

FINDINGS AND FINAL REPORT
FOR
INTERNAL AFFAIRS INVESTIGATION #93-01

Subject of Complaint: Deputy Darryl Wrisley

Date of Report: January 21, 1993

Investigators: Lt. Rob Gordon, WCSO
Lt. Gary Self, WCSO

Complainants: Ms. Kay Williams through Sgt. Kevin Henderson

INTRODUCTION

This matter originally came to the attention of the Department upon Ms. Kay Williams telephoning Sergeant Henderson. Williams and Henderson knew each other prior to this contact as Williams was once a dispatcher for the county and her children were involved in sports with Henderson's children.

Williams told Henderson that she needed to speak with Henderson in person about some misconduct involving one of the deputies that worked for Henderson. Henderson went to Williams' home and was told that Williams had been victimized sexually by Deputy Darryl Wrisley.

Williams told Henderson that Wrisley had touched her bare breasts and touched his penis to her mouth, all against her will and protests. Sergeant Henderson determined that the conduct complained of should be investigated as a criminal complaint, and through his efforts, the Oregon State Police began an investigation into the matter.

Detective Janes of the State Police completed the criminal investigation regarding this incident (see OSP reports in the addendum of this investigation for details including verbatim transcripts of the victim and of witnesses). As part of his investigation, Janes arranged for Ms. Williams to take a polygraph test. Williams took the test and the polygraph examiner determined that she was being truthful about the incident.

During the polygraph test Williams was specifically asked if Wrisley had touched her bare breasts on December 11, 1992 - she answered yes. She was next asked if Wrisley's bare penis touched her lips on December 11th - she answered yes. She was asked if Wrisley used physical force against her in attempt to engage in sexual acts on December 11th - she answered yes. Finally, she was asked if she resisted, in any way, Wrisley's attempt to engage in sexual acts on December 11th. She answered yes.

During the course of Jane's investigation, he became aware of a incident that may have had similar overtones. This involved a woman named [REDACTED] who is a current employee with the DA's office (see [REDACTED] statement).

On January 6, 1993 an internal affairs investigation was ordered. Janes furnished copies of all OSP reports and a verbal background report regarding [REDACTED] to the internal affairs investigation team.

INVESTIGATION TECHNIQUES

A. Witnesses

The investigators interviewed five witnesses, including [REDACTED] Senior Deputy Rich Hildreth, Sergeant Kevin Henderson, Deputy Linda Gosse and Deputy Darryl Wrisley. A summary of each interview is found in the Appendix to this report.

B. Documents

The investigators reviewed all criminal reports completed by Detective Janes, Sgt. Henderson and Sgt. Redmond. These include results of a polygraph exam given to Williams. Also reviewed were duty notebooks supplied by Deputy Wrisley, the ticket stub given to us by Deputy Wrisley, NET work schedules for December of 1990 and December of 1992, a listing of assigned NET vehicles, and a summary report of a NET seizure case #90-19285.

STANDARD OF PROOF

Pursuant to the procedures found in the Washington County Sheriff's Department Complaint Investigation Procedures Manual, the standard of proof in this investigation is by a preponderance of the evidence. The conclusion will be supported where the "facts and evidence" indicate that it is more likely than not that a violation occurred. Complaint Investigation Procedures Manual, §21.

DISCUSSION

A. Introduction

Deputy Darryl Wrisley was appointed as a recruit deputy with the department on 1-3-89. After about two years on the department he was assigned to NET (Narcotics Enforcement Team). He has remained on that assignment to the present time. Wrisley is well thought of by the NET team supervisor and by Sr. Deputy Hildreth who is also a team member and personal friend of Wrisley.

B. Williams event

The meeting between Wrisley and Williams that resulted in this investigation occurred at about 1:45 p.m. on December 11th 1992. At that time and during the entire exchange between Wrisley and Williams, Wrisley was on duty representing the Washington County Sheriff's Department.

Williams was interviewed twice by Detective Janes and was also interviewed by Sgt. Henderson and Sgt. Redmond of this department. She was also given a polygraph exam. Williams was consistent in each of these interviews (see police reports by mentioned officers) and as stated earlier, was found to be truthful in answers given during the polygraph examination.

Deputy Wrisley chose not to answer any of our questions when given the opportunity on January 21st (see summary of interview - Wrisley). Wrisley stated that upon advise of counsel he would not answer any questions unless ordered to do so by a superior officer. The only method of determining

Wrisley's version of events was to speak with other department members who Wrisley may have spoken to, in this case Senior Deputy Rich Hildreth.

Deputy Hildreth told us that he has spoken to Wrisley several times since December 11th and that he has asked Wrisley what events occurred in the Williams home (see summary of interview - Hildreth). A key point in Hildreth's statements were that Wrisley repeatedly denied having any physical contact, even incidental, with Kay Williams.

Hildreth also told these investigators that Wrisley had advised him that he (Wrisley) had briefed Sgt. Henderson about delivering the sweat shirt to Williams prior to actually leaving the office to deliver it. Wrisley advised Hildreth that the name on the back of the ticket was either illegible or hard for Wrisley to read, so he asked Henderson to decipher the name for him. Hildreth states that Wrisley told him this shortly after the criminal investigation started. Hildreth then heard from other sources that Henderson did not recall these events, so he directly asked Wrisley if that is what had occurred. Wrisley repeated the same sequence of events to Hildreth regarding the ticket (see summary of interviews for Hildreth and the second interview of Henderson).

Sgt. Henderson denies these conversations occurring. He adamantly states that Wrisley did not mention to him that he was going to deliver the sweat shirt, that Wrisley did not ask

permission to do so, and that Wrisley never showed him any ticket.

The ticket stub furnished to these investigators has the following information hand written on the back of the stub:

"Kay Williams
[REDACTED]
#2 Bitch!"

Although the writing is cursive, it is neatly written and to these investigators is easily read. When presented to two other department members who had no knowledge of this incident (Kathie Farrell & Carolyn Riensche), both immediately read the name "Kay Williams" correctly.

The vehicle described by Williams as being driven by Wrisley is similar to NET vehicle # 8 which is assigned to Deputy Wrisley (see log of NET vehicles - addendum to this report). Hildreth advised us that he is confident that Wrisley was in fact driving that vehicle during the William's visit, as Wrisley told him he had retrieved the ticket from that truck.

[REDACTED] was interviewed as a part of this investigation as these investigators were told that she may have had a similar experience with Wrisley. [REDACTED] did meet Wrisley in late 1990 and did participate in some "heavy petting" with Wrisley sometime around new years eve 1990 - 1991 (see summary of Interview - [REDACTED]). The "petting" event as described by [REDACTED] does not appear to violate any law or department policy. It relates to the

incident being investigated only in the fact that

██████████ states that Wrisley was persistent in his sexual advances and continued to make advances despite her telling him "no". Wrisley did eventually cease his advances when ██████████ insisted.

These investigators also noted ██████████ version of events in which Wrisley may have given her confidential information regarding informants and drug houses located in Hillsboro. She also advised these investigators that Wrisley allowed her into a department evidence area (WC3) and may have removed marijuana from that storage area (see summary of interview - ██████████).

Sgt. Henderson advises that marijuana bagged such as that described by ██████████ is seldom held at WC3. It is held there on an over night basis if a NET raid is completed late in the work day and there is lots of evidence (such as grow lights from a marijuana operation). Henderson advised us that such a raid did occur on 12-19-90 and supplied us with a summary report of that raid.

A review of Wrisley's notebooks for this time period was of little assistance, as all entries stopped on the 17th of December and did not resume until the 28th of December, 1990. Wrisley was scheduled to work during this time period with the exception of Christmas day (refer December, 1990 work schedule and Wrisley's notebook).

CONCLUSIONS

The below listed conclusions were drawn based on all information available to these investigators. We particularly noted the consistency of William's statements, the result of the polygraph examination given to Williams, the supporting statements given by Williams to Henderson and Brenda Noble (see Noble interview - OSP reports), the detailed description of the truck Wrisley was provided (by Williams), the NET schedules for 1992, and the ticket stub provided to us by Wrisley. We also found significance in the statement Wrisley made to Hildreth regarding his contact with Sgt. Henderson (that he gained Henderson's permission prior to contacting Williams).

We conclude that the following events did occur:

- On December 11th, 1992 Deputy Wrisley while on duty, did drive a county owned vehicle (#8) to the home of Kay Williams.
- Deputy Wrisley did not inform his supervisor that he was going to deliver the sweat shirt to Williams and did not ask permission from his supervisor to do so.
- Deputy Wrisley, while at the Williams residence did touch the bare breasts of Kay Williams, and did touch his bare penis to the lips of Kay Williams.
- Kay Williams did not invite this sexual activity from Deputy Wrisley, and did resist Wrisley's attempts at sexual contact.

We also find it likely that Wrisley did take [REDACTED] [REDACTED] into a department evidence locker, which contradicts all protocols and good sense. We believe he did point out a person to [REDACTED] and tell [REDACTED]

that that person was a "snitch". We have no way of determining if the person was in fact an informant for this department. Based on the amount of time since these incidents occurred, and the lack of corroboration we have chosen to make no formal findings as to policy violations regarding these incidents.

Findings

Policy 3-4-1087 §1.1 - This executive directive requires that members constantly strive to attain the highest professional standard of conduct. We find that Deputy Wrisley, through his acts on December 11th, 1992 failed to meet this obligation when, while on duty, he made sexual advances to Kay Williams by touching her bare breasts and placing his penis on her mouth while Williams resisted these actions. We find that this complaint is sustained.

Policy 3-4-1087 §1.2 - This policy requires that all members be governed by ordinary and reasonable rules of good conduct and behavior. It prohibits members from committing any act which tends to bring discredit on the member or the department. Based on Wrisley's conduct, we find that it is likely his conduct will bring discredit on himself and this department. We find his actions to be totally unreasonable and unacceptable. We find that this complaint is sustained.

Policy 3-4-1087 §1.4 - This policy requires that members discharge their duties in a professional manner while


complying with all State, Federal & Local laws as well as rules and regulations of the county and the department. The facts of this case indicate that Wrisley violated the laws of the State of Oregon in his dealings with Kay Williams. We find that this complaint is sustained.

Policy 3-4-1087 §12 - Absence from duty - This policy prohibits members from absenting themselves from duty without permission from a superior officer. We find that Wrisley did absent himself from duty without permission from his superior officer. WE find that this complaint is sustained.

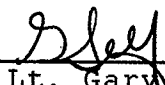
Policy 3-4-1087 §39 - This policy requires members to devote there time and energies to the duties and responsibilities of their position. Members may not conduct personal business while on duty except when the personal business is of an immediate and pressing nature and the member first obtains permission from his commanding officer. We find that Deputy Wrisley did not devote his time and energies to the responsibilities of his position and did not receive permission from his superiors prior to said conduct. We find that this complaint is sustained.

DATED this 26th day of January, 1993.

Respectfully submitted,



Lt. Rob Gordon



Lt. Gary Self