## 07-28 Interview: Lieutenant James McLaughlin — SWAT Deployment, Search Warrant Execution, Citizen Complaint, and Internal Department Conflicts

## Interview Information

- **Date & Time:** July 28, 2026, 09:01 AM (some transcripts note 08:57:14)
- **Location:** Deschutes Admin Building
- **Interviewer:** Jim Band (also referred to as Investigator Jim Band)
- **Interviewee:** James McLaughlin (also referred to as "Mac" or Lt. James McLaughlin)
- **Others Present:** Randy Harvey (Interviewee's Attorney, also referred to as Dr. Randy J. Harvey)

## Plaud Web

00:00:03 Attorney Randy Harvey

We start a half hour after the Westlake campus, so we get the feed from the previous service. Do you want Garrity?

00:00:23 Investigator Jim Band

I don't. I know they had. They talked to OSP and the DA at the beginning of this.

00:00:34 Investigator Jim Band

Any of that, but I think the DA saw or needed anything but I just sort of always assume attorneys are going to want us.

00:00:43 Attorney Randy Harvey

I think it's the safest route. I don't think there's anything criminal involved. Frankly, it's just more of a political stunt.

00:01:06 Attorney Randy Harvey

But I was glad to hear you were in a good interview.

00:01:11 Investigator Jim Band

That's good. It's better than that guy.

00:01:23 Investigator Jim Band

You know what Garrity is? And so if you can just read that and I think you heard us. I don't think there is anything criminal at all. I just think it's your attorney making sure yours is protected as you can be.

00:01:38 Lt. James McLaughlin

Are we on the record already?

00:01:40 Investigator Jim Band

I'm not recording.

00:01:42 Lt. James McLaughlin

I'm just going to clarify that I read and understand, but we can do that on the record.

00:01:53 Attorney Randy Harvey

July 27th. My daughter takes the bar tomorrow.

00:01:58 Investigator Jim Band

Oh wow!

00:01:59 Attorney Randy Harvey

Is she going to come work for you? Salem Yeah, she has an office.

00:02:06 Investigator Jim Band

What kind of work do you usually do?

00:02:08 Attorney Randy Harvey

Is it about seventy percent employment law, the other thirty percent estates and trusts like that? We represent a lot of nonprofits, churches. We do eighties employment stuff.

00:02:26 Investigator Jim Band

You I wondered when they were talking about all that stuff with the county. I know land use is very specialized, so I figured. You probably helped weigh in with them on picking the right people. But aren't you an elder?

00:02:39 Attorney Randy Harvey

I gave him some advice on Yuli Yu, who was the judge in federal court.

00:02:51 Investigator Jim Band

Are we ready to roll?

00:03:03 Investigator Jim Band

Mister, do you mind if I record as well? Whatever you want to do. Thank you.

00:03:21 Investigator Jim Band

I am recording.

00:03:40 Investigator Jim Band

It is July twenty eighth, twenty six nine o one a m. My name is Jim Band B A N D, and we're at the Deschutes Admin Building. Deschutes is D E S C H U T E S. I'll ask if both of you would please spell your names for the transcription person and acknowledge that you know you are being recorded.

00:04:05 Lt. James McLaughlin

My name is James McLaughlin. I do acknowledge I am being recorded. I am recording the conversation.

00:04:17 Attorney Randy Harvey

Randy Harvey, attorney for James McLaughlin, H A R V E Y. Randy's name was spelled and we're recording.

00:04:33 Investigator Jim Band

Okay, do you guys go by James or Mac? Sounds like a lot of people just call him Mac. So, I don't think we've ever met before. I retired like three or almost three years ago. I was hired by the sheriff's office, but I am an outside guy. I do not work for people who ever tell me that they want an outcome. Um, I I try as much as possible to be like a umpire, calling balls and strikes.

00:05:07 Investigator Jim Band

Following evidence, not things that look a certain way, But you know, is there evidence to actually support allegations and that kind of stuff. So no trick questions at all. The The complaint obviously comes from the Kelly Hayes, who I think you know, and then the Akehurst family and, So, when I think about like the investigation and what I write, um, I know at some point there is been a tort filed by Kelly Hayes. So, I know at some point her attorney's going to read it. Like so i just it's got to be fair to everyone. I've got to ask every question. Um and um, I am only as good as the information that you give me. Um, so i am i am going to want that and ask for that. And anything. My job is not to prove you did something wrong. My job is to get to what actually happened.

00:06:04 Investigator Jim Band

And so, if there is, you know, People or evidence or anything along the way that you think that I should go talk to that, you know, please tell me. Hey, go talk to this guy; he'll you know that kind

of stuff. So, can you start by sharing your work history just in law enforcement in general up to and including your current job assignment?

00:06:25 Lt. James McLaughlin

I started in Deschutes County Sheriff's Office as my first law enforcement job in November two thousand seven Since then, I started off as a. Law enforcement technician and promoted to a patrol deputy in two thousand eight. And then from there, I spent four or five years on patrol got another promotion to detectives and spent seven years in detectives, both working undercover with the D E A task force um and then transitioning back and a criminal detective and then transitioning back to the sheriff's office and working our street crimes. Narcotics unit did that until about.

00:07:04 Lt. James McLaughlin

Twenty nineteen, if memory serves me correct. Yes, twenty nineteen went back to patrol, got promoted to sergeant. Um, Worked on patrol until the very beginning of twenty twenty three, where I was promoted to detective sergeant. Worked as a detective sergeant until uh February of twenty five when I was promoted to lieutenant. And through that time I've been on the SWAT team, honor guard, various instructors FTO.

00:07:35 Lt. James McLaughlin

SWAT team leader, SWAT team assistant commander, and a state trainer for tactics.

00:07:44 Investigator Jim Band

You were promoted to lieutenant in February of twenty five.

00:07:48 Lt. James McLaughlin

I think roughly I believe it's February.

00:07:52 Investigator Jim Band

What training have you had? That's sort of a transition from first line supervision to management. What training did you have for being a lieutenant before? And then, after being promoted to lieutenant

00:08:07 Lt. James McLaughlin

None that I recall. Okay, I've had various trainings for Let me clarify because you asked before as well. Right? I've had various trainings, don't want to say ethereal broader scoped on. Hey, here is what you know here is your ethics, here is your organizational structure, here is a class on strategic planning command college. Here is how to talk to the press. Those types of things that I think that kind of translate past a frontline into you know, midline middle management. So, command college was definitely a training.

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00:08:44 Investigator Jim Band

Tell me what that is, command college.

00:08:45 Lt. James McLaughlin

Command college is it's with Oregon State Sheriffs Association; it's a week long training. You have several sheriffs from different jurisdictions come, and they assist with just kind of an overarching. You know, It wasn't an effort for all thirty six sheriffs to come in. And do things the same way. Not that that is the sole reason, But that was kind of what I had taken away is that you know, we do things very similar. That way, if we have some large scale event or events where we have to coalesce, we're not reading from different books. So, that was you know administrative based. That was dealing with liability so mitigation and those types of things. So I've had that training since being a lieutenant.

00:09:32 Lt. James McLaughlin

In February of twenty five, I do not believe I've had an ethics training, which is kind of a similar ethics training that we have every single year. Aside from that, I don't believe there has been any formalized training.

00:09:45 Investigator Jim Band

When do you first remember hearing the name Paul Akehurst?

00:09:49 Lt. James McLaughlin

Oh. Um I don't recall the exact date;. It would have been at least roughly a month prior to the. The use of SWAT at the house to arrest him, and there was a group two, two or three. Lieutenant [redacted] had come with a few patrol deputies. I believe Deputy [redacted] and I believe Deputy [redacted] saying, "Here is a conundrum we have. We have a gentleman that has a I believe it was a seven western states warrant for aggravated identity theft."

00:10:30 Lt. James McLaughlin

With a decent criminal history, and that he had evaded at that time. In my mind, My belief was that the debrief was a few felony eludes in an attempt where patrol was attempting to apprehend him safely. And so they said, "We're you know we're looking for some direction." They know they're asking essentially for some unmarked vehicle surveillance, some unmarked help, a different tactic because what they were trying wasn't working. And so we sat down. They had a good plan. Their lieutenant knew what was going on, and I said," Sure, as long as my plain clothes guys are available." Sergeant [redacted] can go and manage this apprehension effort. And to my knowledge, that's what they did. They attempted to.

00:11:16 Investigator Jim Band

When you said 'my lieutenant,' do you mean [redacted]? You said their lieutenant.

00:11:21 Lt. James McLaughlin

Their lieutenant. Lieutenant [redacted] was aware of this. We went about our day, and I know they spent time doing various things to try to apprehend Mr. Akehurst.

00:11:40 Investigator Jim Band

Were you part of the marshals' task force? Or did you just supervise people who were? I was part of the marshals' task force. Did you ever hear about anything of interest in Akehurst coming from any of the marshals?

00:11:56 Investigator Jim Band

So, the SWAT team for the for the warrant, Who makes that final determination of whether or not the SWAT team would be used for like in that well specifically on that one. So eventually you guys do an op and get him at his house. Who makes the final determination about whether or not the SWAT team should be used for that?

00:12:15 Lt. James McLaughlin

The operations side would come to me and say, 'Here is all of our factors. Here is our plan,' and I will say, 'I do believe in this plan' or 'I don't believe in this plan,' and then I will tell Captain Sundberg and say, 'Here is what we want to do.' So at the end, it would be Captain Sundberg to say, 'I trust in you. Go ahead,' or 'Let's do some more.'

00:12:35 Investigator Jim Band

So do you. Um. If I am going to declare my bias a little bit here. Um. If so, I've been a part of. I was a chief for ten years. Um. I've been a part of a lot of conversations with the Clackamas County Sheriff about when SWAT was and was not going to be deployed. From, hey, there is a barricaded guy. What are we going to do? To high risk warrants. What are we going to do? And, so I watched, you know, I watched a ton of video and and I see the video and I think, you know, there is this identity theft warrant that was basically he uh bought a gas card from a Dover and used it. A bunch had some FTA warrants for driving suspended, and then he had two pursuits.

00:13:25 Investigator Jim Band

Some of your folks. Felonies absolutely running from the police, but I still like in my mind, I don't know if I would have ever seen a SWAT team used for that. But that's where I am from. Is that sort of like is that normal here? Or what would you like if I am telling you? I am sort of telling you my perception when I first watched it is. Like is that normal here? Was this an outlier? What were your thoughts on using SWAT for that?

00:13:54 Lt. James McLaughlin

That's a good question. I would say, generally speaking, on one space as you described it, yes, That would be a little bit over the top without much more investigative and intel work done. But in other aggravating circumstances, What you'll find at this agency and it isn't prevalent at every agency is the National Tactical Officers Association has a tactical principle. Known as safety priorities, used to be called priorities of life. This agency buys into safety priorities to the degree that every single deputy at a certain point here within a year ago, was printed the safety priorities on a metal business card authorized by command. What a great idea! So it is absolutely an ethos, not my ethos; it's a command bought-in ethos. And the safety priorities essentially say this:

00:14:49 Lt. James McLaughlin

When you are operating in a critical incident or an incident in nature, your first approach should be preservation of life. That means innocents, that means hostages in the tactical world, that means victims, that means law enforcement, and that means subjects or suspects. And there is a specific order to the process of safeguarding those lives. Obviously as you can imagine Innocence come to the very top. That means I am going to ask my officers and deputies to risk their life to save that innocent life, or potentially impacted people that have nothing to do with the scenario at this point in time. We're going to go to vast degrees to mitigate liability and to safeguard human life, And I will put my officers and deputies at a certain risk to do so, where I wouldn't for a barricade subject.

00:15:48 Lt. James McLaughlin

Is the suspect? I am not going to throw police, cops, deputies, Tactical officers into that house to remove him from that home because now I am giving them an undue risk based on priorities of life. Because now they're ahead of the subject or suspect in the pecking order, so I can't just ask them to risk their life simply for an apprehension. And I will tell you in this scenario that Mr. Akehurst. Presented an undue risk to uninvolved public, and felony eludes are a danger to public safety. They are an absolute threat. They're an unmeasurable threat, And it was an untenable issue with continued apprehension efforts in a responsible way by responsible patrol deputies to arrest and apprehend a fugitive with a seven western states warrant, and he refused apprehension efforts at a certain point.

00:16:46 Lt. James McLaughlin

We even tried plain clothes and unmarked vehicles, not SWAT, but in different tactics. It didn't work either. He's continuing to be in pursuits. He eventually is creating an undue risk to the public. The safest possible way was for us to do certain things like I want a warrant as a commander, I would like a GPS ping location, I want him away from a home where his children and parents are impacted people. I would prefer him to be alone in a home, so we do surveillance and wait for two unknown individuals to leave, believing he's the sole occupant inside that home. Absolutely responsible, absolutely justified, and I would do it again right now. So I hope that answers your question.

00:17:36 Investigator Jim Band

So the process to use SWAT was over a period of months.

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00:17:40 Lt. James McLaughlin

It was a period of at least a month. My recollection was about a month and a half, but I think the dates would clarify that directly. That would be from the moment of the attempted apprehension of Mr. Akehurst at the Timbers parking lot, I believe, or some bar parking lot in Bend.

00:18:02 Investigator Jim Band

It's Timbers East. At any point during the efforts to apprehend Paul Akehurst, did you hear anything from any of the detectives or deputies involving a significant quantity of methamphetamine involving Akehurst? And [redacted]? Tell me about that.

00:18:17 Lt. James McLaughlin

So, I'd say maybe two or three weeks in, and again, The specific dates I am speculating on those;. I don't want to be inaccurate, but I don't recall the specific date. Deputy [redacted] and I, along with Assistant District Attorney [redacted] Were present in a DEA task force, Central Oregon Drug Enforcement Team briefing, where they were speaking of a nose def or a federal case that was being spun up with the collaboration of the DEA and the local task force. That federal investigation was coming and involved with an individual nicknamed Toro, who is a Mexican national living in Mexico and cartel connected.

00:19:06 Lt. James McLaughlin

He has been a commercial drug trafficker in Central Oregon for many years. We actually worked cases with him when I was in code in twenty fifteen. So and Title three wiretaps. So he is obviously a larger player. He is one of the larger infills of commercial trafficking in our region, And so they began to talk about the fact that they're going to spin up a federal case in regard to that. So we're collaborating with information that we have, so we don't we cross pollinate but we don't Cross swords and end up targeting people that are on the spectrum of that large scale case. Through that time, they brought up that Paul Akehurst was on phone tolls with [redacted]. Who was speaking directly to and high up on phone tolls speaking to [redacted], who we knew to be one of [redacted] primary drug traffickers and runners regionally. So, that being said, yes.

00:20:04 Lt. James McLaughlin

We did believe that there was an involvement based on those phone records. That was very intriguing. It was enough to say, 'Hey, okay, that's an individual that if we can apprehend and it just so happens that he has warrants, may be a benefit to assist in this federal case, if he's willing to have a conversation about his involvement and potentially the business structure of the organization.'

00:20:40 Investigator Jim Band

So you're aware that this complaint came in. Can you begin by just telling me, I don't need a ton of detail about the search warrant, but just sort of your recollection, sort of in I don't need much detail.

I'm not that interested about every little detail about the search warrant, like where you rooms you cleared or where you were standing, that kind of stuff. But more sort of up to the point where the comments that.

00:21:10 Investigator Jim Band

That [redacted] and you were seen making on the ring camera footage, and specifically, you can tell me anything about the search warrant that you think is relevant. But I am more like, tell me about just the point that you remember leading up to and then involving the comments on ring camera footage in your memory of them.

00:21:27 Lt. James McLaughlin

Okay, so in this scenario, Part of our search warrant operation plan was we would have a team offset;. It was a few miles. I can't remember exactly where we were parked but, The entire team was was offset out of sight. We had unmarked vehicle surveillance on on the residence. The kind of tipping point or catalyst for the execution of the search warrant would be seeing. What we had learned is that there would be an opportunity with I believe those females going to the shark or a swim center. When that occurred, that was our tipping point for.

00:22:04 Investigator Jim Band

Those females being

00:22:06 Lt. James McLaughlin

Kelly Hayes. I didn't know who they were. Just unknown females. turns out to be Kelly Hayes, I believe her daughter. When they were vacated, when they vacated the residence, Unmarked surveillance would make the call on the radio and the team would come in, and we'd start a surrounding call out. So as they did that, that's the operation side of the house. I am running incident command at I'd, say, two blocks away in a neighbor's driveway, and I am just running the operations giving authorization if.

00:22:38 Lt. James McLaughlin

If there is requests for additional, I mean our plan is built in layers of compliance. And so, essentially it was incredibly fast. I'd say just a few minutes and Mr. Akehurst has come out and he's submitted to arrest. So, bravo, done deal. I take you know my command helmet off. I drive up. Um, I spoke to Mr. Akehurst for what felt like about thirty seconds, Um, open the back seat of the patrol car and I said," Thank you for your cooperation. I am glad everybody's safe." Um, patted him on the shoulder, shut the door. That is, and that should be on body camera or car camera since he was in the back seat of a patrol car when it occurred.

00:23:19 Investigator Jim Band

Can I ask you something at that point before you continue? Did you see at any point, anyone put an AR-15 in his lower back?

00:23:26 Lt. James McLaughlin

I was three blocks away, and I didn't show up until we were he's seated in a patrol car. And it's probably five to seven minutes after. His custody, so to answer the question directly,

00:23:37 Investigator Jim Band

So he's already in the car when you talk.

00:23:39 Lt. James McLaughlin

Absolutely, yeah. And that's normally how command structure works for me. I am at a distance intentionally so that I am not clouded by whatever's happened in the moment to make those independent calls. So, no, I did not see any of that.

00:23:52 Investigator Jim Band

Am at i You guys have a drone that saw the whole watched the whole thing. Nobody put him in a car, even has an AR-15 ounce Yeah,

00:24:00 Lt. James McLaughlin

But you might have seen that; that was part of the complaint. So anyway continue from Did see there was part of it.

00:24:06 Lt. James McLaughlin

And so, yes, and then we go and we are. I think doing overalls, maybe entry photos or something to that degree. [redacted] and I are standing on the front porch, and he says so at this point in time. My belief is that the search warrant is rather being read and entry photos are being conducted. Whatever the preliminary, you know, administrative work prior to the execution of the search warrant is happening. It's downtime. Deputy [redacted] is there and he says, "Man, " and I don't know if he talked to her in person or on the phone ; that's unclear to me. He said, "Man, she is a real bitch." And I chuckled and I went, "Really? Okay. " And, he said that she had some comments about her knowledge of Mister Akehurst inside or not inside. And those types of things. And he goes, "I think that we can get."

00:25:03 Lt. James McLaughlin

Her for aiding and abetting or hindering, and I am thinking about you know adding the charges of burglary. And I laugh and chuckle, and I said, "Man, I love the vindictiveness." Poor choice of words, but I love the vindictiveness; it knows no bounds. Or it knows no bounds; I love it. What's not. And so if now's the time for mitigation, What isn't captured in that fifteen seconds is the fact

that these patrol deputies best patrol teams specifically as a group for. For well over a month, in my recollection, and again I don't want to misquote the dates. In my recollection, for well over a month, we're attempting reasonable measures to apprehend Mr. Akehurst. And I had been consulted on a number of occasions about what to do next. : can we offer additional help? Do I have any advice? And what do you think about this, that and the other as far as methods of apprehension? And my.

00:26:00 Lt. James McLaughlin

Leadership or my direction for them was, I understand this. I know that you want to arrest him and I get it. However, it doesn't have to happen now. So there was continued conversation is is my point, On how to do this in a reasonable methodical manner that may not satiate the need to arrest him now, but it is a great learning opportunity for deputies to look and say, I might not run to get him now. But if I build a foundation in a month, I can arrest him and do it very safely and reasonably. So, from my point of view, what I was saying when I love it is, "I understand the conversations we've had." And later on, whether it's captured publicly or not, I tell them we're not going to do that. And again, it's a deputy discussing the potential addition of charges, which is something that happens in almost every single.

00:26:55 Lt. James McLaughlin

Search warrant. Hey, I we found this. Can we add charges? Can we do this, that and the other? It just so happens that my leadership style, and my point with that wasn't to say, I love, vindictiveness. I said it so I totally own it. The mitigating factor behind it is that is me bringing a deputy into the larger scope of somebody who sat in capital murder cases, somebody who's gone through forty one pretrial motions in one specific trial. So, I am trying to give a little bit of perspective without barking and saying you are a moron for saying or asking that. Now, that was a belief that I was in private, but I was still on scene at that point in time. And so the choice of words was bad because I am on scene, not in an office, not elsewhere. Um, I should have had a reason reasonable understanding that someone could have heard that. And I own that one hundred percent. The mitigating factor behind it though isn't that it wasn't.

00:27:54 Lt. James McLaughlin

I wasn't lauding and loving what he was saying, although those were my words. It was a gentle reminder of conversations that we had had over a month long period to come back to center and look at a bigger picture. So that's kind of my assessment.

00:28:08 Investigator Jim Band

So so I think I understand what you are saying, but I don't understand that how is that your vindictiveness knows no bounds? I love it. How is that a tie in to prior conversations With?

00:28:22 Lt. James McLaughlin

Well, prior conversations are different. Patrol deputies, we want to go do this with SWAT now. Let's go make this happen over a month plus. I refused to use tactical units a number of times with the same vernacular in mind : " Guys, I know you want it now. I know you want to make this arrest because it matters to you." See bad guy, arrest bad guy. That is as simple. As the approaches for them, I am a detective lieutenant with a lot of experience. I am sure that as a chief of police, You've been in large scale investigations, and you understand that the gravity of those things is a little bit bigger than this guy with warrant. I go arrest, So I am pulling them out of the mindset and saying no to the use of tactics. No to, "I don't agree with that, ", but what I am saying is here is a solid investigative mean Let's get an ADA in here. And see if.

00:29:22 Lt. James McLaughlin

We can write a warrant for GPS tracking. That way, At least we're hedging our bets and not doing the same thing over and over again, expecting a different result. So it is coaching moments. So me saying" your vindictiveness knows no bounds." is in relationship to conversations that we had saying" do it now," and I am saying" no son, we won't." And we didn't for well over a month. That's kind of my tie-in if that makes sense.

00:29:50 Investigator Jim Band

Um, so. Theum. So.

00:30:02 Investigator Jim Band

Kind of to the the families, so I've met with all the family and talked to them, And they're sort of what led up to this moment. Just the context of the complaint by them is. And this is between things they've said, things I've seen on body cam footage. Several body cam footages, and I've interviewed a lot of people already. The family has a perception: there is [redacted] body cam footage telling Paul, "You don't turn yourself in." This all predates this. I am going to get a marshal's case going against you. I am going to get DHS involved. We're going to.

00:30:51 Investigator Jim Band

Do a search warrant on Ring footage, and we're going to arrest your sister. [redacted] is texting to the sister. The statute of hindering prosecution, [redacted] at one point says to [redacted] and mom: "I think [redacted] was there, but I know mom was there." Paul's on the phone. You are not turning yourself in, so the way to get to you is to go through your family. So he's declaring this stuff to the family.

00:31:21 Investigator Jim Band

I am going after your family, essentially not his words, but sort of the way that they take it. [redacted] being followed by numerous deputies who admitted doing that. There is people who say, "Yes, I am going places with [redacted] and they're following us. " Sitting on the house and in their mind, these cops are going too far ; like they're hassling us. They've declared they're going to hassle us; they are hassling us.

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00:31:53 Investigator Jim Band

In their mind, these cops are being vindictive. You know, and there is a body cam footage of [redacted] saying to [redacted] "Hey, I am shaking the family tree pretty hard. I just got off the phone with mom and basically I made her cry." [redacted] goes, "I love it," or "I like it." I think he said, "I like it," not "I love it." So the family is having this perception. You guys do the search warrant, And they're sitting at the Akehurst' home on their phones, watching Ring camera footage with this perspective of what the cops are doing. They hear [redacted] saying what he's saying, and then they hear you saying "you are vindictive." Not the word you use, but your vindictiveness knows no bounds. I love it. So I don't know if you knew the context of this entire thing, but all that stuff that happened before that and then.

00:32:50 Investigator Jim Band

The things that happen on ring camera footage to them is like a firework moment of they already feel like this, and then the lieutenant says it. Does that make sense? I understand. Did you so the picture that I just sort of painted, that is the family's picture. Were you aware all those things were going on prior to this?

00:33:09 Lt. James McLaughlin

No, first and foremost, this is a patrol call and case. I am not in patrol nor am I privy to patrol operations. That is probably a question for Lieutenant [redacted] and Captain Mike Sundberg. They are in control of every piece of their deputies doing their operations daily. I simply became a consultant much later in the game, Offered up unmarked vehicle surveillance and unmarked plainclothes deputies or detectives to assist them in their apprehension efforts. Know nothing about what had gone on before. I understand that point of view; that makes sense to me, but I was not privy to that nor.

00:33:47 Investigator Jim Band

And You say to that point of view,

00:33:48 Lt. James McLaughlin

Which point of view the point that you just got done making from.

00:33:51 Investigator Jim Band

The family sort of correct?

00:33:52 Lt. James McLaughlin

Yes, so I understand that that makes perfect sense. I think that's a question for Lieutenant [redacted] and Captain Sundberg.

00:34:00 Investigator Jim Band

Okay, So.

00:34:05 Investigator Jim Band

Do you think that there's so one of the things that I've talked to some folks about is like I was an aggressive cop. And I love, you know, I love hard chargers, but there is also a point of like easy fellows. You know, That sort of like the mentoring piece of like I love that you are a hard charger. However, that kind of stuff of like sort of mentoring people. Um, I was told because I asked about this, this whole scenario that the family has : " of like at what point is someone going too far with the family in an effort?" Like this.

00:34:47 Investigator Jim Band

And I was told that this happens all the time, that this is just normal. The family's perspective, That other families might have that same perspective because they have sort of approach to going after people going through their going at their family is sort of normal happens here all the time. Do you agree with that assessment?

00:35:04 Lt. James McLaughlin

Oh, I don't know that I would make that assessment. Um, I think a case again, I've been a tactician for a long time. I've also been in detectives for over twelve years. So I don't have a breadth of, We certainly don't do it in detectives often. There are other ways where it's more intelligence based. I am not saying that a phone call, a text message, "hey, turn yourself in," a phone call to mom—I've seen that happen before. Sure, I think the assertion that you are getting about that you are giving about pressing a family and pushing them into these ways happens all the time—I would not make that assessment. I'd say that there is a far better approach and you know these are.

00:35:45 Lt. James McLaughlin

Members of the community where you can you get more out of hunting than you do out of bees, essentially saying, "you know, I am mom," you know, I know he's in a bad way. And if you think that she's enabling, then there is a great conversation you can have build rapport, build relationship. And again, like I told you, It takes a month, but the outcome still is the same, but the impact is less. Then I think that's a win. That's my approach, i I don't know that it happened. ;, it may happen all the time. I am not a patrol guy that hunts warrants The warrants that I did hunt in the fugitive task force. There was, you know, we I mean they're doing lots of work to press these guys, but they're violent offenders very high up on the list. So if sister's hiding them, You know, they're going to use first party reasoning to execute entry into a house, or do an open air takedown in a parking lot. So totally kind of different i think perspective for me. I haven't been a patrol warrant hunter for many many years.

00:36:43 Investigator Jim Band

And I think that was sort of the family's take too. Like, this is a gas card, you know. They don't know all the things that have been going on.

00:36:49 Lt. James McLaughlin

It's a gas card, but you know, and again, Just to reiterate and reiterate this in our texts back and forth:, the actions of Mister Akehurst and Mister Akehurst alone necessitated and dictated the use of SWAT. That was approved by me and was approved by Captain Sundberg. The use of SWAT wasn't to intimidate; wasn't to you know coerce. In any way, shape, Or form aside from bringing a peaceful resolution that in otherwise could have been a very violent or very dangerous scenario and ending both for the public, Mister Akehurst, and my deputies. And that the fact that, that did not occur and the fact that it was as controlled and put together as it was, is a annotation to good training and a good plan that was forethought over a longer period of time and not just a knee jerk reaction like you are.

00:37:42 Lt. James McLaughlin

Describing about maybe deputies really pushing to get what they want. I understand being a two, three, four, five year cop and having a very small scope of experience. My experience is different and when it met that threshold, I was very secure in the use of it.

00:38:02 Investigator Jim Band

So tell me when the comments came up like I've obviously seen the footage, but there's a point where.

00:38:11 Investigator Jim Band

You realize that somebody like Kelly Hayes talks back to you guys as she hears these comments. Sort of take me from your recollection then, and sort of what happened after that.

00:38:20 Lt. James McLaughlin

We went and served the search warrant. She had a conversation; I don't recall much in that moment. Yes, ma'am, feet off. We went and conducted the actual search of the house, and we were there for probably about twenty minutes; it was pretty quick. I've done. Hundreds and hundreds of search warrants. We were there; the house was clean. I had mentioned, "Hey, this place is not trash. " This is not. We even looked into the daughter's bedroom and chose not to search there at all. We were in twenty minutes looking for small items that could be anywhere, And it was a very reasonable search in my mind. When we left When, we left the home, we went to the garage to search the motorcycle. I believe is where the motorcycle was.

00:39:07 Lt. James McLaughlin

And at that point, I had seen a memorial picture of a friend of mine who had passed inside that garage. And so we concluded the search warrant, came back to the front. Kelly had said something

on the I think she was talking to maybe Detective [redacted]. I don't recall exactly who she was talking to. She was upset, and I am in charge and now I am hearing this, so I jump in and say, "Hey, here is the reason why we're here." I try and give an explanation of.

00:39:38 Lt. James McLaughlin

This is not about you. We're not here to offend you, to traumatize you in any way, shape or form. The issue was with Paul. Paul refused apprehension efforts. We're just here to pick him up and we're going to go. And then I asked, can I ask you a personal question? How do you know this individual? And. So that was the first time I recognized that I had known Kelly and her husband for many, many years. But that was essentially the search warrant at that point in time. To my recollection, unless I am missing, if you have any other direction, if I am missing any key moments, it's not intentional.

00:40:13 Investigator Jim Band

And just to go back a little bit:. So you had said something about when I asked. So the comments that [redacted] made the comments you make, you say the" vindictive" thing. And then you said what's not captured.

00:40:28 Investigator Jim Band

Just to clarify, What exactly so you said, are you saying you said something to him later? That's not captured there about?

00:40:34 Lt. James McLaughlin

Absolutely. Tell me just saying hey, you know that we're not doing that. We wouldn't. And my rationale and reasoning is first of all, the DA is not going to want to charge that anyway. It makes you look over your skis. These are conversations again that we had prior, not specifically about overcharging but saying hey. You are tenacious about this. I know you want it now. Be patient and wait. It was in the same vein as that, and those were the conversations that we were having later on.

00:41:04 Investigator Jim Band

Later on the scene or later on yes

00:41:06 Lt. James McLaughlin

Later on on the scene, I think away from armor at a certain point. Yeah, but And it was basically," We're not going to do that." Man, it was understood this is a conversation about potential charges. Which is a viable and a legal, I mean, those are viable charges. He may have even had probable cause to arrest for hindering. It's certainly reasonable suspicion. And on the table, the fact that we had that quick conversation that we're not going to go there and it was done. So.

00:41:37 Investigator Jim Band

Why do you think you use the word vindictive? You said vindictiveness, but if I say you are basically being vindictive.

00:41:44 Lt. James McLaughlin

I think he was wound tight and I think they really wanted to arrest Paul. In not in a bad way, in a proactive cop. My choice of words should have been "your tenacity knows no bounds." I said "vindictive," and you know that's what came out. Now, in my mind, it is I am tempering now. If you can understand, I am tempering this thing all the way through for a long period of time with various different people. And saying, hey, large scale picture.

00:42:18 Lt. James McLaughlin

Slow it down a little bit. And so, if they're wound up and they want to arrest this guy, I know they do. And so, My choice of words sucked—absolutely sucked—was not the intent of what I wanted to convey. Certainly wasn't permission for [redacted] to go run as free as a bird and do whatever he wants to. And he knows that—he absolutely knows that. Were you being sarcastic? I was being flippant and sarcastic, yes, because he knows the exact opposite is true. Like, we're not doing that. I have just got done having conversations with them about when you sit on the stand in capital murder cases, and these types of things start to unfold to you. This means much less. I am not saying don't care because there is a balance between saying this stupid as a leader, this stupid and doesn't matter, right? I could be that leader and I've had that leader before. This stupid, and it doesn't matter because I am the best because I've been in all these cases.

00:43:14 Lt. James McLaughlin

That is not the image. I want to present to any of the employees here or any of the people I mentor. The people I mentor, I look and say, "Here is a shared experience." Because biblically, Wisdom can be portrayed as if I can learn the lesson from you that you did, and I don't have to make that failure—that ' s wisdom, right? I don't necessarily need the experience. And these are things that we drive home after every operation in tactics. We after-action everything; we are highly critical of one another. In a respectful, controlled manner. So, this is an opportunity for me to bring him back along. I agree the choice of words sucks, especially in light of it being captured. However, It's not off color to other things that I have said to him in my own office. So while I regret the fact that I did that on scene, it is part of my vernacular. I think that if i would have chosen the.

00:44:13 Lt. James McLaughlin

More appropriate word, it would have been his tenacity. We talk about it all the time, And I have to balance shutting down that fire and that great cop in those moments with balancing the experience and saying, "Here is how you measure some of those things." And I do it more gentle; I do it in a softer way. I say, "I love that," and then with hyperbole, and then we fix those issues. And I wrote the smooth ends; that's my leadership style. And again i, I could change that leadership style if I wanted to. I could certainly change the verbiage, but my approach is my approach and it always has been, and everybody here knows that.

00:44:49 Investigator Jim Band

So, did you literally mean notwithstanding the answer you just gave? But to ask the question, did you literally mean you are being vindictive? And I want to affirm your vindictiveness like I want vindictive cops.

00:45:05 Lt. James McLaughlin

No, no, no, no. Absolutely not. No, I did not. No,

00:45:07 Investigator Jim Band

I did not were you.

00:45:14 Investigator Jim Band

If I am understanding sort of what you are saying, is your choice of the word" vindictiveness" like to the point of sarcasm? Of more of a reflection on what you are doing right now is vindictiveness. Like, yes,

00:45:30 Lt. James McLaughlin

And my point of view is take the win, my friend. Like I just felt to some degree that I crossed the finish line. You want Jim to help you. This has been, I get phone calls all the time. If, there is a and I am just going to call it like it is, if t here is a problem that nobody else can fix, they call Mac all the time. And i am I am proud of that. One second, I am proud of that not to the point of.

00:46:10 Lt. James McLaughlin

This is my identity, and I am the keeper of the key. Not in an arrogant manner, in a manner that inclusion wise when there are those problems, I don't have those answers, But I know that a collective group of people do, and we can sit and hash those answers out. I have had a lot going on both personally and professionally. I have a lot of irons in the fire. I am in brand new water in my life. Running for political office, all of these things are new to me. So, for me, I've got a ton going on. If you can understand the bandwidth that we're dealing with here, this is a patrol level case, And I am not necessarily in the best graces on the patrol end right now. I feel a little bit iced out from patrol functions and people that are operating in that realm. So, that being said.

00:47:06 Lt. James McLaughlin

This well over a month of now. I am the answer man when this a patrol case. Why is patrol leadership, not doing their job to assist in this apprehension and what is their directive to their patrol deputies, which I am told is not much at all? So that being said, We still have an issue of priorities of life or safety priorities where this individual. Will continue to refuse apprehension efforts by any jurisdiction. He's shown that there is a pattern, a fact pattern objectively that shows that I am tired at this point. We just crossed this finish line. This is one thing I can now put behind

me and go, "Thank God we're done." The dude's safe; he's in custody. I don't normally approach things this way, but this was attrition for me; it took a long time.

00:48:03 Lt. James McLaughlin

It took a lot of different answers, several different search warrants, physical surveillance, and me being asked on multiple occasions to please make this happen. It's a done deal now. Yes, so there is some weight lifted. And I go the vindictiveness knows no bounds. That's fantastic. I am saying like I am over it. Uh, I get it. And we like I said we had talked later, and we're not doing that. Uh, i am a little frustrated that now i know that's captured on ring camera, but oh, well, just another. Piece of this event that is ongoing. Not that it's an anomaly in my career, It just so happened to be one that took much more time and risk versus reward as far as personally really sucked. So, that's kind of my mindset in this going in. This wasn't an overnight deal where we just were the.

00:49:00 Lt. James McLaughlin

SWAT team, you know, search warrant factory. It took quite a bit of time, and it was fairly exhausting dealing with my detective unit, Which is working murders and working sex crimes and working a lot of other stuff. And now having this tie and pull going, hey we're going to need your help. We're going to need your help. I am one dude, And so me, trying to collaborate and coordinate all those things, plus with the personal and professional things that I am doing that are brand new. To me. It was a stretch.

00:49:46 Investigator Jim Band

So, tell me,

00:49:48 Investigator Jim Band

Um, you were aware that a complaint came in. Um. And, there was a conversation uh between you and some other lieutenants about the complaint. And my understanding is I've got some memos from them, saying that you said I'm handling it. Can you just tell me about that?

00:50:14 Lt. James McLaughlin

I am confused about that. No, I was not aware that a formal complaint came in. That's a confusing, that's a little bit confusing to me. I'll.

00:50:23 Investigator Jim Band

Tell you specifically what I am talking about. I believe that there was a call that other people saw where Kelly Hayes was calling and asking to speak to you about something happened.

00:50:35 Lt. James McLaughlin

Yes, okay, great, perfect. As long as that's what we're talking about, one that one I can definitely address. Yes, CAD call. I can't remember the date. Um, is made. I think it's the day after the search warrant. Um, it's a CAD call from Kelly Hayes. I believe in the CAD call she's asking to speak to McLaughlin. Um, I get a phone call and i and if I said " I am handling it, " or ", I will handle it," because my name is on the call, so um, I take a phone call from her and she says, "Hey, you know, I am pissed off." um.

00:51:07 Lt. James McLaughlin

And we had had a conversation already. Now, mind you, she asked me on the ring camera. You probably heard," Hey, aren't you [redacted] husband?" So, we had come to the realization that oh, shoot I've known you for over twenty years and I've known her husband's story. I've known her story for a long time, which is a uh a story. It's a broken. It's a very, very um.

00:51:34 Attorney Randy Harvey

Well tell him about. Knowing them and your wife's involvement counseling with her, yes, so there is a deeper connection.

00:51:42 Lt. James McLaughlin

There is a deeper connection there; it's not just that I've known her. Her husband, like I said, I saw that young man's memorial on her wall. That young man on her wall is a man that I mentored for years. And what's his name? [redacted]. Okay, very close. And this was in the church you guys are. This was in the church. I'd met him before. I was even out of the Marine Corps, so I met him in like nineteen ninety eight. Great young man, loved him larger than life.

00:52:26 Attorney Randy Harvey

So his wife was counseling Kelly and they were in the same church,

00:52:31 Investigator Jim Band

So that's how they say Kelly Hayes well.

00:52:34 Lt. James McLaughlin

No, To clarify, yeah, yeah. Not within the church. We know Kelly because I know [redacted] very well. [redacted] had a friend named [redacted], and I know [redacted]. And again, Bright light fills a room type of kids at the time that I knew him.; I was probably twenty eight or so, and they're in high school. And I am mentoring these young men in biblical principle, just how to be a man that type of stuff much more. So with [redacted] was, I was like a big brother, almost a father figure to [redacted] And so, but that translates across the spectrum to this group of young men [redacted] gets married very young to Kelly, and I meet Kelly in the same breath we're with family. We have like a Bible study dinner hang out ;. It's good. So we know each other well in church setting. I say church, but religious setting not necessarily inside the building but.

## 07-28 Interview: Lieutenant James McLaughlin — SWAT Deployment, Search Warrant Execution, Citizen Complaint, and Internal Department Conflicts

00:53:33 Lt. James McLaughlin

For the purpose of, we're all Christians. And through the years, [redacted] had ended up leaving; he went to pursue music in Portland. [redacted] passed away probably seven plus years ago now. So when I saw that, It moved me and I asked That's how I found out that her husband was [redacted] I know [redacted] I had followed him from afar, know that he got injured and know that he became addicted to opioids. And I know that because she's been very socially active in regard to her plight with addiction, Her plight with standing by her husband and being faithful to what God called her to do. So it's a story; there is a lot of redemption there, there is a lot of brokenness there, but it's all out there and very honest. My wife has had various conversations of encouragement through social media to the large majority.

00:54:29 Lt. James McLaughlin

Hey, we're with you. We're praying, and here is a scripture. Here is a prayer for many, many years. So that is kind of the extent of my relationship with Kelly, But it is something that because of [redacted]. And because I know [redacted] and this group of young men, I have continued to follow. Now I knew he fell into narcotics. ; I knew he was in the drug world. I was working undercover as a drug cop, So it's not like I am going to jump in and have massive intervention ; I just watched and. Wish that I could do more, but never did. So our conversations when she made that phone call to me that day on CAD, she asked for McLaughlin for a reason. It's because she knows my wife had reached out ;. She knows that there is somebody that she can trust when she's talking to at least at that point. And she is upset and She's saying, "Hey, the ring camera this is intentional." And I am like, "Well, okay. Time out. Hold on a second. Do you want to make and Jim?"

00:55:25 Lt. James McLaughlin

This is a phrase that I have said that we are trained to say. That is common practice. It's not you're not going to find it in policy, But it is absolutely the same thing. I do every single time I take a complaint, if you will, just like a traffic stop. I say, "Kelly, do you want to make a formal complaint at this point in time? Are you saying you want to make a formal complaint?" And she says, "I am not saying that," but I am pissed off. I am upset and I am angry. And I said okay How can I help the situation? Would you like a sit-down meeting? Would you like a phone conversation? Would you like Deputy [redacted] to talk to you and the family? What are you looking for because at this point, her target is on Deputy [redacted]. And she says, "Yes, I do." And I said, "Okay. Well, I don't want to invade your space. Do you want a phone call?" And she goes, "No. I want to see him face-to-face." I said, "You want to meet with that deputy?" Yes, I do. [redacted] yes.

00:56:22 Lt. James McLaughlin

And they said, "Okay, I can't promise you anything, but I can try to arrange that." At this point in time, I am handling this a lieutenant. Not hiding. I am not hiding shit, Jim. I am handling this a supervisor at the lowest level that I can. Not because I am trying to move the problem away, But because to satiate, her need her expression was This is an acceptable measure for me." So I sit [redacted] down and I say, "Hey, this a moment where I am going to tell you. And this not the pot calling the kettle black. When we are on scene, we are to remain professional at all times." I know

that you thought were in private; were not. You called that woman a bitch; she heard it. That is something that you are going to have to rectify, and she is not happy and she is very upset about that. And in my conversation with Kelly on that day.

00:57:20 Lt. James McLaughlin

She alluded to very specifically her her ardent belief that [redacted] targeted her specifically with intent because Michael's wi[redacted]ay, us[redacted]ch Kelly's daughter in swim. And I am saying, Miss Hayes, you could not be more wrong. This I understand that you may have a platform to dig this deep in that is untrue. This a good reason for you to sit down. And have a conversation if you want one. They do. I have no idea what the conversation included.

00:57:54 Investigator Jim Band

You said they.

00:57:56 Lt. James McLaughlin

[redacted] I believe it's with the Akehurst parents and I believe it's with Kelly Hayes as well. That's my belief, but I was not there and I don't know for sure. The expressed intent was that it would be in person, whether or not in person or not, I don't know. I do know that I heard back from both parties. Mike[redacted] I owned it," and you know," it was good." I think I alleviated her fear that this was somehow targeted towards her, that had nothing to do with Li[redacted]d and I disagreed with her on the use of SWAT or some of the other tactics. We agreed to disagree, and I went okay, good talk to Kelly. Same similar things, And she said, hey, i I said, would you like to meet with me as well? I was on the ring camera also. And, she said the Akehurst family would we set a meeting up for me to go to their house?

00:58:47 Lt. James McLaughlin

On Monday, they canceled the meeting and said, "No, we'd rather come and just hang out with you at your political event." I said, "You want to come to my meet and greet? My political event?" Okay, that can be our meeting. That's fine with me. They sat down ;. They had a lot of really good questions in a political off duty political setting. And we sat and talked for about an hour afterwards. And cried. They talked about the plight of their son ;. They talked about their grandkids ;. They talked about family stuff. They never ever. Ever said they wanted to file a complaint. If they had, I would have just deferred it away because if I am there, I am not going to handle the complaint myself. This was : ". I want some satisfaction and I want to see that man face to face." That was the description from Kelly on my phone call. So, the next day or after rather that day of the phone call from CAD.

00:59:45 Lt. James McLaughlin

Or the next day, I told Captain Sundberg, "Hey, there is ring camera footage. This lady was upset; is upset. I have spoken to [redacted] He, they both have made mutual agreements that he is going to go to have a conversation, and he is going to go apologize and own his portion for what had

occurred." And he goes, "Good. You should write a memo about that." Just, because those things have a tendency to come back and bite you in the butt, I said, "Well, it's out there," and I understand what you are saying. So he is fully aware that there is ring camera. I didn't say I've been vindictive ; I didn't include myself in that not because I am hiding any fault of mine. I am being vocal about this; this is in the open. Uh, I am not hiding anything from me. i have a conversation with Sergeant [redacted] in the hallway.

01:00:43 Lt. James McLaughlin

Right next to [redacted] from Central Oregon Partnership for Youth, for twenty plus minutes describing everything. I am not withholding this information. If I've oversighted my involvement in this, It certainly was not intended as a " I am going to handle this and keep everybody out." I have not many, many, many people have very real knowledge of this situation. It hasn't been hidden. We probably even mentioned it to some degree in our after action reports or after action. Debriefs. So, that is my approach: is that this was not a complaint. I told Captain Sundberg afterwards, "it's not a formal complaint," but she is really, really pissed off. I can't tell you how many times myself I've listened to the same captain, have phone conversations and say, "I don't," and this is what I said, "I don't make excuses for bad behavior."

01:01:40 Lt. James McLaughlin

Are you wishing to make a formal complaint? My answer is, I don't make excuses for bad behavior and there's full ownership. There is no desire at that point in time for a formal complaint. So what do I do as a lieutenant? I handle the problem as I see fit at the lowest possible level that I can, that I believe is reasonable. That's why I was promoted to make those decisions. I told Captain Sundberg, " I ' m verbally counseling him regarding that ring camera, where he calls her a bitch and she heard it." We talk about the dynamics. He says," Yes, you still have to be professional." He understood we thought we were in private. I sit down and I mentor and verbally counsel him, and then he goes and takes personal ownership with the Akehurst family and Kelly. That is my handling of it. So yes, I handled it, And that's how I handled it.

01:02:31 Investigator Jim Band

So you guys texted for a period of time quite a while. I have all those texts. In those texts, she says that I think her verbiage is, and we can go through them. But, one of the things she says is one of the things that hurt me the most, or the thing that hurts me the most was basically your comments. Sure. And she also made comments about what would the public think?

01:03:00 Lt. James McLaughlin

Oh

01:03:00 Investigator Jim Band

Sure did of the money involved using SWAT like that.

01:03:05 Lt. James McLaughlin

What do you think the public would think about the comment and losing votes? Is that what you're referring to?

01:03:14 Investigator Jim Band

That's in there too, the votes. Exactly. She did at one point talk about the use of SWAT for something like that.

01:03:21 Lt. James McLaughlin

My response in that is that the use of SWAT was based on Paul's actions and Paul's actions only. I can stand and justify the use of SWAT and the cost of the taxpayers for it for sure.

01:03:33 Investigator Jim Band

My question though about that is did you at any point when she's telling you?

01:03:38 Investigator Jim Band

That her biggest issue is what you said. Then these other comments of recusing yourself and handing this off to someone else, like giving it to another lieutenant or 'hey, I am involved; I am going to have you talk to somebody else who's not involved.'

01:03:54 Lt. James McLaughlin

And we had had conversations. If she wanted to do that, she knew she's specifically talking to me." Hey, doing the best I can," you see time and time again me say." I own my stuff if there is an issue." Then I am right here. I am not hiding a thing. All of that is on my work phone intentionally, Jim. I am not hiding anything. If I was going to hide that, you wouldn't even see it on my phone. I understand what you are saying at no point in time. No, did i think that i never did. I never thought, boy, i should pass this to somebody else Is it, something that I would consider sitting here right now? Yeah, yes, I would.

01:04:32 Lt. James McLaughlin

However, it is nothing that ever entered my mind going, 'Wow, this is a really big problem. I should hand this off or I would have handed it off.' Maybe what's mistaken for this? Absolute malice is not malice on my end. This is not a.

01:04:52 Investigator Jim Band

What do you mean 'absolute malice'?

01:04:54 Lt. James McLaughlin

## 07-28 Interview: Lieutenant James McLaughlin — SWAT Deployment, Search Warrant Execution, Citizen Complaint, and Internal Department Conflicts

I am sitting here being accused publicly of coordinating a conspiracy to. Use a ring camera to to burn ring camera footage that I am screaming from the housetop exists. It makes no sense. It's I am the presumption of malice in the memos that have gone from this office to the sheriff is something that it's easy to say and I look at it and say, but you are wrong. There is no malice. No, I did not look and say, "I should hand this to somebody else." Or Jim, I would have handed it somebody else.

01:05:30 Investigator Jim Band

So specifically, I don't know if this is what you are getting at, But the lieutenants said in their memos that you told them that there was that she has an issue with [redacted] But you left out the fact that at no point did you say so. Ultimately, she had a problem with the comments. She had a problem with the comments that [redacted] said. She had a problem with the comments that you said. So what the lieutenants are saying is, That you told them she's got a problem with [redacted] you omitted the fact that she has a problem with you too.

01:06:07 Lt. James McLaughlin

They they can say what they want to say, that's fine. I'm under no obligation to share with them anything at that point in time. Now, You're talking about the day that, that CAD call came in and that I said I would handle it. Is that what what we're referring to? Yes, and then I referred back to them that, Deputy [redacted] had said some things on ring camera because Deputy [redacted] is their direct subordinate, correct?

01:06:36 Investigator Jim Band

Well, So my question is about that: Is. You just said" I am shouting from the mountaintops," you know what's happening that you are being transparent.

01:06:48 Lt. James McLaughlin

I was, yes.

01:06:50 Investigator Jim Band

The lieutenants are in those memos are saying she's mad about things that two people are saying. She's mad about the things that [redacted] saying. She's mad about the things that you were saying.

01:07:02 Lt. James McLaughlin

Is there specifically,

01:07:03 Investigator Jim Band

Just just let me because I want to get the question. It wasum [redacted] if you walked in and talk and I think [redacted] Um so my understanding is the captain takes you in, you talk to those guys and say

that it's this conversation about. Because they see the call that she had called in for you, And so what they're saying is that in that meeting, you told them when you had this conversation," she's mad abou[redacted]and I am dealing with it." Yes, yes. But, the allegation is that you left out a significant part of it.: is that she also had a problem with you?

01:07:49 Lt. James McLaughlin

Timing matters, doesn't it?

01:07:51 Investigator Jim Band

Well, I don't no.

01:07:52 Lt. James McLaughlin

I'll address your question.

01:07:54 Investigator Jim Band

So that's my question is like if timing matters, then tell me. But, the question is, is why didn't you tell them and tell everyone she's she's mad about comments that [redacted]said, and she's mad about comments that I said?

01:08:08 Lt. James McLaughlin

And this is day one of her first phone call. And, if you look at our text messages, how how longer how much longer through the course of this event is she now upset at me? And it's, Quite a bit of time, It had nothing to do with the context of the meeting that I was in at that point. That was a day one meeting, right after having the phone call and arranging a meeting. There was no angst at me at that point in time, and again from Kelly Hayes at all. Why do you think I was the point of contact? So my meeting with those gentlemen.

01:08:42 Lt. James McLaughlin

Had I there was no accusation and finger pointing. There was no" this really grieves my heart" at this point in time. And match up the dates on on the cell phone. 0.72"

01:08:51 Investigator Jim Band

This grieves my heart from who?

01:08:52 Lt. James McLaughlin

From Miss Hayes. Okay, Match up Miss Hayes' comments to me date range when she says she really takes exception to my comments, You are going to find that it is nowhere near the date that I sat down with those gentlemen to explain. What I was doing and what Kelly Hayes, angst, about

Deputy [redacted] actions were. I didn't not mention it because it was not an issue, Until it became an issue where Kelly continued watching it and things became getting worse. She became more angry. You can look at the text messages, and this is all in conjunction Jim with Paul going to arraignment, Paul going to termination hearings, Paul going to DHS hearings.

01:09:38 Lt. James McLaughlin

This is spinning up a hornet's nest inside of her that is really pissing her off, and you can see it through the text messages. Not the same date, not intentionally withheld. I understand that those gentlemen have a point of view. Their point of view at that point in time is not the same as mine, because the time frame does not match, And that's objectively provable. If you look at the text messages in the date range. So. I am not withholding. She is not coming down and bearing on me with an axe to grind and really pissed off. She's mad that I am the leader, she's mad about what has happened, and she's venting. It isn't until later that she looks and goes," The thing that really pisses me off most is you." That was much later in the conversation.

01:10:20 Attorney Randy Harvey

Lieutenants are taking information. They got later and pushing it back. They are to a conversation.

01:10:26 Lt. James McLaughlin

You didn't have any And I am not saying that they're doing;, they may be doing that unbeknownst to them. They may think," Hey, he had all of this information right away. I did not withhold information from them." To me, My comment again, knowing the mitigating factors and the contextual factors factors, my comment was not that offensive, right? It was in my mind;. It was not based on a series of events that I've gone through.

01:10:52 Investigator Jim Band

Which comment was not offensive?

01:10:53 Lt. James McLaughlin

The vindictiveness it was not based on, My the context that I gave you prior with conversations that had happened this and my description of my leadership style, I was surprised that it bothered her as much as it did. As a matter of fact, I didn't even really recall what I said. So, I understand their point of view. Their timeframe is not the same as my timeframe. But at that time,

01:11:19 Attorney Randy Harvey

You didn't have the knowledge of what was going on patrol with. I mean, all these conflicts that she was having with patrol.

01:11:28 Lt. James McLaughlin

Beforehand, yeah. No, I was unaware of anything that was occurring beforehand before the arrest.

01:11:35 Investigator Jim Band

And I think that that is an important piece of the background. Like you said, Your comments weren't that offensive or like I think the people who made the complaint. Yes, your comment was unbelievably offensive because of what was going on.

01:11:52 Attorney Randy Harvey

Because of the context of everything that happened before and.

01:11:55 Lt. James McLaughlin

I agree with that. I am not, Defending my honor on it, I am total ownership. But perspective wise, I mean you want truth; that is truth. I didn't think twice about it. I knew nothing about any of that stuff, and so for me, yeah. And hearing what you have to say, I completely get it and I absolutely regret it one hundred percent. And not to mention that, I am on scene and so my requirement is to remain absolutely professional. Until I am off scene, if I want to vent later on, I could do it in my office, my car, wherever. And so.

01:12:30 Investigator Jim Band

Yes. Did you So as this progression is going on on in your text and I agree with you, it it is going on a long period of time. Andum there was a point in there where you made a text of something about" I will excuse myself or remove myself from the conversation" about something like that. Um.

01:12:53 Investigator Jim Band

Did at you at any point, did you think like what did you mean when you said remove myself? Good question.

01:13:00 Lt. James McLaughlin

The context prior to that is Kelly saying," Now, mind you, bear in mind she has come to a two political event of mine. She is politically involved. We've talked much about my desire my plans for this office running for sure." She has talked about her plans and desire to see recidivism drop. We've had these conversations, okay? In that context, she says, " I bet something to the effect of you can lose some votes with this going on." And to me, that is a threat. It's a political threat. This is not a professional back and forth. She is talking politics in my mind and saying she's not saying you'll lose rank. ; she's saying you'll lose votes. And my response to her is very, very clear.

01:13:50 Lt. James McLaughlin

You got the wrong guy. I will always do the right thing. I will lose votes if I have to lose votes. That is not going to change me. If it does, I should not be here in the first place, and I meant that. I reiterated that and I said, perhaps I should excuse myself, because I felt politically strong - armed by that statement. And if that's what she wants to do, I will excuse myself politically, and you can do whatever you would like to do : call whoever you want, send it to wherever you want. Very clear, Jim. Not saying I need to get rid of this. No, I didn't. I was very firm and adamant, And then I reiterated that's exactly what I meant by" I'll excuse myself from the conversation." Because politically, I am being put into a place where I will quote lose votes," and that is not what my integrity or character cares about.

01:14:40 Investigator Jim Band

So, what would you say to actually let's take five? I need to use the restroom because you are probably going to have a long answer. Answer to my next question, but you guys want to just take five and yeah,

01:14:52 Investigator Jim Band

Take five.

01:14:52 Investigator Jim Band

Um, just leave these rolling.

01:14:56 Attorney Randy Harvey

Is that might as well? Open it close. Opens fine. We're not going to have any significant conversations on the recording.

01:16:39 Bruce Strange

Nice facility. You.

01:16:50 Attorney Randy Harvey

Guys good? Yep.

01:17:05 Investigator Jim Band

So, Obviously there is.

01:17:09 Investigator Jim Band

It's certainly Monday morning, like there is no question. And every complaint is Monday morning about who should have done what and when they should have done it, that kind of stuff. Did when

you talked about this progression with with Kelly, I think one of the things that an outsider would look at and wonder is :.

01:17:37 Investigator Jim Band

All the things that I've mentioned, but you get this complaint. There is this progression; you are having conversations with Kelly and she's increasingly upset. And then she comes in with Lorena, makes a complaint much later at the jail. That lieutenant walks over here and they make a formal complaint, and at that point, That's where admin all learns that there was there was what you said to the. Lieutenants, I've got this. This about [redacted] and then later they find out this about more than just [redacted]. And so to them, it's "Why didn't you tell us?" Right? Sure. And so why during that period of time did you ever tell anyone, "Hey, " because I know I think it was March first you received she gave you the ring footage.

01:18:34 Investigator Jim Band

Did you ever share that with anyone or notify command of like," hey, this is out there"? No.

01:18:39 Lt. James McLaughlin

As a matter of fact, if you check and I hopefully you have the metadata on that text, um, you are going to see there is a lot of conversation. I am scrolling through stuff that Kelly had. I didn't even really recognize it;. I thought it might have been just a snapshot. Um, Look at it;. It's not until much later when even went. Oh, That's a video," and listen to it. So no, I did notum No,

01:19:02 Investigator Jim Band

You did not watch it or share it.

01:19:04 Lt. James McLaughlin

I didn't no, I haven't shared it at all. And I didn't watch it until much later. I might have looked at it and gone, "Okay, let me check that. " It you can see how much time manipulated or worked with and spent time on that specific text because other texts come later on, where I am answering things with her and scroll through. So but I've already said the ring camera's out there. I've already made mention the ring camera's out there so, In my mind, it's a accomplished deal. I am not withholding ring camera footage again; it's on my work phone. I have already told the captain there is ring camera footage there. So,

01:19:48 Investigator Jim Band

Do you understand though that the well Let me say it this way?: I mean, what would you say to i mean if you had said," Hey, she's mad about comments that [redacted] and I said."

01:20:03 Investigator Jim Band

We might not even be having this conversation, and this would be a much different conversation. Whether you did the right thing or not, I am just telling like I think that is the perspective, but that's a reason for these questions. Just had you done full disclosure at the time: "Hey, she's ticked off about Mangan s[redacted] said this; she's upset." Have that conversation have right out of the gate. We probably wouldn't be having this conversation. You understand that the difference of what I am saying so.

01:20:30 Lt. James McLaughlin

I understand the difference is I can be painted as dishonest. And you can look at it that way. If you want to. It's absolutely untrue. There is no dishonesty here. I looked at it like in your words, What you just described was this is so minute an issue that had you just but for dot, we wouldn't even be here. I will use that same vernacular to you, my friend. This was a non-issue in my mind. I have a lot going on. I am a detective lieutenant. I am running for office. I have campaigns. I've got eight kids at home. This is a continued conversation to mend the broken heart of a woman who I know from history, has gone through hell and back, And most of the content in my text messages is exactly that : " I did not consider this an issue," or "Yes, Jim, I would have turned it in." Of course, I would have, but to use your same point of view.

01:21:27 Lt. James McLaughlin

It was a non factor to me based on everything else. I had going on. Not dishonesty, not a lie, and not me trying to hide any mistake or fault. I say over and over again in those text messages, "I will own anything. I have no problem owning anything." I raise both my hands; I don't mind owning anything. I just won't own the fact that I've intentionally withheld this. No, I did not; it did not happen. It's a mistake. Of malice, With the intention of others that could easily be chalked up to it, didn't register on my scale or it was ignorance. I am not a liar. I am not being dishonest. I did not withhold information intentionally in any way, shape or form.

01:22:14 Investigator Jim Band

Okay, just just to clarify,

01:22:16 Lt. James McLaughlin

I don't sorry about the tenor and tone.

01:22:19 Investigator Jim Band

No, it's fine i i would i I totally get it but just, Remember, my like there is impressions, and my job is to like hey, what's your uh what's your explanation. It's not you know.

01:22:33 Attorney Randy Harvey

It seems like their impressions informed by an escalating demeanor on her part, because at the time when she spoke to him, she wasn't upset at him over time as she got more mad at the patrol and

what was happening with Akehurst, then she started escalating. And I think what's happening here is management, and HR is looking at the end escalation, interpreting it back into the very initial event, And making that initial event a much larger issue than anybody would have considered it at that moment in time. Just like you know, the word "vindictive" is explosive in light of everything that happened with patrol. If none of that had happened with patrol.

01:23:24 Attorney Randy Harvey

It probably would have been nothing.

01:23:26 Investigator Jim Band

Well, I.

01:23:28 Attorney Randy Harvey

Other than the word" vindictive's" not right.

01:23:30 Investigator Jim Band

I think that the you know the family's complaint is, you know everyone's being asked about individual different things. And t here is things you are not even aware of, But the family's perspective is all these things happened, and the entire sheriff's office did this, and they have this whole perspective. and, The perspective is defined by the lieutenant as vindictiveness, and I love it. So, everything you are saying is true. Yeah,

01:24:03 Attorney Randy Harvey

So all of the bad on both sides of that event is being reinterpreted back to that event. When you know Jim is sitting there going," I didn't know any of that," you know. And had he known all of that, he. Akehurst probably would have not said what he said just because it would have been informed.

01:24:27 Investigator Jim Band

Yeah, and I think that the question is, And that's why I am asking this question of, you know, if to the point of why didn't you just out to everyone, hey this is now great hindsight question.

01:24:42 Lt. James McLaughlin

Yeah, would I do that now? Yes, sir, I would.

01:24:45 Investigator Jim Band

And I would say that there are people who, We're in management for a long time. Some people, the second hey, I am out like hand this off right away. Like you are saying you would do that in the

future, But there are valid questions of why didn't you just do that out of the gate? Like hey guys, I am out and a lot of times there is complaints and things look bad, and certainly on body cam footage, you've seen all kinds of things that look bad, but there is an explanation. And so.

01:25:21 Investigator Jim Band

I am asking you, what's the explanation? And some of these questions, and I'll be asking.

01:25:25 Attorney Randy Harvey

They're all great questions. I mean, They're great questions that need to be asked because they inform, they really inform how later people are interpreting. And no, frankly, if he didn't think that there was a problem, He thought he was square with Kelly and didn't discover until later after she had escalated. Now she's determined to be mad at him. Which she wasn't previously. I mean, the texts, the communications, everything shows that. So,

01:25:59 Investigator Jim Band

Do you think that something happened that? So to your point about the complaints? Sometimes people tell you about behaviors in policing generally. Like like if somebody said hey, one of your police officers uh, Stole the tip jar when they were getting coffee at Starbucks. Okay, do you want to file a formal complaint? No, I just want you to know. Most supervisors are going to go, well, whether you want to file a complaint or not, I've been made aware of a situation. We're doing an investigation regardless. Like, you know that's theft right? You follow me right? In this circumstance. Do you feel that whether or not she wanted to file a formal complaint was was even.

01:26:47 Investigator Jim Band

Valid, like, like did you think this needs to be dealt with as a formal complaint? Like, Was there any onus on you as a lieutenant to make that decision for her? I guess is the way I am saying.

01:26:59 Lt. James McLaughlin

Um, to answer your question now, a great hindsight question. Then obviously yes, my approach will be different in the future. This again I am being asked for by name because of personal connection. That's why I asked the question and I've asked that question many times and yes. I believed in light of what we were looking at, there is zero question for me on the use of SWAT. I could sit here and justify it all day. I know she didn't like them on the front porch;. She certainly could complain about that. That's great, but a fifteen-second ring camera—I don't know any of this background. Had I known the background and the severity of what that may mean, certainly I would have approached it differently.

01:27:46 Lt. James McLaughlin

To me, this is someone very upset that had the SWAT team on their front porch. I just got done a week prior to that with a homeowner that did the same thing, sir. He had a home invader inside his

home. The complaint didn't come from the person we arrested; it came from the homeowner, sir. Do you want to file a formal complaint? I totally understand. That is my approach. I've heard it, um, I've seen examples of it. I've seen command and sheriff examples of the same thing. Based on what I knew at the time, absolutely, that is how I would bring someone along. If you want to file a formal complaint, we will do that. Do you want to? And they did not. If I had known the background of hey parents feel like they're being racially profiled, Sisters are being, you know, told that we're going to arrest the entire family, and we're going to shake the house until Paul comes out, and they truly have a subjective reason.

01:28:46 Lt. James McLaughlin

To be upset, maybe fearful. Yeah, of course I wouldn't. I would have avoided that. Would be a tip jar moment for me. I didn't have that information was not armed with it and, I simply made the decision to ask the question like I normally would. How can I help satisfy this situation? It was done and I am not saying that I would do that again now and am not saying that I was one hundred percent right. Take onus if if am wrong it was done, With a pure heart, it was done with compassion and empathy for that person. How can I make you whole? This is something that I've done for nearly nineteen years as a cop. It's something I did for years as a Marine. It's something I did for four years as a pastor. This is me. I am being myself,

01:29:34 Investigator Jim Band

I am You are talking about the dealing with it through a conversation with Kelly,

01:29:39 Lt. James McLaughlin

Through compassion, empathy, and finding out what do you need from me? Yes, my approach was the same way. That's why there is continued conversation via text. I would like to be part of making you whole again. Where I would have blown her off,

01:29:55 Investigator Jim Band

Didum, Did you say anything to those lieutenants about that you were going to discipline uh and create a document? Um of the discipline? I was asked.

01:30:12 Lt. James McLaughlin

I was asked to to create a document of discipline.

01:30:16 Investigator Jim Band

Okay, and what happened there? Did you do that?

01:30:18 Lt. James McLaughlin

I did. Um, so Captain Sundberg Sorry,

01:30:20 Investigator Jim Band

I didn't hear you. You said.

01:30:21 Lt. James McLaughlin

I said I did. You did, okay. Yes. Captain Sundberg asked meum once hey, could you get a memo going for how you handled that situation with [redacted] And I said, yes, i'll i'll get a memo for how i handled the situation with mike. Started the memo. He asked me again, hey, where are you at with that memo? And i said, i'm done. And he said, "When you're or I said, 'I'll be done today.' When you're done with that memo, Can you finish the memo and make sure that it ends up going to Lieutenant [redacted] for [redacted] end of year evaluation?" And I said, "Not a problem. You can look on my computer ;, you can get metadata and you can find out when that memo was complete. Very long time ago, ", as I said, it was the intention behind Mister Sundberg Captain Sundberg's request to me.

01:31:10 Lt. James McLaughlin

Was if he had other intentions, he did not make those known. He said, " Write the memo and get it to Lieutenant [redacted] so that he can have it for annual review, which is eight months away." I had the memo done exactly when I said it did. If the sole intent and purpose was for annual review, I had a long time to get it to Lieutenant [redacted] And it's clear based on these memos and relationship, as I already talked to you about being polarized, that I did not feel that I wanted to see Lieutenant [redacted]. And so I said," I'll bring that to him when I am ready." Now, would I do that again? No, I would have brought it right to him.

01:31:55 Investigator Jim Band

And why is that? Is there a conflict between you and [redacted]?

01:31:59 Lt. James McLaughlin

There is clearly a conflict between me and all of the lieutenants, as soon as I started running for sheriff. And I am going to stay off of the rest of that topic.

01:32:08 Investigator Jim Band

Well, share it if you think I need to hear it. Um, um, I want to ask you something specific about. Well,

01:32:16 Attorney Randy Harvey

I'll just tell you one of my views of this. It really is bizarre that something of such a minor thing has wound up in his being suspended one. And number two, it's bizarre. That, they did a public relations announcement before he's ever been found to have done anything wrong, And it really appears more to be a political move on the sheriff's part because they're running against each other

in a campaign. So it gives him dirt to throw on him over something like this. I mean, literally, there is no reason for him to be.

01:33:01 Attorney Randy Harvey

Suspended, could have been put on a desk, told not to talk to these things. Yeah, I mean, I've been doing this a long time.; I've never seen somebody get suspended for such a minor minor thing.

01:33:15 Investigator Jim Band

Yeah, that's not a decision I make; oh, I know it's not a conversation am even involved in. Yeah, but.

01:33:22 Attorney Randy Harvey

It is suspicious; it's very suspicious.

01:33:36 Attorney Randy Harvey

Especially, you've been a cop nineteen years. Have you ever been disciplined? In two thousand eight,

01:33:42 Lt. James McLaughlin

I was on vacation and I missed a motion to suppress because I didn't understand that if I put in for vacation and they gave it to me, I was probably good. I was a very very young cop, and I kept that in my file intentionally to remind me that hey. Everybody's going to make mistakes, But that letter's going to stay there throughout your career, not not expunge it in a year. So that you know, just as a reminder. That's the only discipline I've ever had.

01:34:20 Attorney Randy Harvey

So, I mean, It just makes no sense for him to be suspended after they've run it past the DA, and there's no crime involved. It's a minor issue.

01:34:36 Attorney Randy Harvey

Using the shotgun for a fly, sitting the fly swatter.

01:34:53 Investigator Jim Band

Double Checking something here. So is this the document you are talking about? There is a couple of copies there. There is two copies.

01:35:15 Bruce Strange

I believe so,

01:35:16 Investigator Jim Band

Yes. And so you never gave that to [redacted] because you were. say that again. You just figured you'd give it to him when when you were ready,

01:35:25 Lt. James McLaughlin

Yeah? Is that what you said? I wasn't withholding; it was for a yearly evaluation. Andum,

01:35:33 Attorney Randy Harvey

Yeah, that's what. Well, there was a current. I mean, if you say" I wasn't ready," I mean. The context was there was a conflict going on. There was, there was a conflict. So, wait a while till things cool down.

01:35:46 Lt. James McLaughlin

And I was going on vacation and went there, and then I was going to bring it to him. But if it's for a yearly evaluation again, hindsight twenty twenty, I figure was he had till easily December to have that in the file so that he can assess unless that there was a real a different reason. Obviously, there was a different reason for me to have that out.

01:36:05 Investigator Jim Band

So didum.

01:36:10 Investigator Jim Band

One of the lieutenants wrote this. During the meeting, Lieutenant McLaughlin was dismissive of the complaint and made statements like, "quote That's [redacted] " I interjected and made mention that Deputy [redacted] has a history of unprofessional behavior and mostly in his language. I spoke about demanding professionalism and holding people accountable if they cannot hold themselves to the standard. Lieutenant McLaughlin agreed with me. Do you um, what are your thoughts on that? Do you do you think you were dismissive of the complaint? Did you think that that's just, No, did you say something like" just [redacted]"?

01:36:43 Lt. James McLaughlin

I don't feel like I was dismissive.

01:36:45 Investigator Jim Band

Is that just [redacted]? Does he have a history of running his mouth for lack of a better term or making comments that end up causing complaints?

01:37:00 Lt. James McLaughlin

I think he has had that occur a few times.

01:37:05 Investigator Jim Band

Has he ever been disciplined for that?

01:37:08 Lt. James McLaughlin

I think he has been. I know that I have spoken to him and verbally disciplined him before for vocalization out of class. I don't know besides that if there is a system that logs his disciplines; I don't have access to it or haven't been trained on it.

01:37:31 Investigator Jim Band

Do lieutenants have a working file of some kind for people?

01:37:37 Lt. James McLaughlin

For their folks.

01:37:40 Investigator Jim Band

So I have not seen anything, but someone told me that there was something involving a complaint, maybe made by Sergeant [redacted] at some point.

01:37:51 Investigator Jim Band

There could be you're not aware of that.

01:37:53 Lt. James McLaughlin

I'm aware of the far exterior. I don't know much about the details of that complaint that wasn't made to me.

01:38:00 Investigator Jim Band

So you don't directly supervise [redacted]?

01:38:05 Lt. James McLaughlin

I directly supervise him during SWAT operations, so not as his direct supervisor.

01:38:10 Attorney Randy Harvey

He's in patrol; he's patrolling near detectives. So you don't supervise unless there is a SWAT.

01:38:17 Investigator Jim Band

Did you guys hear the term 'progressive discipline'? So if you are going to discipline him, would you review where we are in discipline? Did this come up before? Is this the first time he's been disciplined?

01:38:36 Lt. James McLaughlin

Where would I where would I find that? No, I, I mean maybe with memory or history of my own memory. Uh, we don't have a system that I am aware of or that I have been trained in. That says you can type a name in and find out where they've been disciplined before, if that's there. Greatum but there is, I had the sum total of zero training in itum or any knowledge of it, if it's there. We used to have an aims. System, I don't know that you could even search up by people. I don't know if we still have that; I don't believe we do.

01:39:11 Investigator Jim Band

So, like if to sort of put a finer point on it, If you have Officer Joe Bob and Officer Joe Bob's already gotten a verbal or an oral reprimand for something, and he does it again, then supervisors would maybe have a conversation about okay, last time he did this. Progressive discipline would state that he got an oral last time, this time he's going to get a written reprimand. Does that make sense to you?

01:39:40 Lt. James McLaughlin

Anything I understand the principle behind it, I could disagree completely and I don't think our policy reflects that. If you did this one time, then the next time that happens again, the automatic next step up has to happen.

01:39:51 Investigator Jim Band

Now it's a basic tenet of progressive discipline.

01:39:54 Lt. James McLaughlin

I do I understand that, but progressive discipline can be its situation dictates and if, This happens, and the finder of fact is looking and saying, "Hey, I believe that this is worth. I understand that this has happened here before, but I understand at this point in time. I believe that the measure of of this discipline should be a verbal counseling and a sit down and an apology, ", which is what decision the lieutenant made, who was me in this scenario and situation based on the totality of the circumstances known to me at the time. A ring camera.

01:40:28 Lt. James McLaughlin

Where he believes he's alone, and he says, "That woman was a bitch." He didn't say it to her face. He didn't walk to the car. I know nothing about any of this other stuff, Nor do I necessarily believe the egregiousness of action before, because I don't see any proof and I am not the finder of fact regarding anything that happened before Mister Akehurst' arrest. But you isolate that finder of fact, that one moment in time. That is absolutely a verbal reprimand. That was an easy decision for me to make. I get paid to make decisions. I made that decision, so if I am wrong again, I'll raise my hand and take that, But that was my decision to make and I made it and I stand by it. So again,

01:41:14 Attorney Randy Harvey

I think you got the same thing happening all over again. These lieutenants have this background on [redacted] based on previous events they've had with him that he knows nothing about. He has a. An officer he's with and supervising at that moment, An incident happens and he deals with it the way he believes it should be dealt with. These other lieutenants are reading in their history into what he should have done. He didn't know any of that, So it really seems to be a confluence of events where these lieutenants are interpreting history in light of their knowledge, rather than in light of his knowledge about what was going on.

01:41:59 Investigator Jim Band

I think the big theme again, the reason I am asking and I am an outsider. You've got lieutenants saying, 'Well, hey, this is a problem with [redacted] You watch video footage again; total outsider. The lieutenants say, 'Hey, this has been a problem before. People know that he's got a problem running his mouth; he's been in trouble for running his mouth.'

01:42:22 Lt. James McLaughlin

I am not privy to that.

01:42:24 Investigator Jim Band

Let me finish so then you watch ring camera footage. You hear he he admits saying she's a fucking bitch and this other stuff. And the lieutenant talks about vindictiveness, and I love it. An outsider doesn't go, "Oh, that lieutenant's really cracking down on [redacted]." You know what I am saying? Like that's the impression of an outsider. Like, is it painting the picture that this lieutenant is holding his people accountable? Or is it painting the picture? And that's the reason why I am asking you. It was like you know I watch video and I.

01:42:59 Investigator Jim Band

Read memos. You follow me?

01:43:01 Attorney Randy Harvey

Yes, the problem with that is one, it's not his people; it belongs to these other lieutenants in patrol. And two, he had didn't have the knowledge. I mean, the problem with people saying well people

know that he's like this do they? I mean, If they do, then maybe the supervisor talking out of turn because it's personnel stuff, they shouldn't be talking about. So they may know it but to, You know, when you assume that everybody else knows what you know, well,

01:43:32 Investigator Jim Band

Sounds like you are aware that he has at least gotten in trouble with his mouth before.

01:43:36 Lt. James McLaughlin

Yeah, I understand the the question. I understand perception. Perception is not objective fact. Perception is rumor. Perception is" he said, she said." I don't live in that realm, Jim. Um, I live in realms where objective fact subjective reason, match up, and then I can sit on the stand and speak those things minus that. I cannot change people's opinion, nor do I want to. If they have opinions, they have opinions about me too. Go ahead and ask. And is that does that make it more true? No, it's a super subjective slice of the pie. If people say [redacted] has a big mouth, great. I could also say [redacted] is a great cop; [redacted] does a good job. Have I verbally disciplined [redacted] for his mouth before? Yes, I have.

01:44:27 Lt. James McLaughlin

In ways that I think that were far more in things that he had done that were different in scope, in my mind, than this current event. It is reasonable to believe the gentleman thought he was having a private conversation with me. So there are mitigating factors that weighed into my decision that are objective, not just pie in the sky. You should have done great. I understand you should have done to me. That is a briefing with lieutenants and command saying from now on, here's what I want to happen. But guess what I'm at home for two months, fighting for my job and career that I've done for nearly nineteen years now. So forgive me, if I'm a little bristly about the subjective opinion of others at this point in time, the the question is, it's it's a moot point.

01:45:21 Lt. James McLaughlin

I don't care about other people's perspective. I care about that moment, that time, what I knew then and what my decision was. The rest of it, great awesome. Well, it doesn't sound like Captain Sundberg was all that worried about [redacted] He knew about this ; he was fine with what I decided to do regarding [redacted] So if there was a progressive discipline issue, Shouldn't the patrol captain have put a kibosh and said " na hold on a second "? Let me handle this. I'll stop. I used my chain of command. I spoke to him and I said,

01:45:56 Attorney Randy Harvey

Captain Sundberg could have said, you know, that [redacted] has a mouth and he's he's been doing this a lot. This needs to be the next step in progressive discipline. He could have said that. He didn't say it.

01:46:06 Lt. James McLaughlin

I approached him and said, My intention is to verbally counsel, [redacted] and I can arrange a meeting because they would like to talk to him. He knew full well about this. I said it in the in the break room and detectives with the door open. This was not a secret. One thing I'll say,

01:46:23 Investigator Jim Band

Like, well, to be fair though, those guys wrote he said he'd give us a document. We never received the document. That's what they said. According to what you said, that's true.

01:46:34 Lt. James McLaughlin

They did not receive the document now.

01:46:36 Investigator Jim Band

And so what I am saying is I am not saying that is.

01:46:38 Lt. James McLaughlin

That make me a liar? Is that another reason why I am a liar now?

01:46:41 Investigator Jim Band

No no, but but hear me out like these guys write write memos, saying that you said you'd give them a memo. And there's one man, just hear me out.

01:46:52 Attorney Randy Harvey

Not them again, but no, I just want to let him finish his sentence.

01:46:57 Investigator Jim Band

My point is because I think it's important that people don't think if people think they're being treated unfairly, That's much worse than so. My point is, is to what you guys are saying. The lieutenant said," I never received a memo." This memo came from like your office or your computer so, It's factually accurate that they never received a memo from you. Now, you did a memo; they don't know that, but they didn't ascribe any malice toward what you did. They just said," We didn't receive a memo." Follow me? So I realize there is a whole lot going on right now. There is timing with that. The captain doesn't know that you had this. You know, I am hired to come in and get to the bottom of these things, And you've given an explanation for here is the memo right?

01:47:41 Attorney Randy Harvey

So So two things:. There was a conflict among the lieutenants, and he did go out on vacation. And then he was suspended, so there was a reason why they didn't get the memo. It wasn't,

01:47:55 Investigator Jim Band

Yeah. And you've shared that. I am just, yeah. I mean, I just i think it's valid if you feel like you are being treated unfair, but and to me, it all sort of makes sense. Yeah, you know, you explained it okay. Um, I think, maybe it's important, like do youum what what do you think that I should know about with this whatever's conflict between you and the lieutenants? Or anyone else, just in terms of if you think that it impactsum them as witnesses, them as fair witnesses to anything that they say or anything like that. Like I well, like you've raised the issue. And so if there's something that I need to know about when I'm considering sort of the perspectives of everyone, what would you share with me?

01:48:44 Attorney Randy Harvey

Um let me just say this: it's important. And what he's asking you is important from this standpoint. If someone's pissed off at you, you know, if your best friend says, "Tony, you're a dummy," then you go, "Oh yeah, I am." If a guy you don't like says, "You're a dummy, ", you're all sorts of pissed off about it, and you interpret the worst motivations. So if there's a reason why they would have some basis to misinterpret.

01:49:14 Attorney Randy Harvey

Or intentionally, not necessarily intentionally, Intentionally in the sense that they're not happy with you about something. And now you've said something else. The likelihood of them misinterpreting the next thing you said is higher if they don't like you. If they like you and there's no problem, then they're going to go well That makes sense. You know what I'm saying? I do okay. Um,

01:49:36 Lt. James McLaughlin

I think that's a question Jim's asking. There wasum a certain amount of animosity, From the start of this, When we and by", we" I mean, detectives plain clothes were asked for help to help patrol. That was at the behest of a lieutenant who passed two deputies in to brief the group.

01:49:57 Attorney Randy Harvey

Was that on Paul Akehurst or something? Paul Akehurst, okay. So same case,

01:50:01 Lt. James McLaughlin

Same case. This is the East,

01:50:03 Investigator Jim Band

The Timbers East.

01:50:04 Lt. James McLaughlin

Yes, correct. This is Lieutenant [redacted]andum, We monitor. I monitor to some degree. This has gone on for like six hours. I have a sergeant now, a detective sergeant, so I have a vested interest, not to mention my two other detectives that are there and two unmarked cars, two or three um to manage that scene. I get called later on in the day, very close to the end of my shift: "Hey, do you mind if we lead with a flashbang when he comes? He's coming now." They used an informant; he was coming now. And I said i.

01:50:39 Lt. James McLaughlin

Don't mind if it becomes necessary for your safety, but we're in a parking lot. We ain't leaving with a flashbang, So but bring it with you, if you feel like he barricades and you need to buy back time for your own personal safety. Again, priorities alive or safety priorities. And so I had talked to Captain Sundberg about that, and he said, I agree with that decision. One hundred percent. They can use it if they need it, but we're not leaving with it. And I said good go cap, we're awesome. I am going to let those guys know they're a couple minutes away from, This guy showed up on scene. I call them, give them the information, here is your kind of parameters, and I am driving home. And then I get a phone call about thirty seconds later, saying the op just got canceled. And then Mister Akehurst drives into the parking lot and I go, "Hold on a second." No, it didn't. I just talked to the captain; this didn't get canceled. There is no way it did get canceled. There was a miscommunication that polarized this topic and you heard me insinuate.

01:51:37 Lt. James McLaughlin

At the beginning of our interview, where is the patrol lieutenant? Why is the patrol lieutenant not handling this Akehurst problem? Why is a detective lieutenant handling this warrant arrest? That's a problem. That's a problem that was intentionally not handled by someone whose job it was to handle it. So I get the phone call, let's ask Mac to help. Mac'll do it. Mac knows what to do. I have a problem with that. I have a big problem with it.

01:52:08 Investigator Jim Band

What do you mean it was intentionally not handled?

01:52:11 Lt. James McLaughlin

Intentionally or ignorantly not handled. He knows what his job is; he's a patrol lieutenant. Why is he not handling this acursed issue and why am I now cleaning up after him? And if that's the case, what are the calls you getting from patrol? This entire event is a patrol case.

01:52:30 Investigator Jim Band

My understanding from the people involved is that they asked detectives for help.

01:52:35 Lt. James McLaughlin

They did. On the timbers day.

## 07-28 Interview: Lieutenant James McLaughlin — SWAT Deployment, Search Warrant Execution, Citizen Complaint, and Internal Department Conflicts

01:52:38 Investigator Jim Band

What I am trying to figure out is that you guys are one sheriff's office, so are we well you tell me. To me, I think about coworkers working together. And you are making a what I am getting from you is detectives that's a patrol problem. Let patrol deal with it. We're not gonna help.

01:53:03 Lt. James McLaughlin

It's easy to say Jim but, Who's the one sitting here? The liability and responsibility is my point. And you asked me, And I did i deferred saying anything about it? Because it's it's I am upset about it, okay? But on a professional level, The professional risk and the professional mitigation of risk was for the patrol lieutenant to handle. I am handling it. I am the one on admin leave. I am the one sitting here right now, so yes, after Timbers.

01:53:34 Lt. James McLaughlin

There was it was polarizing. There was, you know, if you wanted to cancel the operation, which Lieutenant [redacted] did totally his right. He inserted himself into a patrol call and said, "Nope, you guys are out of here." Then Paul Akehurst drives into the parking lot. Unbeknownst to Lieutenant [redacted] that they had been working an informant for hours. And this man was about to be on deck. He still pulls the plug. So at that point in time there is a conflict. Right, as you can imagine, on a professional level that that can create some animosity. Where you look and go, now you've got people that are very upset. They're confused who's running this, who's running so miscommunication across the board. And yet I am still being asked to be involved. And, you know, there is some conflict and animosity that would be probably something that I look at and go. Yeah, I'll get this to them by December. If it's for an annual review, I'll get it to them.

01:54:29 Lt. James McLaughlin

Not interested in seeing him right now. I am not real happy with him on a professional level, so I didn't. And again, that's it; it's as simple as that. I don't know that he knows that we haven't had that conversation. He knows that it's as icy you could ask him. ; he'd tell you the same thing. We ain't getting along great right now. I am not proud of it, but I am honest about it, and that's the reason why I looked and went, "Yeah, you'll get it when you get it," man. Am a little pissed off and, That's kind of it. The rest of the stuff with the lieutenants, You, if you probably looked at a memo from myself and media request about an event with myself and Lieutenant [redacted] on October. First of two thousand twenty five. Um, And you can read that memo on your own and see why I may have an issue with Lieutenant [redacted]

01:55:17 Investigator Jim Band

And I have no oh well wait a minute, a memo about I heard about some SWAT. Meeting that was a.

01:55:25 Lt. James McLaughlin

So you do know exactly what I'm talking about. Then yes. So to cover that basis, it was a violent outburst by Lieutenant Mitten in a SWAT meeting, and he made his thoughts and intent clearly known on what he thinks about me. Sorry, that I'm not going to run for sheriff as a person as a leader as a human being.

01:55:49 Attorney Randy Harvey

Is he on the SWAT team?

01:55:50 Lt. James McLaughlin

He was he's not anymore. No, he's not. So, Jim, I don't really feel warm and fuzzy about approaching a gentleman like that. Doesn't feel safe. Lieutenant [redacted] while I've been on admin leave, wrote me a text message basically saying, "Hey, If you were half the leader that I thought you were, you really disappoint me. You should just fall on your sword and own everything you did. So these guys don't have to pay for you. You're a waste. " So I know exactly how and I will keep that for myself for later on when I need to.

01:56:24 Lt. James McLaughlin

So, yes, Those are the reasons why I don't necessarily want to have conversation with the lieutenants and wasn't eager to run down there. But I thought about interoffice mailing it and I just thought, "Hey, I am going to go on vacation; I'll take some time." A few weeks went by; out of sight, out of mind. If I had to do it again, I would have just not been a bitch about it, which i take, you know, i take responsibility for, and i would have taken it down. Been a man about it, taking it down and just got it done.

01:56:56 Lt. James McLaughlin

But that's my reason. Those are the reasons behind it. It's not, oh, I understand what it looks like. I totally do. I really, really, really do. And I don't want to make things worse relationally or worse professionally. You pressed and asked the questions. That's part of the reasons it had weighed up, you know, over a period of time enough that I went hmm Well,

01:57:18 Attorney Randy Harvey

I mean frankly if Mittens making comments like that it stands to reason why.

01:57:27 Attorney Randy Harvey

You are here, and it does help the sheriff's campaign. Okay.

01:58:00 Investigator Jim Band

So, when in the text conversations back to the text conversations with her, One of the things you wrote was ". There's zero excuse for the treatment of family. And the comments that were made."

This is her complaining about the treatment of the family, which is sort of the backstory of what I had told you. I think that she's referring to in the comments that had been made. So, you are saying "here is zero excuse for that." That was something you texted. The family. Made complaints, uh, based on that treatment in these comments. Did youum after hearing that from her, did you dig into that at all orum try and figure out what those were internally?

01:58:44 Lt. James McLaughlin

Could you clarify that question?

01:58:47 Investigator Jim Band

Well, it was a text. Um You wrote zero excuse for the treatment of. In fact, I can just bring up the sort of video of these.

01:59:29 Investigator Jim Band

So, here is the. This is literally a video text conversation, and she's so.

01:59:41 Investigator Jim Band

She's talking about the kids.

01:59:45 Investigator Jim Band

Yeah, Um, [redacted] father was it's a lot of obviously personal stuff.

01:59:51 Investigator Jim Band

Mhm, very much so. Um.

02:00:07 Investigator Jim Band

This is her. My house got swatted because of poor research, vengeance, location practice. Not for your top two issues: one, save the baby; or two, the drugs mess here in Central Oregon. Politics? Yes.

02:00:23 Investigator Jim Band

The same day that Paul was arraigned, there was a guy in there for so she goes all through this stuff. There's ways to minimize impact to small kids, widows, immigrants. There's overkill; those kids won't make it to school. This week, by their mother, she'll never. She had a real issue. The family had a real issue with DHS.

02:00:42 Lt. James McLaughlin

Yes, They did that exacerbated all of this.

02:00:45 Investigator Jim Band

And so you say, I must humbly disagree about the SWAT application. But the use be arrested zero excuse for the treatment of family and comments made SWAT was simply called based on false.

02:01:03 Lt. James McLaughlin

Yeah, yeah, hundred percent. And what. She had referred to and verbally had said, "Is this happened with the family? They were, you know, targeted and put in harm's way." Now I am not debating whether or not I believe her. That is that's first of all it's an argument from silence, and you would never do that with any citizen that you serve. I am agreeing with her for the sake of saying, "Hey, if that happened there is zero excuse hundred percent agree." I don't believe that it happened. I don't know that though.

02:01:34 Lt. James McLaughlin

I am not one hundred percent certain. I wasn't there again, patrol calls and in part she says, "Hey, that ring camera really bothers me; bothered my daughter." And there is personal ownership there zero excuse no excuse at all. No excuse at all. Now I am defending the use of SWAT and hoping that she'll understand like this has got nothing to do with you. This is simply a tactical effort used to apprehend somebody who refused apprehension efforts. In the past, What I didn't tell her and what doesn't matter is that there is also specific commercial drug connections. T here is also potential weapons purchasing going on with informants. And these types of things that we knew, they don't move the needle all the way down, But they're certainly topics that came in over a month that allowed for a very, very reasonable application of SWAT. I try to explain that to her; she doesn't agree, and that's fine.

02:02:32 Lt. James McLaughlin

My ownership is my ownership, though there is no excuse for that ring camera. And if what you say is true in regard to the treatment of, you know, Paul's parents earlier on, then there is zero excuse for that as well. I just so happened to not agree with that. She wasn't present for any of those things. ; she's heard third party now that these things had happened. The only thing she's present for and personal injury to herself is that ring camera for fifteen seconds and I. Again, I take ownership of it, so that's my ownership.

02:03:04 Investigator Jim Band

In that text string you, you wrote that you will kindly remove yourself from the situation. What What did why do that? And what did you? What did that mean? Did you do that?

02:03:14 Lt. James McLaughlin

You already asked that question, Jim. Yeah, and I answered it.

02:03:18 Investigator Jim Band

Can you tell me again? Yes, And I am not trying to, i am just in the context of what we just went through.

02:03:25 Lt. James McLaughlin

Yes, I willum this specifically in regard to um, Her statement of " you may lose some votes based on if people see this " to me, that's a political strong arm. We're talking about votes. Gotcha, gotcha. And I said I can kindly remove myself from this. I you see the You see the text messages. She's sending me pictures of her dead husband ;, she's sending me movie clips. It is very confusing. I am doing my best to mitigate, but this woman has gone through hell and back.

02:03:58 Lt. James McLaughlin

And I am showing due regard and respect for her throughout those things. I am not hiding a thing from her. This specifically was in regard to a political campaign. She mentions votes, and I just come straight up:" I can remove myself from it, and I am not that type of person. I am going to own my stuff." I am always honest, So.

02:04:20 Investigator Jim Band

This is where you if i remember right, you said at that point, you sort of take it as a threat. What she's doing at that Did? You say that last?

02:04:28 Lt. James McLaughlin

I don't think I say it in my text messages, no.

02:04:31 Investigator Jim Band

But I mean, when we were talking, that's sort of the perception you have.

02:04:33 Lt. James McLaughlin

I mean, perhaps I can't speak to what her emotion is in regard to it, but to me, when I look at it, it's my response is hey, I can remove myself from the conversation. If we're going to talk about my political career and saying, hey, if people saw this, they may not vote for you. Let them all see it. You got the wrong guy. What do you know? And to me, I am clarifying. Maybe we should stop having the conversation. She comes back and hey, not at all. I can't even remember what her response is in regard to that. So, I think that she's just saying like you know disagree with X Y and Z. She's not saying much of anything. I think she softens her tone and I went okay cool well, I mean, that's fine, but you understand where i stand. It's reiterated about two different times or three in text messages, so they all speak for themselves.

02:05:26 Investigator Jim Band

Did you at any point direct anyone to, after talking to her, hearing what she was upset about, look into her, listen to calls between her and Paul as a result? No. Anything like that at all? No. Okay. Did you tell anyone to try and get the video from Mr. Akehurst? No. Did you.

02:05:56 Investigator Jim Band

Tell anyone to try and get the video from anyone. No,

02:06:05 Attorney Randy Harvey

Well, the video's on your work phone, right? Yes.

02:06:12 Investigator Jim Band

Well just to be just to put a pen on it, like to clarify talking to Akehurst or trying to work with Akehurst in some way. To, Get the video from.

02:06:24 Lt. James McLaughlin

I don't know if I could be clearer with the word" no." Yeah, but I'll say it again: no.

02:06:30 Investigator Jim Band

I was just clarifying because because you i wasn't talking about getting it off your phone;. I was talking about getting it from him. Sure,

02:06:38 Lt. James McLaughlin

Absolutely yes.

02:06:39 Investigator Jim Band

Because we'll get to he was he was threatening with it.

02:06:57 Investigator Jim Band

Did you ever share that ring video with anyone in your chain of command? No. And I think you already told me why. I don't know. Did you share that ring video with anyone who was not in your chain of command, deputy sergeants, lieutenants? No. Did you ever have conversation with any. Employees here about being worried about that video getting out and going to the public.

02:07:27 Lt. James McLaughlin

No conversations about the video, never saying," boy, I hope that doesn't go to the public." So there is a vast difference between what you are saying. Have I had conversations about the video? Lots,

plenty. Have I said," boy, I really hope that doesn't get out; it's going to make me look bad"? No, I have not. Have I had other people worried about that? Yes, plenty.

02:07:59 Investigator Jim Band

Um, You mentioned in the text about getting someone to come, look at her property, determine whether her septic tank was damaged. Did you ever do that?

02:08:07 Lt. James McLaughlin

Uh, no. I asked her to text me back, as you can see if the problem persisted. I was on vacation at the time. I never got a message back. But would absolutely acquiesce and again, that's something that we do. I just got done doing it uh in the complaints, what call that i had weeks before that? We're replacing windows and helping pay for cleaning, so that happens quite often. It would have been nothing, I said. Please remind me; I am on vacation; I've got stuff going on. If the problem persists, I am a new homeowner," she says. "I don't know much about a septic, but you know this, that the other. " And I go well, if there is a problem, you are going to know it. Okay, if that becomes an issue, please call me and I got no phone call no text. So I believe that did my due diligence on that.

02:08:57 Investigator Jim Band

The campaign event where the Akehurst went there, you said that that was arranged by Kelly or Kelly talked about. Can you reiterate?

02:09:06 Lt. James McLaughlin

I don't know exactly how or how that was arranged. I know that I had a meeting set with them on, I believe it was a Monday, it's in the text string at their address in Deschutes River Woods. And that changed, not by me; that changed. However, it changed whoever decided to change and what the reason was. I am not, One hundred percent sure, but we're going to meet you at your political event instead. So that's all I know. I don't know who made the decision to do it and why they may have told me.;. I don't know if it was inconsequential, but I did not make the change.

02:09:45 Investigator Jim Band

Their take was basically that they went there, not knowing that you were the guy on the ring camera footage, and that they were asking you questions about what had happened and you, If I remember, I sort of shut him down, like" this is not the place for that." I'll meet with you, and then meeting never happened. No,

02:10:01 Lt. James McLaughlin

No. Well, I mean yeah there is twenty two witnesses that are in that room. That's or maybe thirty so I get it; I understand that That's not at all what occurred. I am sitting there,;, i am public speaking. First of all, i am at a political event. I did not at any time, say,". That's not the time in the place." I said it'd be happy to talk with you guys afterwards. My wife and I sat with them there is no, They

had questions about, and again, for me, mind you, I don't know any. I don't consider anything that I had done at that point in time to be some gross overstep. I don't know any of the background. And so my conversation in that political event is very straightforward. They had some things :, how do you questions like, how do you keep officers in line that are continuing to? You know, do you know?

02:10:52 Lt. James McLaughlin

Push the borders or do different stuff.

02:10:54 Investigator Jim Band

These are questions that they asked.

02:10:55 Lt. James McLaughlin

They asked several questions, But at no point in time, did they directly go into any of this case at all, at all.

02:11:03 Investigator Jim Band

So, is it fair to say maybe looking back now that these questions that they were asking were based, like I told you some of the things that they were perceiving? You follow me?

02:11:12 Lt. James McLaughlin

Yeah, No, i I would not. I would say that it's fair to say that as a political candidate, when you're at a town hall meeting and people ask questions, that, It doesn't matter what their intention. Usually, someone's got an intent behind every question that they ask a politician. My job is to simply answer it to the best of my ability, and that's my bandwidth, and that's what I did.

02:11:43 Attorney Randy Harvey

I Think maybe what Jim was asking was the questions that they asked. Did it make you suspicious about something that may have happened then? No,

02:11:53 Lt. James McLaughlin

No, it didn't. Not necessarily. I thought that he came from the vein of" I am upset with law enforcement because of these things." And we were talking about broader scale topics like you know targeting, how do you stop that? You know how profiling recidivism. I know that Kelly's talking about [redacted] and Paul. How do we get them out of the system breaks people? And I know that's very personal, but my answers were, You know, on a broader scale, I thought that they were articulate questions on a larger community scale. So I never spoke directly to any of those incidents. I spoke to recidivism. I spoke to you know, hey, This is what you know how you can

start a new recruit in and what profiling may look like. And how you can avoid the pitfalls of all those things. It was It was a town hall meeting. So i you know.

02:12:46 Lt. James McLaughlin

I believe that their intention was personal. I just didn't know what it.

02:12:51 Attorney Randy Harvey

But I didn't mean to put words in your mouth. You might just. That's why I understood your question. You were right to make sure he answered it. Um.

02:13:17 Investigator Jim Band

So, the search. Did you guys have a briefing before the warrant? Tactical.

02:13:27 Lt. James McLaughlin

Briefing for sure.

02:13:29 Investigator Jim Band

Did you have one specific to the search about what items could be searched?

02:13:34 Lt. James McLaughlin

I don't recall. Okay, I knew that the items that could be searched for were as small as a key, so that's what I recall. And I never read the warrant;. It would be common practice for me not to as a. Detective Lieutenant, not to mention that [redacted] written hundreds of warrants. I've seen so it wouldn't be something that I would normally do, and searching wouldn't be something that I would normally do either. It just so happens that we had a very short crew that day and I did assist with a search, but I don't recall Jim. I am sorry, I don't recall whether or not we had a.

02:14:18 Lt. James McLaughlin

The breakdown of the search warrant, I am sure we did. That's why we had photographer and the you know the search warrant, entry photos and the exit photos and the searchers designated. So, I just don't recall that.

02:14:37 Investigator Jim Band

So thatum, the search warrant says," the judge authorizes searching for and seizing Paul Akehurst," and then it, Authorizing getting photographs of the clothes he was wearing, his helmet, the motorcycle, keys to the motorcycle. I think that was it. But just photographing them. And there was a thing in there that in the affidavit or in the actual warrant itself that [redacted] had written in about opening closed containers.

02:15:17 Investigator Jim Band

Lockable containers, opening bags, backpacks, that kind of stuff. And the judge had lined that out. And so did.

02:15:23 Lt. James McLaughlin

You say closed containers or specifically lock containers? The verbiage is I can bring.

02:15:29 Investigator Jim Band

Well, it says backpacks. So.

02:15:32 Lt. James McLaughlin

Can enter that's a closed container. What's that? That would essentially be a closed container. So does it exclude backpacks? Is that what I'll bring it up?

02:15:51 Investigator Jim Band

One of the complaints in the tort was that officers,

02:15:55 Investigator Jim Band

Deputies, um.

02:15:58 Attorney Randy Harvey

Expand on the scope? Yeah.

02:16:07 Attorney Randy Harvey

Didn't you say you didn't see the warrant?

02:16:09 Lt. James McLaughlin

No, I have not.

02:16:25 Investigator Jim Band

So the warrant here says. Jesus, this is the fall. We have to pay for the other one. Yeah, that's okay.

02:16:54 Investigator Jim Band

All Right, Third time's Okay, Judge says the subject of your search authorized to photograph search warrant, sees the following : the person of Paul, and then photographs of the following items: street

motorcycle currently being driven by Akehurst, photographs of keys to the motorcycle. She lines out documents. Photographs of the clothing worn by him to include bib overalls, gray hooded sweatshirt, and stuff. And then here she lined out safes, lock boxes, or lockable containers, bags, backpacks, Closed containers in the possession of or under the direct control uh or accessible to Paul Akehurst. Sufficient to size to contain the items listed herein. So she lines that out. Uh and then the use of basically a drone. Mhm mhm and that was the extent of it.

02:17:52 Investigator Jim Band

And then there are people in here.

02:18:02 Investigator Jim Band

You at one point are looking through the toolbox as well, basically.

02:18:09 Investigator Jim Band

So There is a conversation here that [redacted] says," [redacted], where is the fucking meth? You don't have a pipe without meth." So he says," this the warrant does not say you guys can search for meth." Correct. Um, um, there's and and so.

02:18:38 Investigator Jim Band

But So you're the commanding officer on scene here, And my read of that warrant is you guys aren't allowed to be opening closed containers or searching for meth. What what's your, Thoughts on that,

02:18:49 Lt. James McLaughlin

I don't know how you. I am not looking for meth; I am looking for a key, But the key's in a very small spot, and you can really access a whole lot of areas to look for a key. Now, My expectation in his question, absolutely a valid question during the conducting of the search warrant: You found a pipe, where is the meth? I mean, you understand. Yes, the two are not mutually exclusive. When there is smoke, there is often fire. Not to mention the prior history and understanding of what this is what i was talking about.

02:19:23 Investigator Jim Band

So, my and we'll come back to where you were, but based on your reading of that warrant, are you do you think that you are authorized to open these drawers?

02:19:31 Lt. James McLaughlin

I would need to have that warrant and to go over it. Um, I am authorized; it says to search, seize, and analyze the following items. And we're looking for phones now or I am sorry a key. I'll give you the example of what the intent and meaning behind photographing something that you can't

look for is. Strange to me, so I'd like some legal clarification on that. And I think that that is very, very important. Now, mind you, this is the first time I've ever read that warrant or even seen it. Um, I didn't read that warrant. What was told to us is we're looking for clothing, motorcycle helmet um and a motorcycle key maybe identification the person of Paul. So I know for me, I'm looking for something as small as a key um.

02:20:21 Lt. James McLaughlin

That may very well be. That just isn't information that I had at that point in time. We were serving a search warrant, we're looking for a key. That's the information that I had received and thought that we were totally great to do that.

02:20:33 Investigator Jim Band

So you're the commanding officer on scene, the family's saying you exceeded the scope of the warrant, you're saying I never read the warrant. Is that true? Did not is is that should you have read the warrant? Should you, as the commanding officer, have known what the warrant said you could and could not search for?

02:20:53 Lt. James McLaughlin

That is a great question, and I would say in hindsight, absolutely. I did not in this specific event. So what I could have done really doesn't really help me or matter at this point. I know that the direction given, Which again, hundreds of times I've served search warrants with Deputy [redacted] Detective [redacted] hundreds of times. And I've served more than hundreds with many others, probably in the thousands of search warrants. And every time have I read the warrant, even as the leader? No, I haven't. I take common stock and practice like I would do when I use my MDT and run a license plate. Do I confirm that that the DMV gave me the right return? Not most of the time. Not what I do at hundreds of times.

02:21:46 Lt. James McLaughlin

I was told, "Here is what we can search for." So, yes, I didn't double check, but there is again; it wasn't rashly done or irresponsibly. It was done out of a pattern of practice where there is thousands of these, where we i entrust detectives to write the warrant to get it signed to say, "Here we go." I wasn't told that things were crossed off. Um and yes, I would have read it now and will in the future. But just to give you a little bit more breadth on the.

02:22:15 Investigator Jim Band

And I am a little unclear.

02:22:18 Attorney Randy Harvey

That's confusing, yeah. I mean, How can you look for a key, but you can't look in backpacks or containers?

02:22:25 Investigator Jim Band

Yeah, yeah. And I am going to get some clarification on that, butum, I mean that basically says if something's in plain sight as you are walking around a house, you can photograph it but you can't open a closed container to correct.

02:22:35 Lt. James McLaughlin

Yeah, That's a drawer that's But.

02:22:39 Investigator Jim Band

You know, the family is saying this specifically and I think it's part of the tort notice. Is you guys exceeded the scope of the warrant? Um, and I do, I do. I haven't seen that sort of thing. Um,

02:22:57 Lt. James McLaughlin

Yeah, that's that's very troubling.

02:23:21 Investigator Jim Band

You guys need five.

02:23:27 Attorney Randy Harvey

How much longer do you think you are going to be? I Think.

02:23:52 Investigator Jim Band

I don't think that much much time, but maybe maybe we just take five. I mean, if you would like five, I am open up my bladder. All right, we're still rolling. You know where the restroom is? You probably got here once or twice.

02:26:17 Investigator Jim Band

So, Here is that Stacey like one of the nicest people that exists.

02:26:21 Lt. James McLaughlin

Um, I can't agree with that statement more. And, it's kind of flabbergasting to know that there are still people like that in the world.

02:26:32 Investigator Jim Band

Appreciate it. I asked her, I did an investigation here a while ago, and I said," Do you ever like just grouchy and just nasty when you come to work?" Like any.

02:26:44 Investigator Jim Band

Time? Yeah, no. She's she's just always sunshine.

02:26:47 Lt. James McLaughlin

Yeah, she is an incredible human being. And you know what? As like a project manager or solutionary organizer, she's off the charts safety out there.

02:27:04 Investigator Jim Band

Sometimes you just sometimes.

02:27:06 Lt. James McLaughlin

You just shine. She had to be just God. You don't put that light under the table,

02:27:11 Investigator Jim Band

Okay? Um.

02:27:43 Investigator Jim Band

Um, there are two different times that [redacted] met with Akehurst to the jail. Okay. Um, during the first one, [redacted] tore up a search warrant that [redacted] had written for his phone. Do you know anything about that?

02:28:01 Lt. James McLaughlin

I don't know that he tore it up. I do know that we had conversation about at this point in time. I had received phone calls and I apologize, I can't remember from who but people at the jail.

02:28:14 Lt. James McLaughlin

Saying," Hey, this dude's screaming to talk to somebody. This dude is a disciplinary massive disciplinary issue. There is assaultive behavior or the threat of damage property. He's going to have to go to isolation, but he's sucking up a ton of resources and he's screaming, 'I want to talk.'To I want to talk right?" And so I get a phone call.

02:28:37 Investigator Jim Band

Where you say," I want to talk." What do you mean by that?

02:28:40 Lt. James McLaughlin

I don't know. That's why I send people in." I want to talk." And he's pissed off and screaming about a ring camera, the ring camera footage, and this, that, and the other. And so I go, "Okay." So he wants to talk. All right. Great. I think the first person that goes in there is Detective [redacted]. That's my belief. I don't know if that's chronologically true or not, but it's my belief as it went down. However Detective,[redacted] and I both were present for the DEA briefing in regard to the federal case that Paul Akehurst was involved in.

02:29:13 Lt. James McLaughlin

Total common practice to use a detective to rather flip or debrief an individual in custody.

02:29:21 Investigator Jim Band

What federal case was he involved?

02:29:22 Lt. James McLaughlin

What are you talking about the [redacted]case? Okay, [redacted],

02:29:26 Attorney Randy Harvey

The one we described earlier.

02:29:27 Investigator Jim Band

So you were present for a conversation about [redacted], [redacted], and potentially using Paul.

02:29:37 Lt. James McLaughlin

I was in a briefing with an assistant district attorney. That describe Paul Akehurst being on phone tolls with [redacted], who is the key player in [redacted], the main trap to Mexico. So yes, creative ways to have him in custody debrief so on and so forth. This is something that we would we would do in very, very regular circumstances on hundreds of times. And it's something that Detective [redacted] specifically is part of his duties.

02:30:09 Lt. James McLaughlin

As a street crimes detective, when it comes to arrests that we make, If we're going to go interview somebody and try and flip them or debrief them in the jail and make them a cooperator, Then we're going to have to have information that satisfies that handler so that he knows how to run an informant. So yes, The intention of the approach with Detective [redacted] was to make Paul Akehurst an informant for the specific purpose of turning him into or describing [redacted] operational. Strategies and how that aligns with [redacted] in Mexico. Coalesce those, pass it off to code, allow them to work that federal case. So, that being said, But there is also the conflict of the jail having using exorbitant amount of resources with this individual because he is angry at the world, and he's a problem. I have received phone calls regarding how much a problem he was [redacted].

## 07-28 Interview: Lieutenant James McLaughlin — SWAT Deployment, Search Warrant Execution, Citizen Complaint, and Internal Department Conflicts

02:31:07 Lt. James McLaughlin

Was going to send [redacted] in, and from my understanding, Akehurst is yelling, "I want to talk to [redacted]. I want [redacted]" And I get a phone call: "Hey, he wants to talk to [redacted] again." So I go no. And what what I know and what they maybe don't know. But what I know is that [redacted] is my my detective. [redacted] has gone through a divorce. [redacted] does not have his kids often. [redacted] was at home with his children, and I said, "In no way, Shape or form am I calling [redacted] to come in here because this guy is screaming like a baby. I don't care; he can wait. We can do it on Monday or Tuesday or whatever day. I don't just we can do it when [redacted] back, but we're not going to do it." And talking to [redacted] He said, well, [redacted] got [redacted] Deputy [redacted] has the search warrant for Paul's phone," and I go well Hold up! Time out! Time out!"

02:32:02 Lt. James McLaughlinç

The dude's already completely pissed off. He's already a handful for the jail staff. We are trying to flip him and use him, so cooperation and back and forth is the name of the game. I've worked undercover for many years, so has [redacted] And I said, if you plan on just having these felony cases, the eludes great. If we're going to work him as an informant, we're going to ask him, To cooperate with agreement from the district attorney that we can give him consideration on these felony eludes, that's how that's how we do it. So it's all in the light of day; everybody coalesces together.

02:32:43 Investigator Jim Band

And that is to use Akehurst as an informant against [redacted]

02:32:46 Lt. James McLaughlin

Correct? So I say, which one do you want? Because to me, Like if you want this to remain a patrol case and I understand I've done this for a very long time. There are things that patrol gets very wrapped up in. This is part of my discussion with you when we began, and part of my mentorship with patrol as I described it. This would make patrol irate for me to come in as a detective and say, " Bigger picture :, the guy that we just worked. You just worked a month plus for to get into custody, I am going to sit down and I am going to try and make him an informant, and I am going to get him released from custody."

02:33:27 Lt. James McLaughlin

And he's going to work for us for the greater good, right? That would obviously upset them, but it's a clandestine operation, so patrol doesn't need to know much about it. So I clarified with Sergeant [redacted] "Hold on a second. Are, we trying to work him as an informant? Or are we just going to build a patrol case?" Because I don't want to step on toes. And he's like, "Well, no. " I go well Then. We're not going to send a two year cop in [redacted] in to further exacerbate this problem with the cell phone warrant." Stupid. I am going to wait. I want somebody experienced talking to this individual, and he goes, "What about me?" [redacted] had been a detective of mine for several years. He is a very accomplished detective. He got promoted months before that. I trust

him implicitly explicitly, and so I said, "Sure, If you want to, yes, you can have a conversation with Paul. Absolutely debrief him flip him, continue down the road." and.

02:34:23 Lt. James McLaughlin

Whatever conversations happened, they happened, but try to get information. And then I believe the second time he went in, [redacted] and [redacted] went in together. So that is how that whole thing unfolded from my point of view.

02:34:35 Investigator Jim Band

Do, you remember hearing from Is [redacted], a deputy who was on the SWAT team? Yes. Do you remember hearing from him that Paul was telling. People in the jail, I've got a ring video. I am going to release it to the public.

02:34:51 Lt. James McLaughlin

It may have been [redacted] I heard that, like I told you,

02:34:54 Investigator Jim Band

My understanding is that was part of this whole conversation. Do you have a memory of that?

02:34:58 Lt. James McLaughlin

Of me talking to [redacted]?

02:35:01 Investigator Jim Band

I believe that [redacted] was involved in this phone conversation. The whole". Hey, he wants to talk". And one of the things that he was bringing up that he had raised in this conversation was this ring video.

02:35:13 Lt. James McLaughlin

He, I what I received was multiple phone calls from multiple corrections deputies saying, "this guy's screaming about the ring camera through the roof. He keeps yelling about it, screaming about it, and he wants to talk to people as well. " I just so happened to have other information that says, this dude would be a great informant. And we could use him. So yes, the two exist together. Um, I never i there's zero intention to uh, If, you think about how ridiculous the statement is that I would employ two people to go remove, have him remove Ring camera footage or delete Ring camera footage from a phone when he doesn't even possess it, Kelly possesses it. Um, I just don't understand the the mindset behind it. But yes, I was fully aware that he had issues with the Ring camera.

02:36:03 Investigator Jim Band

So so were you in all this effort? Was this all an effort to get, The ring footage, so he couldn't use it.

02:36:12 Lt. James McLaughlin

Absolutely not. No, the furthest thing from the truth. Um.

02:37:10 Investigator Jim Band

So [redacted] Goes in and talks to Paul on April second, and in that conversation, it's on body cam footage. [redacted] says to him," We want to work with you, but we can't work with someone who's." Basically, holding something over our head, which is a pretty clearly referring to what Paul's saying about the video. Mentioned specifically the video in this conversation. We want to work with you, but we can't work with somebody who's holding something over our head. And then this conversation about the video comes up repeatedly.

02:37:57 Investigator Jim Band

[redacted] says repeatedly, "Do whatever you want with the video. I don't care about the video." Paul talks about what the video would do, and [redacted] makes a comment, "Well, I am worried about the SWAT team talking about the video. " Did, you know, like did you know, [redacted] was going to talk to him about the fact that [redacted] perception that.

02:38:24 Investigator Jim Band

I mean, [redacted] bringing up the video. We want to work with you, but we can't if you are holding this overhead. Are you aware of him doing that or know that he was doing that? Do, you think that's appropriate for him to be bringing that up in this conversation? Jim,

02:38:36 Lt. James McLaughlin

You ask subjective questions: Do I think it's appropriate? No, I don't know anything about his conversation. I haven't viewed it on body cam. He, we talked about debrief stuff about [redacted] [redacted] information when he was done. And when Detective [redacted] was done. His line of questioning. The understanding of any common foothold in any conversation that you have, especially as an investigator, and you know this quite well, can be exploited in many different ways. If, the end goal is to use this man as an informant, and the conversation that he wants to talk about is ring camera, But I want to talk about [redacted], and he says, I want to talk about ring camera first, let's talk about ring camera. Of course.

02:39:18 Lt. James McLaughlin

Now, I can't speculate.

02:39:19 Investigator Jim Band

I don't want you to interpret; I.

## 07-28 Interview: Lieutenant James McLaughlin — SWAT Deployment, Search Warrant Execution, Citizen Complaint, and Internal Department Conflicts

02:39:21 Lt. James McLaughlin

Just i would say that everything would be on the table in a UC style debrief in the jail where you are looking and going," We want to make this student informant." The DA is already on board and understands all of these things. [redacted] was in for a month had an understanding of, and that's the assistant district attorney of steps and processes made to apprehend. And, he was also in the meeting and understands Paul Akehurst' connection to this federal case. So, again, not the only player involved in this. As you can see, There is much more going on that other people like maybe patrol lieutenants are not privy to. That would preclude me or [redacted] or anyone from secretly trying to sneak in. I mean, The cat is way out of the bag ;. There are so many people that know about this. And I understand the perception.

02:40:15 Lt. James McLaughlin

I really truly do, but perception without objective fact in the knowledge base that we have simply dangerous, and right now it's dangerous in this situation. But I would say anything could be on the table with his conversation. I know Sergeant [redacted]; he is a character man. He will absolutely tell you the truth. He will absolutely tell you. Mac did not send me in to destroy this ring camera. He will absolutely tell you, Mac did not send me in and say, "We won't work with him if he won't release the ring camera." That did not happen. You will hear that from him. I bet you probably already heard it from Detective [redacted] because that is the truth. What conversations happened in their gym? I don't know. Never watched a shred of body cam. I had some debriefs on [redacted] on.

02:41:04 Lt. James McLaughlin

Phone code and how it was got and what we could do with it. And then Detective [redacted] came to me, who has got a significant amount of experience, and he goes, "Mac, I can't work this dude. I can't be his handler. He is way too live. He's up and down. He is an informant handler. He's been trained. He's gone through all the courses." And he goes, "Dude, the guy's a live wire. I can't work him." And I go, "Great." And he keeps screaming, "I want to talk to [redacted]' A written camera! I want to talk to [redacted]! Did I send anybody else in? Absolutely not. I had the most experienced undercover cop that I have tell me he's unworkable, so he's unworkable.

02:41:39 Investigator Jim Band

Simple. Did so this is on the second, so on the thirty first, [redacted] and [redacted] are talking to [redacted] [redacted] and [redacted] basically shows [redacted] a text. They're looking for the motorcycle that he ran in, and he reads her a text on body cam footage about how Paul. She didn't want to give any information about the motorcycle. And he [redacted] reads to [redacted] that Paul, in being arrested, is offering to work basically to buy dope from anyone. And she's saying, "Don't tell me that. I can't believe you know this sort of thing." So for me, trying to put together [redacted] in here on the second.

02:42:29 Lt. James McLaughlin

I am sorry, that's confusing as heck to me. So, okay, he is with Paul on the second, But you are saying days before that on the thirty first.

02:42:37 Investigator Jim Band

Two days before two days, yeah Let me see if I can find it. Two days before he's basically telling [redacted] she'll reading her texts. I don't know what I believe the text came from is [redacted], so he gets arrested on the thirty first. Paul Akehurst does on the motorcycle pursuit.

02:42:59 Lt. James McLaughlin

Okay, okay.

02:43:00 Investigator Jim Band

[redacted]s transporting him. He has a conversation. He wants to work. I want to work. I want to work.

02:43:09 Lt. James McLaughlin

Okay, can I clarify real quick? I am sorry, I am the one having to catch up. He's initially lodged in February? And is this a period of time where he is released from custody and rearrested for the motorcycle pursuit? Correct,

02:43:22 Investigator Jim Band

Okay, okay so So he gets. Pursuit number three with [redacted] on the dirt bike. [redacted] comes to help and he sees Paul walking, pulls over, they hook him. He says," I want to work."

02:43:41 Investigator Jim Band

[redacted] Gets a hold of [redacted] comes and meets them where they're at. They have a conversation; body cams off appropriate, and he's showing pictures of Paul is showing pictures to Ba[redacted]hich. Uh, Akehurst confirms shown in pictures of dope. Um, and sawed off shotgun. Um, okay and and wanting so all that completely lines up. So I believe it might I am not sure I haven't talked to [redacted]yet, but There is a text message that he's reading and I am like. Okay, that's probably from [redacted]f Paul saying he wants to work, he'll you know, buy dope or whatever he did, he can do to get out of jail. You know, it happens all the time. Sure.

02:44:24 Investigator Jim Band

[redacted] is on body cam footage telling [redacted] So she's, I think their interpretation is my what I get from it is. They're trying to find out if he dumped the motorcycle because it's in that area of her house. And she's saying," No, I don't know anything about the motorcycle." And they're saying," Well, Paul's look. I'll read this to you. Paul is saying that he'll work uh he'll buy you know hit whatever."

## 07-28 Interview: Lieutenant James McLaughlin — SWAT Deployment, Search Warrant Execution, Citizen Complaint, and Internal Department Conflicts

02:44:49 Lt. James McLaughlin

So show us where the motorcycle's at.

02:44:51 Investigator Jim Band

And [redacted] yeah, like don't cover for him because he's willing to. So. So what I am, what I am trying to one of the things and I'll ask [redacted] about this is he goes in after your guys' conversation to talk to him about working uh Akehurst to get up around a penny. What [redacted] said is consistent with what you said how how. I s anyone going to work Paul Akehurst to [redacted] [redacted] when on the thirty first [redacted] shows [redacted] the subject that Paul Akehurst, who just got arrested will work. Anyone You follow me.

02:45:34 Lt. James McLaughlin

I one hundred percent follow you I believe. But for point of clarification, this happens, this interaction [redacted] and Sergeant [redacted] on the thirty first. And then is that prior to his. Debrief with Akehurst in custody or after.

02:45:52 Investigator Jim Band

That is, I believe that that is prior. So he gets stopped. I believe as he's being transported, [redacted] talks to him, then he leaves and then [redacted] and [redacted], I believe are in the process of trying to find the motorcycle that he ditched while he's headed to jail. A couple days later, Akehurst's in jail raising hell doing what he's doing. And [redacted] going in there, and in my mind, I am like, " H ow ' s anyone, how is [redacted] with a straight face going to go try and work Paul when he outed Paul to the subject of And, if [redacted] onnected to [redacted], that's a big deal. I had someone an informant that I handed off to somebody shared information. ; a guy got.

02:46:47 Investigator Jim Band

Shot in the middle of broad daylight in Salem, just for giving a name. This was early two thousand. But do you were you aware that this conversation had taken place? That [redacted] did he ever tell you that, hey guys, I already outed Paul to [redacted]

02:47:04 Lt. James McLaughlin

No, not that I am aware of. No, it makes more sense to me that this occurred now again. The dynamic that I spoke of in regard to this is like I've said it a bunch. This a patrol case. It's a patrol case, patrol case, patrol case. This not a detective level or a detective investigation. Now the on the offset of it could be with a large scale drug trafficking organization, right? However, So the mindset of patrol in this scenario and in most scenarios is this a patrol case. Of course they want that bike so they'll use whatever leverage they can. I had not read [redacted] in on massive amounts of uh.

02:47:44 Lt. James McLaughlin

Of cartel involvement with a Akehurst, we had some general topics. I think, but I don't know that he understood to what degree this individual's involved. I don't make a habit of sharing that information broadly. Again, like I said, It's a clandestine operation and I've got guys in plain clothes that are essentially UC. That's why I sent Clint B[redacted]o do those things. He's experienced, he's trained; that's his kind of sole priority. Sergeant Turkington's [redacted]is building this now month and a half or longer patrol case. So, yes, he wants the bike. I don't. I totally understand the tactic of using it ;. It does not align to what our attempt would be to tie him into this federal case and get a helper done. But when he calls me and asks for Balcer, and I tell him[redacted] he's with his boys; he's going to stay with his boys. This is not as important and.

02:48:37 Lt. James McLaughlin

[redacted] is in no position to sit down with this gentleman and try to catch a debrief or try to bring the situation down. He just doesn't have the experience necessary, and that's when [redacted] asked me, "Well, what about me?" And I go, "Oh, one hundred percent. I'd be happy to. " But, no, i am not I am not aware of of the interaction that they had. Um, I wasn't aware that he had contacted[redacted] It just again, doesn't catalog in my in my head at all as ever hearing that.

02:49:05 Investigator Jim Band

So now, maybe when I talk to[redacted], he gives me an explanation for this that is perfectly sure. There's something I didn't understand. But if everything that I said is accurate, am I crazy to think that's sort of highly problematic?

02:49:20 Lt. James McLaughlin

Uh, I don't find it highly problematic. No, I'd like more context before I make that blanket statement.

02:49:25 Investigator Jim Band

You don't think it's problematic that on the second, he's talking about working someone as an informant against [redacted]? When two days before he told her that the sub, like you don't think that that okay?

02:49:44 Lt. James McLaughlin

I thought you meant the context of that approach for his mindset on patrol. I don't know that. Well, yes, yeah i would I would have kind of gone," Hey, just so you know,"[redacted] knows that he's a rat but.

02:50:00 Lt. James McLaughlin

Regardless, yeah, I don't know if it's highly problematic. I think that it's a lack of maybe forethought and experience. Well,

## 07-28 Interview: Lieutenant James McLaughlin — SWAT Deployment, Search Warrant Execution, Citizen Complaint, and Internal Department Conflicts

02:50:07 Investigator Jim Band

That was my next question is does does has does he have Does [redacted] have detective experience? Does he have dope experience?

02:50:14 Lt. James McLaughlin

Yeah, no, he doesn't have narcotics experience not to that level. He has and He's a new detective, right? He is a new sergeant. Uh, He was a detective for two and a half years. Maybe three,

02:50:24 Investigator Jim Band

Like general detective or dope detective Well,

02:50:26 Lt. James McLaughlin

He did both but his his, Drug experience was so the way that we had detectives set up at that point in time. [redacted] is a criminal detective; he never lost the label of criminal detective, so that's what he did: sex crimes, sex and checks, murders, major assaults. We needed a third [redacted] and [redacted] were these street crimes detectives, and they were very, very, very busy. They did phenomenal work.

02:50:58 Lt. James McLaughlin

So often they would need a third to come in with me to go conduct surveillance, vehicle follows, arrests, so on and so forth. All those different things. If we needed a third, [redacted] was the first guy that we grabbed. And often we needed the whole team, but so he became a go-to number three. But that's very sporadic and off and on. But he was tactically sound; he was good with people. So he you know he was like "do no harm." This guy was going to be a benefit not a negative. He wasn't leading the charge in informant debriefs. He was sitting in meeting with some as long as there was a lead there if they needed one of those individuals, but he did well in that. I think he started to understand the drug world, But very, very far from, you know, a plugged in one hundred percent I am working narcotics, all the time type of cop. He was your.

02:51:51 Lt. James McLaughlin

You know, ancillary. We need help right now, so let's grab that third wheel. He was that third wheel, And actually, we had discussions about how frustrating it was for him because he's like," Man, I'd rather have one or the other, because I feel like I am losing my edge, criminally and I don't know enough on the street crime side of the house to be really an effective detective." And that's kind of where we left it. So if that describes the experience level in more direct form.

02:52:19 Investigator Jim Band

Yeah, I was just trying to get lay of the land there about.

02:52:22 Investigator Jim Band

My experience, just giving that set of facts without talking to him. Not good, maybe he's got a great explanation. But I was just if yeah.

02:52:34 Lt. James McLaughlin

Yeah but I don't believe that I was aware of any of that no.

02:52:39 Investigator Jim Band

Did you tell me about the marshals service, The task force? And how how did it come to be that, that relationship ended or that you were you guys were basically told to stop working with them?

02:52:51 Lt. James McLaughlin

Yep, that's how it ended. We were told to stop working with them.

02:52:54 Investigator Jim Band

Okay. Um, and I know there was an email that came out January something. Is that how it came? Is that when it ended?

02:53:04 Lt. James McLaughlin

I think well, it ended before that, But that was the official like, hey, make sure that it's documented here is an email had come out. So yeah,

02:53:14 Investigator Jim Band

Did you did you or any of the people who work under you continue working with the marshals after you're told not to?

02:53:20 Lt. James McLaughlin

No we did not.

02:53:24 Lt. James McLaughlin

Um, Do we consider phone calls to friends and saying hi on occasion working with because that's all that's all you are going to find? Had dinner with one of them one time. Made a phone call and said," I really miss you," a couple times, and that was well over I think a year ago. So.

02:53:56 Investigator Jim Band

So, I am about halfway through my questions.

02:54:00 Attorney Randy Harvey

I was actually didn't have much left. I got a,

02:54:03 Investigator Jim Band

I would just see it five was awake years.

02:54:06 Attorney Randy Harvey

Hey, I get paid by the hour; it's only here all day.

02:54:09 Investigator Jim Band

No, we're about done. It took you a second; you are going to come across the table, yeah?

02:54:19 Attorney Randy Harvey

Maybe we could have had this since you live in West Lynn, right? Oregon City. Could have had this in my office instead of having to drive all the way out here. Yeah, we make him drive. That would have been fine for me because it would have cost cheaper. It's cheaper for him to drive,

02:54:41 Investigator Jim Band

Okay? Um.

02:54:55 Investigator Jim Band

I eat one of those mints. I have to cough. I know they do kind of get right in the back and throat, don't they? Yeah, yeah.

02:55:17 Investigator Jim Band

Oh, I want to ask you about this. Um.

02:55:26 Investigator Jim Band

You still have this thing in front of you.

02:55:28 Lt. James McLaughlin

Yes, somewhere. Yes, I do right here.

02:55:38 Investigator Jim Band

So, in that one two three fourth paragraph, [redacted] mentioned the property owner was upset, and he said, something similar to", she's a real bitch." We spoke about additional charges of hindering for some family members, including the property owner Kelly Hayes. I said something similar to" let's take the win," but I love your passion. That obviously that is different than a vindictiveness. I love a comment: what when did you say that, or what did you base that?

02:56:11 Lt. James McLaughlin

So, great question. I think that we said,", let's take the win" at the end, again, this at this point in time. I haven't viewed i don't, Look at anything that I said as wrong or I should be worried about. So, I don't know my exact statement or vernacular, but something similar to "you know, love your passion" that was my intention. Like I said before, tenacity would have been a better word. Let's just take the win. So, yes, I am generalizing, whatever statement I was not with the knowledge of exactly what I had said at the time. So that's why it says something similar to.

02:56:49 Investigator Jim Band

This is dated March tenth. I believe you received the video March first. So are you saying that, you did not? You had not watched the video at the time. Yeah,

02:56:58 Lt. James McLaughlin

Check metadata on my on that phone and see. Uh, I don't believe and and if I did scroll through, nothing stood out to me at all. So again, if you look at it, if I know that there is recording, then I am going to be very direct about what exactly was said. That is the best I could to finish this memo, Something similar to so,

02:57:20 Investigator Jim Band

Yes. Okay, um. So.

02:57:29 Investigator Jim Band

You obviously know the topic. Um, I've gone through with you everything that I had questions for. I don't have any more questions for you. Is there, something that I should have asked you or or or an aspect of this that uh, we should have talked about thatum that you think I need to know?

02:57:47 Lt. James McLaughlin

We covered the U.S. Marshal; that was quick. I just wanted to cover that to make sure that we're clear on that. I have not, in any way, shape, or form, worked with the U.S. Marshals aside from general phone calls for well over a year. And then I would say this just for me, and this is maybe not in your purview. So by all means.

02:58:12 Lt. James McLaughlin

Take it as a grain of salt. A lot of this stuff has gone out publicly;. That is the only source of information that I have up till now, and this document here—the public statements that are being released, that had been released—paint a completely different picture than things we're describing, such as some verifiable information that I have. A debrief with Akehurst and coerced him to remove ring camera footage. That information is released publicly. Is there. Anything you want to ask me about that because we didn't cover any of that? It's blanketly untrue. You haven't asked me a question about it, but the allegations one hundred percent are publicly made that that did occur.

02:58:55 Investigator Jim Band

Well, I'll say about the public i I was PIO for a number of years. The, I read a few things and there is, If I didn't ask you about it, It's because I, just like there is some there is the gun to the back that didn't happen. There is another allegation that [redacted] said, "I am going to have him put you in the hole," and Paul himself said that never happened. Everything that jail deputies. And then there was an allegation by the family that Paul was kept in a hole, uh administrative's administrative segregation for a long period of time as a result of what [redacted] said. Paul said.

02:59:34 Investigator Jim Band

[redacted] never said that, And every reason that Akehurst gave me for why he was in admin. Seg is lines up with the jail tracker information of what deputies were saying. So, and there are other things I read that are I agree on. Like where did that come from? So, uh, The things that are in there that I have no idea they've talked to the family. I know a couple times, and then they have I think some documents went out to them. Um but yeah if, I asked you about everything that I think needs to be clarified. If it's not, I've already figured out some stuff. It's just,

03:00:12 Lt. James McLaughlin

Do you find it troubling at all that as an independent investigator or you are conducting this investigation solely independent from investigative or other influences from this office?

03:00:27 Investigator Jim Band

So when we so I got called about this. And I know that they, uh, they interviewed other people as well about who was going to do this. And I always do, I stated very fiercely that if you want, if you want me to do this, um, I said to the sheriff, " You and I have little or no contact, and you guys just leave me alone." Um because if you want to stay, you know, are going to get questioned for anything you do regardless. Don't add to that.

03:01:03 Investigator Jim Band

That you know, the investigation is has got chinks in it. The best thing for you is that is that I do a fair, completely impartial investigation. Um, I'll just tell you frankly, I went so hard at that i thought I don't know if I'll get that one. Um, But i I think that might have had something to do with why they did hire me. Um, so i don't um I am not being steered. Um, i quite often um.

03:01:34 Investigator Jim Band

Direct people or check people or correct. I am not saying it happened here, but I have numerous times said to chiefs and sheriffs," you and I should not be having this conversation." Like I put my foot down, so i i don't um I think they've been totally appropriate. Um, and I don't uh, I don't know if that answers your question.

03:01:56 Lt. James McLaughlin

It does no it completely does yes To be honest,

03:01:58 Investigator Jim Band

It gets me in trouble if if i do stuff like that, or if I um So i. I do everything I can not to because it's just my credibility means something to me. And if I do that, I am not credible. And if I do that once, I am never credible again. So and and I certainly like i you know everyone's biased and you know, I think that anyone who says they're not biased is lying. So the way to deal with bias is to always look for it and check it. And I do that so um, I do everything I can to um.

03:02:34 Investigator Jim Band

And my last two questions for you, After this are : any witness, you think I should talk to who will support you and your position in this that you think I need to talk to? Any evidence that you think that I should go look at to review? Any exculpatory information, anything that you think is beneficial for you that you can think of? I'd like you to tell me that. And as you digest this over the next week or so. You might go," Oh, geez, I should have told him that." You can reach out to me or have your attorney reach out to me and say," Hey either hey I'd like to talk to you again. There is something I forgot to tell you," or you can send me a written document and go," Hey, Can you look at? So i am like i said at the beginning of this, i am only as good as the information that you give me Yes.

03:03:24 Lt. James McLaughlin

And I would say to answer question number one.

03:03:30 Lt. James McLaughlin

You know, I know that [redacted] was aware that, but you've got it. And I don't know if you guys have checked the metadata. And at one point in time, [redacted] is the association president. And when and I knew nothing about this, but he came and said, "Hey, I think it's my obligation because employees that I represent are involved in this to say that you are being investigated criminally right now." You know, that was news to me. So that kind of made me go. What are we talking about here? And so um the the conversation about documents came up, and i i was kind of caught off guard with that. And i go, look, i've got this paperwork right here. It's on my computer. It's right there. Man, it's been here the whole time.

03:04:15 Investigator Jim Band

Are you talking about this? Yes,

03:04:16 Lt. James McLaughlin

Um the um the memo, yeah. And so i don't know if you've spoken to him, i don't want to put him in a in a space. I know that he's. Trying to work both sides of the house with associated and represented employees and non- represented, but I think it's pretty clear if you look at the metadata as well. He knew that that was there, And I told him the same thing. ; I didn't want to frickin' go down there and hand it to him, so i've I've had it here. It was for an annual review. He didn't read the contents necessarily, But he knows of of the existence of it and saw it on my computer. So if you need somebody that knows that it was there, and that probably happened.

03:04:54 Lt. James McLaughlin

Oh man, may sometime but you can see that that's been there for a long time. I didn't just go," I am going to disobey this and try and get away with it." It was there.

03:05:05 Investigator Jim Band

I believe you that it was there.

03:05:08 Lt. James McLaughlin

And then your second question was," Yes, If I have anything exculpatory there is nothing really on my mind right now, aside from the text messages which you have." You can note. Of her calling in, and I believe man, I believe that it requested me specifically. So.

03:05:30 Investigator Jim Band

I am pretty sure it did.

03:05:31 Attorney Randy Harvey

Okay. Well, wouldn't it be odd if she's really hacked off at you? She wouldn't want to talk to you. Yeah, yeah,

03:05:38 Lt. James McLaughlin

And um, I will think on that topic in regard to any further communication with any type of objective consultatory information that's going to assist or that's going to controvert as well. If there is anything that I listen to and say, that I go, "Whoa, hold on a second," my recollection is: I am aiming in a long, you know, couple-hour interview to make sure that I am as candid as I can. And for the record, I know that I have been animated at times. I am not mad and upset. I am certainly

not trying to be disrespectful at all. And I don't want to come across that way. I do find myself somewhat defensive, to be completely honest.

03:06:21 Lt. James McLaughlin

I don't hate this place. I don't hate the people here. I am looking and I am quite confused on practices that I have done a number of times. I've probably said, "I've done that a hundred times." Not saying, "I am not making it right." I am not saying everything is okay. I am saying that these are all common practices. Anyone here that tells you different, I would say is disingenuous at best. I believe it's hard not to go Occam's razor in my mind and say that there is other motivations at play here because I am having a hard time understanding their proportion of sitting at home being ostracized from this community, which I do love. So, I am trying to deal with that. That's probably why some of my stuff is coming out kind of directed to you. I don't mean it, I don't intend it; it just would.

03:07:15 Lt. James McLaughlin

Appreciate it from your point of view. You understand, um,

03:07:18 Investigator Jim Band

It has not had a negative impact on your credibility to me. That just you know, I don't if if someone accused me of being a liar, I'd be animated and I would be if if someone was accused of being a liar and they weren't animated, that would probably have yeah, uh, a significant impact on on my perception of their credibility.

03:07:38 Lt. James McLaughlin

Not saying stainless, not saying that this is not without fault and mistakeum. Proportionately, I don't mind owning. Like I say in the text messages, I'll own all of my stuff proportionately, and I'll let honorable men use that as honor. It just it feels at times if there is you know, I just am yeah am going through it. And, you understand you do this for a living. So you've probably seen people on the other side of the table that are a little bit worked up and somewhat stressed out. So yeah yeah apologize if it came.

03:08:10 Investigator Jim Band

Across no way it's fine. You are not the only one who's been stressed. There is been a lot. I think, I know whatever political, motivations or all that other stuff you guys have sort of alluded to, I would say the family does seem uh the family somewhat credible in terms of like talking to them.

03:08:27 Lt. James McLaughlin

They were they're phenomenal people,

03:08:29 Investigator Jim Band

The front to back, absolutely. Um The perception I told you about like when I met with them their perceptions, their perception. And so the things that were said to them, the things that have been done to them. The things that they see without knowing sort of the front and back of everything, they're not totally unrooted. They're not really, and I would even say that as you know, Sometimes you deal with a guy like Paul and their entire family's just like it. This family's different than that; their dad's a retired engineer from the federal government, so they're not crazy people.

03:09:06 Lt. James McLaughlin

In my meeting with them, I walked away like I said. My wife and I hugged and cried with both of them, Paul's parents. I could not have a higher regard for them. I think very, very highly of them; that has not changed at all. I know Kelly's story, and my reverence and regard for her as a person is up here. And so, I agree with you one hundred percent. I believe that they are backbone solid solid great community members. I have a tremendous amount of respect for all parties involved, and I will never ever say anything different. That's just the way that it is, and that's still the way that it is by every stretch of the imagination. I couldn't say enough about how impressed I was, especially with most.

03:09:50 Attorney Randy Harvey

The issue's not really with the complainants; not at all because it appears they probably have a reason to complain about some things. But I think the issue is, is that the way that the department is treating. Reading this is kind of unbelievable, you know. Given Jim's credibility, his years on the force, his spotless record, and you know the facts, I think that there is a confluence of events that it's opportunistic in some ways. I mean.

03:10:30 Attorney Randy Harvey

Normally, if it was somebody I was supervising and they said something stupid like this, I'd come and say, "That was pretty stupid," you know. And like you were saying with [redacted], if that was a pattern, well his lieutenants should have written that up and dealt with it. And if he'd done it a lot, you ask the question about progressive discipline: okay, he's done it a lot. Why haven't you escalated it from warning to warning to written discipline to suspension? I mean why not do that? He's not even his supervisor. He deals with he dealt with him once before, and in this case, he dealt with him again. But seems like it's being read into it that you were trying to prevent progressive discipline, which is that's the furthest thing from your mind. That is true. So, it does seem like a real confluence of events and somebody's who we were talking about Hamath and Esther, Haman and Esther.

03:11:30 Attorney Randy Harvey

Somebody's trying to hang him. Well, Somebody's going to get hung because God's going to defend him for being truthful and upright. But if people are meaning to do him harm for some other reason than truth, it's going to come out.

03:11:48 Investigator Jim Band

I think so do I.

03:11:51 Attorney Randy Harvey

I wouldn't say that in any other room, but three of us sitting here are Christians, So we understand that there has been a lot of prayer and trust in God. The truth is the truth, you know. So yes,

03:12:01 Investigator Jim Band

Kelly's pretty nice. Like you know, Like she's sometimes you sit down with people and write like she kind of walks in like a ray of sunshine. Like she's just a pretty wonderful person. Like yeah, been through a lot and I mean her daughter's a great kid. Like yeah,

03:12:17 Lt. James McLaughlin

You can see the dialogue back and forth. I think very highly of her. She's incredible or her daughter's incredible or her story Is.

03:12:24 Attorney Randy Harvey

That's kind of what makes it hard too, Because I mean, you have a relationship where you care about her and her family and her deceased husband and her husband's deceased best friend. Yeah, And so it makes it more traumatic for him in terms of just observing that he really cares about her, and they're escalating what she's saying. It.

03:12:49 Lt. James McLaughlin

Is what it is. I would do the same thing, unfortunately. Because that's how life works. The decisions that I made, I would make again unless trained or told otherwise. Hey, this is the process; here is what we're going to do. I totally hear that, And my meaning behind that is just simply this :. There was never anything intentionally done, maybe outside of just ignorance or the overall scope of everything happening, where I am pulling it political strings, kid strings.

03:13:22 Lt. James McLaughlin

Money, strings, financial strings, personnel—all these things—and this was not high up on my list. It really wasn't. I was managing; I thought it was managing it. It was done in an effort to be upright, to be compassionate—that was my motivation—and that's it. And so I can certainly hear any corrective measure that comes, but I do take significant exception to dishonesty—to lying. And to the mischief that goes on in this kind of creating a cabal of people to go now defend Mac and destroy a ring camera that is stored in a cloud, right? That thing's here forever. You understand? Like I am a detective; I've worked these cases on a grand scale. I just got done going through two years of trial with pretrial motions.

03:14:20 Lt. James McLaughlin

I was on the stand for hours and hours and hours for a mass shooter that was going to kill dozens of people at Smith Rock, mind you. So, from my point of view, do you think I don't understand that that camera is there? And. Now you think someone with all of that experience in a capital murder case with Kaylee Seward when we put together legislation to change campus security with House Bill Fifty Seven Five Seventy Six. I am I have been around the block. I am not sending junior people in to go please save me, And get rid of this ring camera, which is still stored in a cloud and with Kelly. What am I going to do Go knock Kelly off afterwards? It's ridiculous. I'm just really when you look at it, I understand what these say. I understand what memos say. I understand people's point of view. It is absolutely a ridiculous assertion that I would do that.

03:15:18 Lt. James McLaughlin

And I am here to say, it didn't happen. I will own my lumps where I need to own my lumps. I will better where I need to better, but I will not be called a liar. I will not be discredited, And I won't be the commander of the guy who sent these people in to go destroy physical evidence. It's a crime, and so that's where I'll sit and stand.

03:15:47 Attorney Randy Harvey

The sheriff's department among command staff, So it does seem like there is a bit of a fiefdom with patrol and detectives not communicating. And the discipline, the discipline piece: having been an HR director myself for fourteen years, You know, you have to have a common database for disciplines. So that if you are going to require all management people to. Be aware when someone has done something that should result in discipline,;, they have to have access to that information, and clearly, there is none.

03:16:28 Investigator Jim Band

Do you on that one question I was going to ask? There are supervisors who sergeants, I guess are sort of like one of the areas where it really comes to light. There are sergeants who never hold their people accountable. And then there's sergeants who are over the top and black and white, and nobody ever wants to work for them. And then there is sort of a you know, sort of everything in between. Are you someone who like, are you rah-rah-rah, like always just pushing your guys, and you never hold anyone accountable, you never discipline anyone? Or like where do you see yourself on that scale?

03:17:15 Lt. James McLaughlin

That's a very fair question. So, accountability being a very expansive word, so accountability can be defined in "hey, discipline" meaning formal accountability for me. And I'll give you an example of the type of leader I am :. There isn't a major incident call even when I was a patrol sergeant, a major incident patrol call, SWAT call or anything that we don't sit. Whiteboard and completely debrief, and that means the door's shut. Here is a safe environment, and we are going to expose every single individual not because of malice, not because it makes someone else look good, But my desire as a leader is to instill a level of personal ownership that is beyond what you would

normally see. Because what you normally see is when you make a mistake self preservation come, so people it's human.

03:18:14 Lt. James McLaughlin

Reaction to preserve yourself, protect yourself, and be like, "Hey, I want to minimize my fault." But you close a door and create a culture of individuals that go, "Can I go first?" Yes, you can. They go first and expose those faults. And they may be tactical faults; they may be investigative faults. It happens all the time. And we therefore utilize that model of a debrief or an after action. To create a different environment for the next event that comes, That's why we've been wildly successful through court proceedings and hearings and so on and so forth. Because of that educated piece, Because I firmly believe that you can live on bad tactics and a good outcome through investigations or interpersonal activity throughout your career, and really it just sums up that you got lucky most of the time.

03:19:11 Lt. James McLaughlin

But those bad tactics that result in a good outcome, if you focus on the bad the bad tactics, the tactics that can change, but not simply just the good outcome, Then you can bring that into a good tactics, good outcome measure and point of view. So for me accountability means that. Yes I can sit here and I can absolutely discipline somebody and go. Hey, you screwed that up. As a father of eight. My approach as a leader is more of a father. I want you to know what you messed up. And I want you to tell me. That's kind of my approach in leadership, so it's very, very balanced. I think it's getting balanced. I am going to continue every single day. I meet and say, "Where did I fail in character today, Lord? How can I grow? How can I get better?" And sometimes like this, " I go dude You'd be if you were further along, you wouldn't be sitting here in the first place. So.

03:20:07 Lt. James McLaughlin

I take everything very, very personally personal ownership wise and know that my hands are on the plow. They always will be. And my expectation for people around me is that they are as well. And if discipline needs to happen formalized, then you're off the team for 90 days. Then,

03:20:24 Investigator Jim Band

We're going to do that Do you specifically someone like Bang and like they watch that video Um. And too much of anything Too much of a good thing So.

03:20:37 Investigator Jim Band

You could say about whether it's [redacted], [redacted] Or any of these guys, you know, aggressive cops who are going to go try and get get things done. That's good. That's good energy. Like you want to go make a difference. Too much aggressive, you start blurring lines of like and and um and so lawful but awful.

03:21:01 Lt. James McLaughlin

I can but should I? Yes, those are questions I think through many many years. And again, with my detective division, We sit at length in a table like this and absolutely go into a full deep dive on personal ownership. Yeah, you did that. Could you? Should you have? Nah, but it was legal. And we do that on a regular basis. I don't know what kind of conversations they have on patrol. And if I would believe that they're very similar.

03:21:30 Investigator Jim Band

I think the perception that somebody could maybe have. I think you've explained the vindictiveness sort of comment. I sort of understand, I think, what you are saying there. But somebody could watch that and go from the front to the back of what the family's experienced of the things he said, and their perception that, "Yeah, I get you want to arrest my brother, our son, but you've gone too far." And then an extension of that is his comments to you and.

03:22:02 Investigator Jim Band

If you had said," Hey, enough. What you are doing is now vindictive. You've gone too far. Stop," we'd be having a different conversation. And so I think to a casual observer, like to the family, they're like," You Lieutenant are not shutting this down. You are fanning the flame. Like, you are throwing gas on like he's gone too far, and you are throwing gas on the flame." You follow me?

03:22:28 Lt. James McLaughlin

I do one hundred percent is that you or or you? When you when you talk to um Deputy [redacted] you ask him that. Ask him if we've had conversations where I am guiding him and directing him, going, "We ain't doing that. We're not doing that. We're not doing that." He does not have a free reign rope with me. I pull the choke on him very often. But, this is my approach is that I don't have to belittle or demean somebody, especially when I believe that we're in private. I'm going to lead him through based on.

03:23:00 Lt. James McLaughlin

Context and relationship. I understand how a third party would view that, and I do. I totally get it. Um, I understand that they're privy to information that I have no idea about still to this day. Don't know the fullness of what their complaint is, what happened with patrol at their home. I don't so yes, I would raise my hand and say, "I absolutely hear that." "I could see how they would see it," knowing what I know now. Would I have changed that? "I absolutely would." However, I also in this setting to them, I am on my knees apologizing. I am repenting. There is no doubt about it. Anything I do and I've said this publicly, If I've done something to Paul Akerhurst family or Kelly Hayes and her daughter that has caused them disruption, and that has caused them hurt, I am going to own it because if I do something intentionally or unintentionally, I am going to repent.

03:23:59 Lt. James McLaughlin

And I am going to own that, and it breaks my heart that I did. And I am going to do everything I can to try to make that right. That's what I'll do in this setting, however. I will tell you, I wouldn't

change a thing that I did because of everything that I knew at that time was there there is You could say excuse. There is a reason. So i i have battled with this jim sitting and praying going. Where is my personal ownership because i want. I believe in extreme ownership. Where can I raise my hands and say, "You are right"? And I do when I can, but the large majority of this, I look at and say, "This is not who I am. It's not what I did." There is no memo on Earth. There is no dozen people that can come in and say anything otherwise. If if I could have released it, if I had permission to release it and to take it on, I would do it because it's easier.

03:24:55 Lt. James McLaughlin

The harder part for me right now is the battle, looking and going," Okay, Lord, I'll stand. I'd rather run; it's easier. Let me just get out of here." I've done nothing that I would undo in the moment based on what I knew at the time.

03:25:13 Attorney Randy Harvey

Well, the irony behind this is the family looks at this and say," Oh, you are saying 'sick him' to the bulldog," but in reality. Patrol's upset with you because you've been pulling the reins back on their desire to have the SWAT team go in there and take care of it for almost a month. So he's slow rolling. I was.

03:25:32 Lt. James McLaughlin

Requested days prior to, I mean, just to help if you need additional on the use of SWAT. Days before this, we've got Paul Akehurst at his home. Can we use SWAT now? I had already made a determination that he was right at that level, and we could likely do it. And I go," Cool, where is he at?" He's at his home in DRW. Absolutely not. I know that there is an impacted family there that's likely not going to leave, and I know his children live there. So I said," No."

03:26:01 Investigator Jim Band

Who asked you about that?

03:26:02 Lt. James McLaughlin

Patrol. I don't remember exactly who it was. We had multiple because there were so many conversations that had occurred. And I said," Nope, we're not going to hit him there." And that's when my request for GPS ping: see if we could get a DA involved and direct us in— is there a crime that is pinnable? And they found him, and it took time. This wasn't days before; I am sorry, this was a while before. And days before he was pinging at the house, and I said," Nope, we're not doing it," because to me that was not juice worth the squeeze. But if we could isolate him and we could remove him, then then we acted. And so again, That's just well Then.

03:26:42 Attorney Randy Harvey

They there was someone monitoring the house to make sure that the women physical surveillance as well. And he was there by himself.

03:26:50 Investigator Jim Band

I think they also confirmed that. The kids were at school before they. I don't know if you remember that,

03:26:54 Lt. James McLaughlin

But the kids were yes, um, you mean at his house in Deschutes?

03:26:58 Investigator Jim Band

Yeah, the kids. The kids there was a um, I believe that even though the kids had not stayed at that house, I believe that there were deputies who were talking to [redacted]. The baby's mother or someone, but but they verified the kids, even though the kids didn't stay there. They verified the kids were at school before you guys hit up.

03:27:22 Lt. James McLaughlin

Yeah, but they didn't live in the house that we hit anyway, right? And, that's why I said, yes, to it, because I said, hard, no to the home that we weren't going to do it at that specific house based on the parents and the kids. Because I did believe that they had they were innocent individuals in this to enough of a degree that you don't need the SWAT team on your house. But, we have had a pattern of this individual being very frequently out in public and at different locations. So again, if we use a different tactic to achieve a safer outcome, which is what took so long to do. I demanded more. Give me more intel. Give me a GPS ping. See if you can achieve it. And they did. And I said hard no to anything at that house. We're not touching it because there's no point in doing that to affect more. If I can get him in the middle of the desert at a house that is completely vacant because I make them wait for the two other occupants to leave the home.

03:28:21 Lt. James McLaughlin

That was that was my intention from the beginning. That is kind of how it all lined out, and then you know through the rest of it, I thought that it was a very good win that day. I was happy about it. Um,

03:28:36 Investigator Jim Band

One last question that just popped into my head: Did, you have phone conversations with Kelly Hayes? Or was it just yes, texts? So you had phone calls as well? Correct, correct. So when you asked her about do you want to file a formal complaint? Was that that was because I don't think I saw them. That was on phone calls, correct? Yes, okay. And did you ever meet with her face to face about it?

## 07-28 Interview: Lieutenant James McLaughlin — SWAT Deployment, Search Warrant Execution, Citizen Complaint, and Internal Department Conflicts

03:28:57 Lt. James McLaughlin

I've met with her face to face at the political gathering. Okay, that's the only other let's see. I met, i saw her face to face one other time in just in the courthouse. I was going to a sentencing hearing forum the Seeger's murder trial, and she was there for something. She was there with uh Laura and Paul's parents and her, Sat across from me, we didn't exchange a word. I just looked and I waved and went off to that. So that's the only other time, And I've only seen her face to face since this incident at that political event that she came to with the Quest family.

03:29:38 Investigator Jim Band

Okay, I don't have any other questions. Mike, if something pops up, like I said, reach out.

03:29:43 Lt. James McLaughlin

Okay, you got it. Sure will sir.

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