 07/16/14 00:29 WED

LOCATION
PREMISE
CITY PORT TOWNSEND 98368 **DISTRICT** S2 **GRID** SOUTH

NATURE

<input type="checkbox"/> Computer Used	<input type="checkbox"/> Hate/Bias	<input type="checkbox"/> Child Abuse	<input type="checkbox"/> Arson
<input type="checkbox"/> Alcohol Related	<input type="checkbox"/> Officer Assault	<input type="checkbox"/> Domestic Violence	<input type="checkbox"/> DUI
<input type="checkbox"/> Drug Related	<input type="checkbox"/> Senior Citizen	<input type="checkbox"/> Burglary	<input type="checkbox"/> Property Crime
<input type="checkbox"/> Gang Related	<input type="checkbox"/> Juvenile	<input type="checkbox"/> Theft	<input type="checkbox"/> Sex Crime
<input type="checkbox"/> Assault	<input type="checkbox"/> Mental	<input type="checkbox"/> Warrant Arrests	

OFFICER 36 DENNEY, KEVIN **REPORT FILED** 07/16/14 00:00
APPROVED 6 STAMPER, BENJAMIN **APPROVAL DATE** 07/16/14 09:52

SYNOPSIS

Deputies responded to a shot heard with a woman screaming complaint near Crocker Lake. R/p was a passer-by and did not give an accurate description of the area, nor was available for call back. Deputies searched the surrounding area to include contacting person's in there homes to see if they heard anything; nothing was heard by persons in the immediate area.

INFRACCTION

☒ TRAFFIC ☐ NON-TRAFFIC LEA: WA0160000

COURT ORI #: WA016013J

INFRACCTION #: 420382713

REPORT #: S3

IN THE ☒ DISTRICT ☐ MUNICIPAL COURT OF

JEFFERSON DISTRICT COURT

☒ STATE OF WASHINGTON ☐ COUNTY OF

☐ CITY/TOWN OF

PLAINTIFF VS. NAMED DEFENDANT

THE UNDERSIGNED CERTIFIES AND SAYS THAT IN THE STATE OF WASHINGTON

DRIVER'S LICENSE NO. (SCANNED)

STATE WA EXPIRES 06-19-17

PHOTO ID. MATCHED ☒ YES ☐ NO

NAME: LAST COCHRAN

FIRST AARON

MIDDLE ZEBULON

SFX

CDL ☒ YES ☐ NO

ADDRESS 408 PENN ST

IF NEW ADDRESS PASSENGER

CITY PORT ANGELES

STATE WA ZIP CODE 983624816

EMPLOYER

EMPLOYER LOCATION

DATE OF BIRTH 06-19-73

RACE W

SEX M

HEIGHT 5'11"

WEIGHT 235

EYES HAZ

HAIR

RESIDENTIAL PHONE NO.

CELL/PAGER PHONE NO.

WORK PHONE NO.

VIOLATION DATE

ON OR ABOUT 07/16/2014 00:45

INTERPRETER NEEDED

AT LOCATION SR104

REF. TRAFFICWAY

M.P. 1.00

CITY/COUNTY OF JEFFERSON

VEH LIC NO

STATE WA

EXPIRES 12-31-14

VEH YR 2011

MAKE INTERNATIONAL

MODEL TRACTOR

STATE WA

EXPIRES

TR YR

STYLE TRACTOR TRUCK.

COLOR

TR #1 LIC NO

STATE

EXPIRES

TR YR

TR #2 LIC NO

STATE

EXPIRES

TR YR

OWNER/COMPANY IF OTHER THAN DRIVER

FOOD SERVICES OF

ADDRESS 18430 E VALLEY HWY

ACCIDENT NO COMMERCIAL VEHICLE ☒ YES ☐ NO 16+ PASS ☒ YES ☐ NO HAZMAT ☒ YES ☐ NO CITY KENT

EXEMPT VEHICLE

FIRE LEA

STATE WA

ZIP CODE 98032

VEH SPEED IN A ZONE

1. VIOLATION/STATUTE CODE 46.61.525

DID THEN AND THERE COMMIT EACH OF THE FOLLOWING OFFENSES

NEGLIGENT DRIVING 2ND DEGREE

2. VIOLATION/STATUTE CODE

PENALTY \$

3. VIOLATION/STATUTE CODE

PENALTY \$

4. VIOLATION/STATUTE CODE

PENALTY \$

5. VIOLATION/STATUTE CODE

PENALTY \$

RELATED # DATE ISSUED 07-16-14

TOTAL PENALTY \$ 550.00

☒ TICKET SERVED ON VIOLATOR

☐ TICKET SENT TO COURT FOR MAILING

☐ TICKET REFERRED TO PROSECUTOR

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT I HAVE ISSUED THIS ON THE DATE AND AT THE LOCATION ABOVE, THAT I HAVE PROBABLE CAUSE TO BELIEVE THE ABOVE NAMED PERSON COMMITTED THE ABOVE OFFENSE(S), AND I AM ENTERING MY AUTHORIZED USER ID AND PASSWORD TO AUTHENTICATE IT.
OFFICER DARRIN DOTSON # 29

INF #	RESPONSE	DISPOSITION	PENALTY	SUSPENDED	SUB-TOTAL	FINDING/JUDGMENT DATE
1	C	NC	C NC D P DF	\$		
2	C	NC	C NC D P DF	\$		
3	C	NC	C NC D P DF	\$		
4	C	NC	C NC D P DF	\$		
5	C	NC	C NC D P DF	\$		
TOTAL COSTS						\$

INFRACCTION ABSTRACT OF JUDGMENT

ABSTRACT MLD TO OLYMPIA

Officer's Report for Citation/Notice of Infraction # 4Z0382713.
The information contained in and attached to this citation/notice of infraction is incorporated by reference into this report.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT ALL STATEMENTS MADE HEREIN ARE TRUE AND ACCURATE AND THAT I AM ENTERING MY AUTHORIZED USER ID AND PASSWORD TO AUTHENTICATE IT.

Signature: DARRIN DOTSON # 29

Date and Place: 7/16/2014 County of JEFFERSON

TRAFFIC		WEATHER		STREET		LIGHT	
WITNESS NAME (LAST, FIRST, M.I.)		PHONE		WITNESS NAME (LAST, FIRST, M.I.)		PHONE	
ADDRESS	CITY	STATE	ZIP	ADDRESS	CITY	STATE	ZIP
WITNESS NAME (LAST, FIRST, M.I.)		PHONE		WITNESS NAME (LAST, FIRST, M.I.)		PHONE	
ADDRESS	CITY	STATE	ZIP	ADDRESS	CITY	STATE	ZIP
WITNESS NAME (LAST, FIRST, M.I.)		PHONE		WITNESS NAME (LAST, FIRST, M.I.)		PHONE	
ADDRESS	CITY	STATE	ZIP	ADDRESS	CITY	STATE	ZIP
WITNESS NAME (LAST, FIRST, M.I.)		PHONE		WITNESS NAME (LAST, FIRST, M.I.)		PHONE	
ADDRESS	CITY	STATE	ZIP	ADDRESS	CITY	STATE	ZIP

