

**Date:** December 4, 2007

**To:** Deputy James Schrimpscher

**Via:** Direct

**From:**   
Sheriff Susan Rahr

**Re:** LOUDERMILL HEARING RESULTS, IIU 2006-085 / 2007-002 / 2007-032

I want to thank you and your KCPOG representative Steve Eggert for meeting with me on November 27<sup>th</sup>. This was your opportunity to offer any additional information for my consideration before I made a final determination in this case. Also in attendance were Chief Robin Fenton, Captain Cameron Webster, Sgts. James Corey and Mike Mullinax, and Virginia Kirk.

Mr. Eggert began the discussion by saying this series of investigations was neither fair, nor thorough. He felt the investigations drew only the most adverse conclusions possible.

**Regarding 2007-085** – Mr. Eggert pointed out that Chief Fenton non-sustained all allegations related to Deputy Keller's and your interaction with Anthony Alvarez on 12/27/06. He added that you clearly had P.C. to stop and detain Luke Bulyca and Scott Jordon on that day as well. He said your some thirty minute detention of Bulyca was not a violation of any G.O.M. or T.B. section, was not in any way improper and the finding should be "Exonerated." I do not agree. I believe in this situation it was not reasonable or appropriate to keep Mr. Bulyca handcuffed in the back of your car for 30 minutes and drive to another location before confirming that the warrant was not extraditable.

Regarding the phone conversation you claim to have had with Deputy Charles Douglas; Mr. Eggert says you clearly spoke to Charles Douglas, but that you are simply mistaken about having spoken to him via phone on or about 12/27/06. He said you honestly believe that conversation took place that day and this is just an innocent mistaken recollection on your part. Mr. Eggert believes the dishonesty allegations in this case should not be sustained. I do not agree. I reviewed Deputy Douglas's statement again and your statement. You were very specific in your statement about the timing and details of the conversation you claimed took place on 12/27/06. Deputy Douglas does not describe having any conversation with you at *any* time that remotely supports what you claim. The closest he could come was to recall a conversation with Deputy Keller about a bus stop in a different location.

**Regarding 2007-032** – Mr. Eggert here too believes the dishonesty allegations regarding your statements to IIU about the length of time you had Brandy Goldsberry in custody are not sustainable. Once again, I do not agree. It's very clear from the investigation that you had Brandy Goldsberry in custody for nearly three and a half hours. Your first statement is extraordinarily misleading and leaves the impression that she provided information that you passed on to another detective for follow-up at a later time. In fact the investigation is very clear that she was with you and Deputy Keller continuously for over three hours, setting up the deal with Brandon Selover.

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**Regarding 2007-002** – On 12/29/06 you detained Juan Diaz and Eric Ellis, placed them in handcuffs, searched them and searched the car they were in. They were ultimately released without charges. The investigation concluded that some of your actions were in violation of policy. Mr. Eggert believes there was no policy violation in this matter and that the finding should be “Exonerated.”

You told me you are not a complicated person, that you just go out and try to do the best job you can. You told me it was never your intention to lie in your IIU interviews.

This was a long, complicated series of investigations. Sgt. Corey was very thorough and appropriately followed up on information that continued to emerge as the investigation went forward. This case was reviewed by Judge Terry Carroll and he commented on the thoroughness and fairness of the investigation.

As for the conclusions, I do not see how I can come to any other conclusions with the information presented to me. I simply do not believe your version of events. There are insurmountable, glaring differences between what you say and the provable facts in these cases. I believe you were intentionally misleading in your IIU interviews.

I am upholding the recommendations provided to me by Chief Fenton as they apply both to each of the individual the findings in these cases. I am upholding the discipline recommendation as well. Your employment with the King County Sheriff's Office is to be terminated effective the close of business on December 14, 2007.

cc: Pat Bowen, KCPOG  
IIU File #2006-085  
IIU File 2007-002  
IIU File 2007-032

**Date:** October 3 , 2007

**To:** Deputy James Schrimpsheer, Pct Four

**Via:** Direct

**From:**   
Captain Cameron Webster, IIU

**Re:** LOUDERMILL NOTIFICATION

As the result of sustained findings in three internal investigations, a recommendation has been made to the Sheriff that your employment be terminated. Specifically, the sustained findings are;

**2006-085**

GOM 3.00.020 (3) Appropriate Use of Authority  
GOM 3.00.020 (1) (d) Performance Standards  
GOM 3.00.015 (1) (a) Making False or Fraudulent Reports or Statements

**2007-032**

GOM 3.00.015 (1) (a) Making False or Fraudulent Reports or Statements

**2007-002**

GOM 3.00.020 (1) (d) Acts in Violation of Sheriff's Office directives, rules, policies or procedures as set out in this manual, the training bulletins or elsewhere (in this case T.B. 9.01.020 specifically)

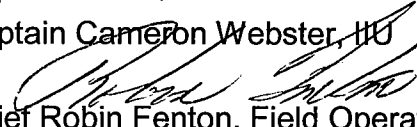
You are entitled to a Loudermill Hearing with the Sheriff to respond to this recommendation. The Sheriff can impose no discipline, or discipline up to and including termination of employment for sustained misconduct violations. Should you choose to schedule such a hearing, please contact Dee Glenn at 206 205-7640 prior to October 15, 2007. As an alternative, you may ask a representative to make the Loudermill Hearing arrangements on your behalf. You are entitled to bring a representative and/or attorney to a Loudermill Hearing.

I acknowledge receipt of this document \_\_\_\_\_  
(Deputy James Schrimpsheer) (Date)

cc: KCPOG  
IIU File 200~~6~~085  
IIU File 2007-032  
IIU File 2007-002



## Memorandum

**Date:** September 26, 2007  
**To:** Captain Cameron Webster, IIU **Via:** Direct  
**From:**  Chief Robin Fenton, Field Operations Division  
**Re:** IIU Files 2006-085, 2007-002 and 2207-032

This memorandum is to bring to your attention that I have thoroughly reviewed IIU Files 2006-085, 2007-002 and 2007-032. These files all involve allegations against Deputy James Keller and James Schrimpsher.

### IIU File 2006-085

**Allegations I and II** stem from Keller and Schrimpsher's contact with Anthony Alvarez on 12/27/06. Sgt. Corey recommends Sustained findings for both deputies for;  
GOM 3.00.020 (3) Appropriate Use of Authority  
GOM 3.00.020 (1) (d) Performance Standards

I do not concur with Sgt. Corey's recommendations on Allegations I and II and find these allegations Non-Sustained for both James Keller and James Schrimpsher.

**Allegations III and IV** stem from Keller and Schrimpsher's contact with Luke Bulyca on 12/27/06. Sgt. Corey recommends Sustained findings for both deputies for;  
GOM 3.00.020 (3) Appropriate Use of Authority  
GOM 3.00.020 (1) (d) Performance Standards

I concur with the Sustained findings recommendations for both James Keller and James Schrimpsher.

These Sustained findings are based on the fact that Deputies Keller and Schrimpsher inappropriately detained Luke Bulyca for approximately thirty minutes on a non-extraditable warrant. Luke Bulyca was handcuffed and in the back of a patrol car while they conducted business on two other situations. It is the responsibility of both deputies, equally, to be conscientious of the amount of time a person is detained in the back seat of a patrol car under these circumstances.

**Allegations V and VI** stem from Keller and Schrimpsher's contact with Brandy Goldsberry on 12/27/06. Sgt. Corey recommends Non-Sustained findings for both deputies for:  
GOM 3.00.020 (3) Appropriate Use of Authority  
GOM 3.00.020 (1) (d) Performance Standards

I concur with these recommendations.

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**Allegation VII;**

GOM 3.00.015 (1) (a) Making False or Fraudulent Reports or Statements.

Sgt. Corey, based on his investigation and his interviews with Keller and Schrimpsher, recommends Sustained findings for both deputies on this allegation, in this case.

For Deputy James Keller, I do not concur and find this allegation Non-Sustained.

For Deputy James Schrimpsher I do concur. My finding is based solely on my belief that Deputy Schrimpsher was dishonest in his IIU interviews regarding the phone contact he claims to have had with and the information he claimed to have received from Deputy Charles Douglas.

**IIU File 2007-032:**

**Allegation I:**

GOM 3.00.015 (1) (a) Making False or Fraudulent Reports or Statements.

Under the "Recommendations" section of his Follow Up on this case, Sgt. Corey lists three bullet points regarding this allegation against Deputy James Keller. Sgt. Corey recommends Sustained findings for all three bullet points.

I do not concur with Sgt. Corey on bullet point one related to Deputy Keller's knowledge of the late afternoon/early evening phone calls to the Selover / Goodvoice cell phone and find this portion of the allegation Non-Sustained.

I do concur with St. Corey's recommendation of Sustained on bullet points two and three, regarding both Keller's assertion that the total time Brandy Goldsberry was detained was "less than an hour" and for his written description of the events leading to Brandon Selover's arrest in a FIR that Deputy Keller wrote under 06-386073.

With regards to Deputy James Schrimpsher and this allegation, Sgt. Corey lists six bullet points and recommends Sustained for all six. I have Sustained only bullet point one related to Schrimpsher's assertion that the length of Brandy Goldsberry detention was "long enough to give her a ride to Aurora... 30 minutes"

I do not concur with Sgt. Corey's recommendation of Sustained findings for bullet points two through six on this issue for Deputy Schrimpsher.

**Allegations II and III**

GOM 3.00.020 (3) Appropriate Use of Authority

T.B. 9.21.200 Drugs, Money and Other Property

Sgt. Corey recommends Sustained findings for both Keller and Schrimpsher on these allegations.

I do not concur with Sgt. Corey's recommended findings for these allegations and find these allegations Non-Sustained for both Deputy Keller and Deputy Schrimpsher. There is insufficient evidence to prove that either deputy took narcotics from Goodvoice or that either deputy handed narcotics over to Brandy Goldsberry.

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**IIU File 2007-002:**

It should be noted that this file includes allegations against Deputy Schrimpsheer only.

**Allegation I:**

GOM 3.00.020 (3) Appropriate Use of Authority  
Sgt. Mullinax recommends a finding of Non – Sustained. I concur.

**Allegation II:**

GOM 3.00.020 (1) (d) Acts in Violation of Sheriff's Office directives, rules, policies or procedures as set out in this manual, the training bulletins or elsewhere (in this case T.B. 9.01.020 specifically)

Sgt. Mullinax recommends a finding of Sustained. I concur. Deputy Schrimpsheer has a responsibility to ensure and verify that the information he is receiving from another source is confirmed prior to the handcuffing, detaining, searching and vehicle search incident to an arrest.

It is now in conclusion that I make the following recommendations:

I have Sustained three specific misconduct allegations against Deputy James Keller. The thirty minute detaining of Luke Bulyca, the fraudulent FIR that was written describing the arrest of Brandon Selover and the dishonesty regarding the detention time for Brandy Goldsberry. As Deputy Keller voluntarily separated from this department June 13, 2007, I make no disciplinary recommendation.

For Deputy James Schrimpsheer, I have Sustained the allegations regarding the thirty minute detaining of Luke Bulyca, the making false statements about a conversation he had with Charles Douglas, the allegation regarding the length of time that Brandy Goldsberry was in custody and the allegation regarding the inappropriate use of authority in which he detained, handcuffed and searched the vehicle that Eric Ellis was in.

Based upon these sustained findings, Deputy Schrimpsheer's prior IIU file and the Department's past practice in the area of these allegations with regards to discipline I recommend that his employment be terminated.