

Report to the City of Pacific and Canfield and Associates  
Concerning Pacific Police Chief John Calkins

July 29, 2009

Investigator: Undersheriff Erik Anderson, Klickitat County Sheriff's Office  
Assistant Investigator: Detective Sergeant Pat Kaley, KCSO

**Introduction**

My name is Erik T. Anderson, I am the Undersheriff of the Klickitat County Sheriff's Office (KCSO) located in Goldendale, Washington. I am second in command of the department, which is comprised of approximately 54 employees between the Patrol Division, County Jail, E-911 Center and Civil Division. Our annual budget is approximately \$3.9 million and serves a population of about 20,000 residents.

I have been employed as a fully-commissioned deputy since November 1994, and have held the positions of Deputy Sheriff (11/1994-10/2001), Sergeant (10/2001-1/2007) and Undersheriff (1/2007-present).

I have an Associate's Degree from Portland Community College and have approximately 1400 hours of in-service training through the Washington State Criminal Justice Training Commission and in-house or private training vendors. My training includes supervision, management, law enforcement and specialized areas of criminal investigation.

I have led numerous major case criminal investigations including homicides. In my positions as a supervisor and manager I have been involved with numerous matters regarding internal investigation, counseling, discipline, termination, and exoneration of employees. I have led one previous criminal investigation regarding a chief of police.

**Background**

This investigation was conducted at the request of the City of Pacific, WA (City) and its insurance carrier, Canfield and Associates (Canfield). Our agency was asked to investigate four separate allegations against Pacific Police Chief John Calkins. The purpose of the investigation was to render an opinion as to whether or not Chief Calkins abused the authority of his position in any of the alleged incidents.

It should be noted that prior to this investigation, I had never met nor heard of Chief John Calkins, Mayor Richard Hildreth or any other parties involved in this matter, other than Mr. Bill Wiester. I have received no compensation from any party as a result of conducting this investigation, aside from my regular Klickitat County salary and per diem. However, Klickitat County is set to receive reimbursement for salaries and expenses incurred as a result of conducting this investigation and preparing this report.

## **Methodology**

This report will give details about how we came to take this case and how we determined the scope of investigation. The report will further describe our investigation into each of the four incidents alleged, in chronological order:

- 1) Alleged intimidation with a weapon, etc. on November 1, 2001;
- 2) Alleged criminal trespass and improper conduct on October 13, 2007;
- 3) Alleged driving under the influence and improper conduct on August 8, 2008;
- 4) Alleged witness tampering on or about October, 2008.

Following a description of our investigation into each of the four incidents, I will render my opinion as to whether or not Chief Calkins abused his position as police chief.

In gathering information on these incidents, we only focused on those individuals directly involved in the matter. KCSO has received letters from people expressing their opinions and/or other allegations regarding Chief Calkins. However, none of the letters were authored by parties directly involved in the matters at hand, therefore they were not considered as part of this report.

In each of the incidents there were police reports, statements, etc. generated by other investigators. In the interest of brevity this report does not regurgitate all details in these pre-existing documents; rather they are included by reference.

Where we contacted law enforcement officers involved in these cases, we obtained prior approval from the agency head or upper management before doing so.

## **Investigation Initiated**

On the morning of 6-4-09 I received a call from Mr. Bill Wiester, law enforcement representative to Klickitat County's insurer, Canfield and Associates of Ephrata, WA. Mr. Wiester is the former sheriff of Grant County, WA and has been Canfield's law enforcement representative to Klickitat County for several years. I have known Mr. Wiester since 2007.

Mr. Wiester explained that he was requesting our assistance on a matter. Mr. Wiester explained that allegations had been made against the current Pacific City Police Chief, John Calkins and that an independent investigation was needed. The allegations recently obtained some amount of media attention from KOMO television.

Mr. Wiester explained that one of Canfield's investigators, Jeff Wade, recently began an investigation into the allegations. However, when it was determined that the City wanted an investigation by a law enforcement agency, Mr. Wade's investigation was suspended.

Mr. Wiester stated that the City of Pacific and Canfield were requesting that KCSO conduct an investigation into the matter. Mr. Wiester stated that all costs associated with the investigation would be reimbursed to Klickitat County by Canfield and/or the City. Mr. Wiester stated he believed an investigation would take approximately two days.

I advised Mr. Wiester that Klickitat County would accept the task of conducting the investigation. I told Mr. Weister that KCSO would need a formal letter from the City requesting said investigation, also outlining the specific allegations they wanted us to investigate.

On the afternoon of 6-4-09 I received a faxed letter from City of Pacific Mayor Richard Hildreth. The letter advised that allegations of "Abuse of Power" had been made against Chief Calkins by a local TV news reporter, and that our assistance was requested in investigating the allegations. The letter cited a Web hyperlink to the KOMO news story. I reviewed the KOMO news story via the Web.

On the morning of 6-5-09 I met with KCSO Detective Sergeant Pat Kaley regarding this matter. I briefed him on the situation and explained that I intended for KCSO to take on the investigation.

On the afternoon of 6-5-09 I phoned Klickitat County Sheriff Rick McComas and briefed him on the situation. Sheriff McComas expressed his support for taking on the investigation. Sheriff McComas further advised that he believed I should personally conduct the investigation along with Sgt. Kaley, given my additional experience in investigations.

On the afternoon of 6-5-09 I phoned Mayor Hildreth to further discuss the matter. After introducing myself and the issue at hand, I started by advising him that though Sgt. Kaley and I were experienced investigators, we had limited experience in internal investigations. Mayor Hildreth explained that he was still agreeable with us doing the investigation.

I asked Mayor Hildreth what exactly it was that he wanted an investigation to determine. He stated that he wanted an independent investigation into whether or not there was an "abuse of power" by Chief Calkins in the four incidents mentioned. Mayor Hildreth stated that he felt an independent investigation was necessary for the benefit of the public and city council.

I asked Mayor Hildreth if I could expect cooperation from the Chief Calkins, employees and the City. Mayor Hildreth assured me this was the case. He further offered use of their facilities or other assistance as needed.

We also discussed cost reimbursement and it was agreed that the City would reimburse KCSO for costs that were not already covered by Canfield.

I told Mayor Hildreth that I and one other KCSO investigator would plan to arrive on June 16<sup>th</sup> to begin the investigation. Mayor Hildreth stated that in no way did he want to influence or steer the investigation, and that he would make himself available to me as needed.

On the morning of 6-8-09 I met with Sgt. Kaley and advised him that we would go to Pacific on June 16-18 for the investigation. I also advised that I would take the lead on the investigation and he would be assistant investigator.

On 6-8-09 I phoned Canfield investigator Jeff Wade. I asked Mr. Wade what point he had reached in his investigation before it was suspended. He explained that he had obtained the incident reports off the KOMO news website and had reviewed those, and that was about the extent of his investigation.

On 6-8-09 I received a faxed letter from Chief Calkins (faxed 6-5-09). The letter briefly summarized the four incidents in which he was accused of abuse of power. The letter also provided additional information alleging that KOMO reporter Tracy Vetter did not fairly and accurately report the story. Chief Calkins also wrote "I welcome an unbiased investigation of these allegations. The reporter has claimed that I have abused my authority in all 4 cases and I emphatically deny her claims." Chief Calkins added that he would be available to meet with investigators and provide additional reports, names, etc. See Chief Calkins' letter for additional details.

On the afternoon of 6-9-09 I phoned Mayor Hildreth for the purpose of obtaining further clarification as to the desired scope of our investigation. I asked him if he wanted us to do a criminal investigation, professional conduct investigation, or a combination of both. Mayor Hildreth advised that we should conduct the investigation how we see fit, that he did not want to limit or steer the investigation in any way. It should be noted that Chief Calkins was acquitted by a jury of the DUI charge in Bonney Lake, and the other three incidents did not result in formal criminal charges against him.

I asked Mayor Hildreth whether he wanted us, at the conclusion of the investigation, to render an opinion as to whether Chief Calkins abused his authority in these incidents, as opposed to simply providing details of the information we had obtained. Mayor Hildreth advised that he wanted our professional opinion resulting from the investigation. Mayor Hildreth explained that if the role of the City was to form an opinion, it would not be trusted; however our opinion as outside investigators would accomplish the objective of providing a fair opinion.

I asked Mayor Hildreth if Chief Calkins was Civil Service protected, and I was told that he was. That being the case, I asked whether any local Civil Service rules put restrictions on the manner in which I could question the chief. Mayor Hildreth stated he was not aware of any such restriction or rules.

I advised Mayor Hildreth that I obtained redacted copies of the police reports on the four incidents, via the KOMO website. I asked Mayor Hildreth if he had unredacted copies of these reports, and he stated that he did not. I advised him we would obtain unredacted copies from the agencies directly.

Mayor Hildreth added that he does not believe the allegations against the chief are substantiated.

On the afternoon of 6-9-09 I phoned Chief Calkins, identifying myself and advising him that I was going to personally be involved in the investigation. I explained that I would be coming to the area on June 16<sup>th</sup> and would like to meet with him for an interview. We agreed to meet at 1:30 PM at the police department.

On the afternoon of 6-9-09 I phoned Mr. Weister, inquiring about where to send expense invoices. He advised to send them to the City, as the cost sharing agreement between them had not been finalized. I further advised Mr. Weister that I planned to tape-record my interview with Chief Calkins, and inquired as to whether Canfield might supply a stenographer, in the event the chief refused to be tape-recorded. Mr. Weister stated he would not recommend that, rather that investigative notes be taken in the event he did not agree to tape-recording.

On 6-9-09, Sgt. Kaley contacted the records departments of the Pierce County Sheriff's Office, Bonney Lake Police and Sumner Police for the purposes of obtaining the unredacted police reports.

At about 1300 hours on 6-16-09 Sgt. Kaley and I met with Mayor Hildreth at Pacific City Hall. Mayor Hildreth introduced us to various city staff members and showed us around the building. The Mayor provided me with two statements, one from Ms. [REDACTED] and one from Mr. [REDACTED]. They are included by reference as part of this report.

### **Interview with Chief Calkins**

On 6-16-09 at about 1346 hours, Sgt. Kaley and I met with Chief Calkins in his office at the Pacific Police Department.

After short introductions, I advised Chief Calkins on the scope of our investigation and my previous communication with the mayor.

I asked Chief Calkins if he would consent to an audio recording of the interview, and he agreed. See the transcript of our interview with Chief Calkins for details.

Prior to questioning, I advised Chief Calkins of his Miranda rights, which he acknowledged and waived. I further advised him that if he was entitled to representation via Civil Service or other employee organization, that I did not object to such a representative being present. Chief Calkins stated he did not need a representative.

I further advised Chief Calkins that he was not compelled to answer any questions and was not being detained in any way.

I asked Chief Calkins to give a summary of his background, including employment, training and experience in law enforcement. I subsequently determined that Chief Calkins had adequate training and experience to understand and recognize commonly accepted standards of professional conduct regarding law enforcement officers and managers.

It should be noted that during the interview with Chief Calkins, it became apparent that he had not reviewed the police reports on any of the incidents at hand, in preparation for the interview. Calkins commented that he probably should have reviewed them.

Sgt. Kaley and I questioned Chief Calkins regarding each of the incidents. Details of the interview can be found in the transcript and referenced further in this report.

#### **Alleged intimidation with a weapon, etc. on November 1, 2001**

This incident was fully investigated at the time by the Pierce County Sheriff's Office (PCSO). See their report for details. I reviewed this documentation as part of the investigation. It should be noted that Chief Calkins was never formally charged with any crime in this case.

On 6-11-09, I spoke by phone with Deputy Darrin Rayner of PCSO, the first to respond to the incident on 11-1-01. I asked Deputy Rayner if he was inclined to believe the witnesses in that case, and he said that he was. Deputy Rayner stated he conducted his initial investigation, then phoned the "duty officer" at the time, which to his recollection was the sheriff. Deputy Rayner was instructed to forward his case to the investigators. I asked Deputy Rayner if he had ever been contacted by Chief Calkins or others regarding the case, and he had not.

On 6-11-09 I spoke by phone with Sergeant Ben Benson of PCSO, who was the lead investigator on the case. I asked him if he was inclined to believe the incident happened as alleged. Sgt. Benson stated that he did have probable cause to believe, and in fact had no doubt, the incident occurred as alleged by the victims. We discussed points of the case, including the fact that the gun later obtained in the search warrant matched the description given by the victims; the fact that Chief Calkins left the scene prior to law enforcement arrival; and the fact that he failed a polygraph exam. I asked Sgt. Benson about the fact that Chief Calkins claimed to have gone into the Chevron station for coffee following the incident, yet surveillance tape showed he never entered the store. Sgt. Benson did not recall this portion of the case.

I discussed with Sgt. Benson the email he received from Chief Calkins during the course of the investigation, which criticized his (Sgt. Benson's) investigation. I asked Sgt. Benson if he perceived this email as a form of intimidation. Sgt. Benson stated that he did take it that way, that Chief Calkins was "trying to throw his weight around" and influence him as the investigator. I asked Sgt. Benson if PCSO ever started an internal investigation as a result of the email, and he said no.

I asked Sgt. Benson what charges were specifically requested in this case. He did not recall exactly, that it was sent to the prosecutor's office for charging but they declined to charge.

In my interview with Chief Calkins, he (Calkins) stated he was present for the child custody transfer. He said he kept a distance during the entire event. He denied ever pointing a gun in any manner or harassing anyone with his vehicle. Chief Calkins said [REDACTED] had something in

her hand at the time, and stated he wasn't sure whether or not she called the police for any reason at the time. He did leave the scene prior to law enforcement arriving.

I asked Chief Calkins about his email which criticized Sgt. Benson's investigation. Chief Calkins stated he was not happy with the manner in which Sgt. Benson was investigating the case. However, Chief Calkins did not articulate to me any reason which I believed to have justified such a personal attack. I noticed that in a prior email to Sgt. Benson, Chief Calkins signed using only his name; yet in the critical email he signed using his official title. I asked Chief Calkins about this difference. Chief Calkins stated in part, that because he was making a complaint against Sgt. Benson, he used his title.

In my interview with Chief Calkins, he further criticized Sgt. Benson's investigation; however once again I did not see where Sgt. Benson deviated from professional conduct.

I asked Chief Calkins about the polygraph exam. Chief Calkins claimed that he did not lie on the exam, and claimed that the results were faulty. He criticized the polygraph examiner as being substandard.

It should be noted that according to the polygraph report, the exam was reviewed by a second polygraphist, who also determined that Chief Calkins was being deceptive.

I found that Chief Calkins' criticism of Sgt. Benson and the polygraphist are part of an overall pattern where he criticizes those involved in these investigations, as will be mentioned further in this report.

We also interviewed [REDACTED] and [REDACTED]. We did not reach [REDACTED] for an interview.

In the interview with [REDACTED] she stated that she did not see any confrontation occur with her husband involved, prior to her leaving the scene. She left the scene before Chief Calkins did.

Sgt. Kaley interviewed Ms. [REDACTED]. She was reluctant to meet with us for this investigation, stating she still felt intimidated by Chief Calkins. However, she did meet with Sgt. Kaley and answered his questions. In summary, she maintained the incident occurred as she reported to police at the time of the incident.

### Conclusion

This is a case involving serious allegations and starkly contrasting stories between the accusers and the accused. It is not possible for me to determine with absolute certainty exactly what occurred in this incident. However, it being my assignment to determine whether or not he abused his position, it is necessary for me to decide what I believe probably did occur based on information at hand. Based on this information, I have formed the opinion that the incident did occur as alleged by the victims. Because Chief Calkins was operating a department vehicle at the time, his actions were associated to his position. Therefore, I believe he did abuse his

position by using the police vehicle from which to aim a gun. I also believe he used this vehicle to follow the victims and used the siren/horn and spotlight, tools which were only available to him due to his position. Since the gun itself was issued to him by the City, then that is yet another tool, through his position, that was abused. Aside from these acts being criminal in nature, they also violate commonly accepted standards of conduct for law enforcement officers and chiefs of police.

#### **Alleged criminal trespass and improper conduct on October 13, 2007**

This incident was fully investigated at the time by PCSO. See their report for details. I reviewed this documentation as part of the investigation. It should be noted that Chief Calkins was never formally charged with any crime in this case.

I spoke by phone with Deputy Dennis Miller of PCSO. I asked Deputy Miller if he did have probable cause for Criminal Trespass and Malicious Mischief, and he stated that he did.

I asked Deputy Miller what his response time was to the call. He stated it was 22 minutes. I asked Deputy Miller if Chief Calkins admitted to using his badge and threatening [REDACTED] with arrest, and Deputy Miller said yes.

I asked Deputy Miller if he had had any further contact from Chief Calkins or anyone else on this case, and he said he has not.

When I interviewed Chief Calkins about this incident, he explained that he had gone to this area for the purpose of hunting with his son. Chief Calkins stated that several days before the incident, he went to the property with the owner, [REDACTED]. Mr. [REDACTED] showed Chief Calkins how to access the property, where the property lines were located, etc. I later verified with Mr. [REDACTED] that this did take place. Given that, Mr. [REDACTED] and Chief Calkins did a very thorough job of establishing the proper access to Mr. [REDACTED] property.

Chief Calkins further explained that when he went to leave the property, he found the access gate locked. He soon encountered Mr. [REDACTED] and attempted to discuss the situation, assuring him that he had permission to be there, though Mr. [REDACTED] stated the police had been called. Chief Calkins called PCSO dispatch (more than once) in an effort to verify whether a deputy was responding. When [REDACTED] still refused to open the gate, Chief Calkins phoned Auburn Police Chief Jim Kelley for advice on what to do. Chief Calkins stated he was told by Chief Kelley that it appeared as if he was being unlawfully detained and could attempt to leave.

It appears that Mr. [REDACTED] property at issue is landlocked, the only access being through some type of easement and gate, which is under the control of [REDACTED] and/or his (now deceased) uncle, [REDACTED]. Mr. [REDACTED] and/or Mr. [REDACTED] did not believe such access was always necessarily lawful, and apparently previous disputes had occurred over this same access point. Apparently, Chief Calkins was not aware of this at the time.

I later spoke by phone with Chief Kelley. He explained that he did receive a phone call from Chief Calkins during the incident, though he did not recall all the details. Chief Kelley stated he advised Chief Calkins to call PCSO, and also to identify himself to Mr. Knee to show he was not a criminal. Chief Kelly explained that Chief Calkins called him back during the incident, asking about unlawful imprisonment. Chief Kelley further stated that he advised Chief Calkins against doing any property damage.

I interviewed [REDACTED] who was in the truck at the time of the incident. [REDACTED] stated he did not recall many details, nor see or hear much of what transpired.

I visited with Mr. [REDACTED] at his residence and looked at the gate and entry road in question. I interviewed Mr. [REDACTED] about the incident. Mr. [REDACTED] claimed that he did shut the gate to prevent Chief Calkins from leaving, on the advice of Mr. [REDACTED]. Mr. [REDACTED] claimed that upon Chief Calkins realizing that he was prevented from leaving due to the closed gate, Chief Calkins immediately and abruptly confronted him in a belligerent manner. Mr. [REDACTED] claimed that Chief Calkins promptly flashed a badge at him but did not identify himself. Mr. [REDACTED] stated that Chief Calkins threatened to have him arrested.

Mr. [REDACTED] stated that his step-son witnessed the incident. I gave my card to Mr. [REDACTED] asking him to have his step-son call me. As of the date of this report, I have not heard from him.

### Conclusion

After considering all the information at hand, it is clear to me that Chief Calkins did not commit any type of criminal trespass or any other crime in this incident. Chief Calkins was unwittingly caught up in a pre-existing property dispute between Mr. [REDACTED] and Mr. [REDACTED].

Chief Calkins and Mr. [REDACTED] have different accounts of the interaction between them. I am inclined to believe the account as described by Chief Calkins: Mr. [REDACTED] claimed that Chief Calkins immediately became confrontational, showed his badge and threatened him with arrest. However, this is unlikely; given the fact that Auburn Chief Kelly explained that it was actually his (Chief Kelley's) suggestion that Chief Calkins identify himself to [REDACTED]. This probably could not have occurred so soon into the incident as Mr. [REDACTED] described.

Chief Calkins explained that he attempted to discuss the situation with Mr. [REDACTED] called PCSO dispatch, waited a reasonable amount of time, and also consulted with Chief Kelley before identifying himself as a law enforcement officer to Mr. [REDACTED].

In hindsight, it would have been best for Chief Calkins to wait for the PCSO deputy to arrive, rather than remove the fence post and leave the area. However, Chief Calkins did wait for some amount of time, and was understandably frustrated with being falsely accused of trespassing.

Nevertheless, the act of pulling out the fence post and leaving the scene, though not advisable, was not an abuse of his position. All things considered, it is my opinion that Chief Calkins did not abuse his position in any manner during this incident.

## **Alleged Driving Under the Influence and improper conduct on August 8, 2008**

This incident was fully investigated at the time by the Bonney Lake Police Department. See their report for details. I reviewed this documentation as part of the investigation. Chief Calkins was charged and tried for the crime of Driving Under the Influence, and he was later acquitted by a jury. I reviewed the audio transcript of the trial as part of this investigation. It is included by reference to this report.

In interviewing Chief Calkins, he claims that he was not impaired at the time he was stopped. He claims to have had up to three drinks over a 2-3 hour period just prior to be stopped.

The issue at hand in our investigation relates to various statements made by Chief Calkins during the traffic stop, in addition to displaying his official badge. According to the arresting officer, Bonney Lake Officer Robert Kocher, Chief Calkins confronted him in an intimidating fashion during the traffic stop, abruptly telling him, "No, I'm the Chief of Police!" and "I know your chief" and "I know who you are." Chief Calkins also showed Officer Kocher his department badge. Officer Kocher was very clear in his report and testimony that he perceived Chief Calkins' statements and actions as an attempt to intimidate him. See the police reports for further details.

In my interview with Chief Calkins and in listening to his court testimony, he claims that he showed his identification and made those statements to Officer Kocher, but that it was all taken out of context by Officer Kocher. Chief Calkins claimed he calmly made those statements as part of the overall conversation and did not intend in any way to intimidate or influence Officer Kocher. Chief Calkins stated that he was frustrated at being stopped for an extended period of time without being advised of the reason for the stop, which is why he identified himself and subsequently engaged Officer Kocher in conversation.

We interviewed other people involved in this case, including [REDACTED] Lt. Ed Massey of the Pacific Police Department and Officer Brian VanSickle of the Bonney Lake Police Department. Officer Kocher declined to be interviewed as part of this investigation; rather he referred us to his report and court testimony, stating that all relevant information would be found there.

Officer VanSickle testified that he promptly informed Chief Calkins of the reason for the stop, once it occurred.

### **Conclusion**

Chief Calkins refused to perform field sobriety tests. He further refused to answer some questions related to the investigation. Though refusing to perform tests and answer questions was within his constitutional rights, this is not typical behavior of someone who has not been driving under the influence. Additionally, as a law enforcement officer, Chief Calkins should

have been aware that refusing to fully cooperate, if in fact truly not impaired, was against his own best interests.

Chief Calkins also refused to provide a blood sample in the investigation. Again, this was his right. However if he was truly not impaired, this was an invaluable opportunity to prove it. The fact he intentionally refused the test leads me to believe that he was in fact impaired. Chief Calkins' justification for refusing the blood test was because he was not afforded an opportunity to take a breath test through his stoma. I find this argument incredulous, and not a logical reason someone would refuse a blood test, especially knowing the consequences for doing so.

The facts as to whether Chief Calkins refused to fully cooperate in the investigation do not relate directly to whether he abused his position; however in my opinion, they do relate to his credibility. Chief Calkins claims he was not driving impaired, I believe the opposite to be true.

Therefore, when Chief Calkins claims he did not attempt to use his police chief status to intimidate Officer Kocher, I instead believe Officer Kocher's report and court testimony, which indicates Chief Calkins did in fact try to do so.

When Chief Calkins made his comments to Officer Kocher during the traffic stop, I believe he did so as a coercive measure toward Officer Kocher. It is my opinion that Chief Calkins abused his position by showing his identification and making these statements during the DUI investigation. Showing his identification and the content of his statements were directly associated with his position. Therefore, this was an abuse of his position.

Chief Calkins' actions violate commonly accepted standards of conduct for law enforcement officers and chiefs of police.

In my interview with Chief Calkins, I noticed that he criticized Officer Kocher's ability and credibility. Chief Calkins further criticized the methods of the administrative hearing examiner for Department of Licensing (regarding his license suspension). This, again, is part of a pattern I have found indicating that Chief Calkins criticizes those involved in these investigations.

#### **Alleged Witness Tampering on or about October, 2008**

This incident was investigated at the time by the Sumner Police Department. See their report for details. I reviewed this documentation as part of the investigation. Chief Calkins was never charged with any crime in this case.

This incident involves a collision that occurred on 10-10-08 in the City of Sumner, in which [REDACTED] was the driver of one of the vehicles involved. Sumner Police later charged [REDACTED] with some type of offense(s) as a result of the collision.

The issue at hand in our investigation is whether Chief Calkins inappropriately used his position to tamper with witnesses in this case.

In our interview with Chief Calkins, he denied tampering with any witnesses in the case. We interviewed others involved in the case; [REDACTED] [REDACTED] [REDACTED] Officer Yancey and Sgt. Kurle of the Sumner Police Department.

I did not find any party who claimed that they were told, manipulated, threatened or intimidated to either give or not give statements to police in this case. Additionally, I did not find any party who indicated that Chief Calkins tampered with any witness in this case, whether through the use of his position or not.

It should be noted that when I spoke with Officer Yancey, he told me that about two weeks into the investigation, he received a call from Chief Calkins. Officer Yancey stated that Chief Calkins verbally attacked him, accusing him of conducting a biased and substandard investigation. Officer Yancey stated he found Chief Calkins' behavior to be "very uncharacteristic" of someone in Chief Calkins' position. This, again, is part of a pattern I have found indicating that Chief Calkins criticizes those involved in the investigations.

#### Conclusion

From interviewing various people involved and reviewing the police reports, I find that Chief Calkins did not tamper with witnesses in this case. Chief Calkins did hire his own investigator, who did interview(s) at Chief Calkins' residence. However, those consenting to be interviewed did so of their own volition, and did not do so because of Chief Calkins' position or any type of coercion or intimidation. It is my opinion that Chief Calkins did not abuse his position in any manner regarding this incident.

\*\*\* END OF REPORT \*\*\*

E. Anderson

Erik T. Anderson, Undersheriff

7-29-09