

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF BENTON**

STATE OF WASHINGTON,

Plaintiff,

NO.

vs.

GERALD D. HATCHER,

Defendant.

**MOTION FOR
ARREST/DETENTION
(PROBABLE CAUSE)**

Spokane County Special Deputy Prosecuting Attorney G. Mark Cipolla moves for authority to arrest and detain the above defendant based on the Arresting Agency Affidavit of WSP Detective Sergeant Daniel G. Richmond of the Washington State Patrol.

TJ J. Bloor #9044
G. MARK CIPOLLA, WSBA #22202
Spokane County Special Deputy Prosecuting Attorney

STATE OF WASHINGTON)
County Of Benton)ss

1. Affiant is the assigned Spokane County Special Deputy Prosecuting Attorney for Benton County and makes this affidavit in this capacity.
2. The above defendant is accused of crimes by an Information.
3. Affiant believes probable cause exists for the arrest and detention of the defendant because of the facts and circumstances outlined in WSP Detective Sergeant Daniel G. Richmond's attached Arresting Agency Affidavit.

TJ J. Bloor
Affiant

SUBSCRIBED AND SWORN to before me on this 9th day of Oct, 2019 by G.

~~MARK CIPOLLA~~

Terry J. Bloor

Cheryl Pochert

NOTARY PUBLIC

My Appt. Expires:

8/31/23

WASHINGTON STATE PATROL
ARRESTING AGENCY AFFIDAVIT
Relevant to Probable Cause for Arrest



Date of Report 10-4-2019

Booking Date _____

Offense Assault 4th Degree DV RCW 9A.36.041, Tampering with a Witness RCW 9a.72.120

SUSPECT DEMOGRAPHIC INFORMATION

Name (Last, First, Middle) Hatcher, Gerald D.

Address (Number, Street, City, State, Zip) 4900 S. Washington Place, Kennewick WA

Date of Birth 6-2-1963 Sex M Race W

Height 5-10 Weight 200 Hair _____ Eyes Brown

"Concisely set forth facts showing probable cause for each element of the offense and that the suspect committed the offense. If not provided, the suspect will be **AUTOMATICALLY RELEASED.**"

On September 18, 2019 at about 3:38 p.m., Benton County Prosecutor Andrew Miller requested that the Washington State Patrol (WSP) conduct an investigation into Domestic Violence allegations from Monica Hatcher against her husband, Benton County Sheriff Jerry Hatcher. WSP Chief John Batiste approved the investigation and directed the Criminal Investigation Division to conduct the investigation.

Detective Sergeant Daniel Richmond called Benton County Prosecutor Andrew Miller and discussed the allegations with him. Miller advised me that the allegations had initially been made to Benton County Commissioner Jerome Delvin on Monday, September 16th. Delvin had relayed the issue to Miller and then Miller and Delvin had spoken to Monica about the incident for about an hour on the 18th. During this conversation, Monica described an incident that was alleged to have occurred in December of 2017. During this incident, Monica had discovered information on Jerry Hatcher's phone (Facebook or SMS) that indicated that he was communicating with another woman. She confronted him about this information, and he grabbed her by the neck and bent her over a piece of furniture. There had been no incidents between that incident and now. Miller advised me that there was alleged to be photographs of the injuries that were taken shortly after the incident.

Sergeant Richmond called Monica's cell phone. A male voice answered the line and stated, "Monica's Phone." Sergeant Richmond identified himself and asked to speak to Monica. A female voice then spoke and identified herself as Monica. She advised that her son had answered the phone since the number was blocked. Sergeant Richmond confirmed that she was safe and free to talk to him.

Sergeant Richmond identified himself and provided her with his contact information. Sergeant Richmond confirmed that the Prosecutor's office had already provided her with victim resources. Sergeant Richmond confirmed with Monica that she was electing to not pursue a no-contact order. She confirmed this information. Sergeant Richmond asked her if she felt safe and she confirmed that she did.

Sergeant Richmond asked her if she was available on Tuesday the 24th at 10 a.m., to speak with us about the allegations. She confirmed that she and her assistant (who was a witness to the injuries) would both be available. Sergeant Richmond also asked that she have any evidence that was pertinent to the investigation available for review as well.

Sergeant Richmond asked if there was any evidence that was in need of preservation. She advised that she had maintained the pertinent evidence and would provide it to investigators.

On Tuesday, September 24, 2019 at approximately 10:15 a.m., Detective Schroeder, Sergeant Richmond and Trooper J. Kukes met with Monica Hatcher at her work place in Kennewick. Monica provided a recorded interview that outlined the allegations. Two allegations were relayed to investigators:

1.) The first allegation stemmed from an incident that Monica recalled from the Spring or Summer of 2015. During this incident Monica and Jerry had been in a disagreement and she had told him to "Fuck Off." Jerry had then grabbed her around the neck with his hand and pushed her backwards onto a bench seat in their master bathroom. This incident did not leave any apparent marks or injuries. This incident appears to be old enough that it falls outside of the statute of limitations.

2.) The second allegation that Monica recalled was an incident that occurred on 12-13-2017 in the master bedroom of her residence at 98303 East Ridgeview Drive, Kennewick, WA 99338. In this incident, Monica alleges that she and Gerald Hatcher were having a disagreement about some accusations of infidelity. She was presenting him with some cell phone records that supported her opinion that he was having an affair. During this disagreement, Gerald grabbed her around the neck with both of his hands and pushed her backwards against a piece of furniture in their room. She relayed that she was scared and surprised. After holding her over the furniture for a brief moment Gerald released her and they parted ways. Monica alleged that this incident left visible bruising on her neck. Monica advised that she had gone to work the next morning (12-14-2017) and had shown the injuries to her personal assistant Betty Cooper. Cooper had taken photographs of the injuries and had then taken photographs again the next day (12-15-2017).

We spoke to Cooper and she confirmed that Monica had come to work on the the morning of December 13, 2017 with visible bruising on her neck. She confirmed that Monica had stated at that time that Jerry had grabbed her neck and pushed her against the wall. Betty confirmed that she had taken photographs on the morning of 12-14-2017 and then again on 12-15-2017. Betty Cooper forwarded the photographs that she had taken to Sergeant Richmond. Richmond reviewed the photographs and observed what appeared to be bruises on either side of Monica's neck.

On October 2, 2019 at about 10:00 a.m., Lt. Adkinson and Detective Sergeant Richmond interviewed Gerald Hatcher. Hatcher was read his Constitutional Rights and he waived his Rights and consented to a recorded interview. During the interview, Hatcher denied ever assaulting Monica. He was shown two photographs of the alleged injuries. He advised that he couldn't see injuries, he thought the marks might be shadows or makeup. I showed Hatcher a copy of the master bedroom sketch that Monica had completed during her interview. He examined the notations Monica had made and seemed to remember the incident, however he maintained that no assault had occurred, he recalled just walking past her and leaving the room.

Gerald Hatcher made several statement during the interview to cast doubt on Monica. He relayed that she had vivid dreams and took a large amount of medications including opiates.

Detective Schroeder scheduled a followup interview with Monica Hatcher to address some follow-up issues. The interview was scheduled for the Kennewick WSP office on October 3, 2019 at 1400. Detective Schroeder and Sergeant Richmond waited at the office until 1500 but Monica never showed up for the interview. During this time, Schroeder made several phone calls to Monica's cell phone, but the calls went straight to voicemail.

On October 3, 2019 at about 1930 hours, Sergeant Richmond received a phone call from Monica Hatcher. Monica was distraught and she relayed to Richmond that she had missed the meeting because Gerald Hatcher had been with her and was directing her to write a letter recanting her previous allegations. Monica advised that Gerald Hatcher had since left to go to Montana, but was calling back to check into whether or not she had sent the e-mail. Richmond called Prosecutor Andrew Miller and discussed the situation with him. Richmond and Miller agreed that the best course of action was to have Monica send the e-mail in order to de-escalate and calm the situation. Richmond received an e-mail from Monica Hatcher at 9:26 p.m. This e-mail effectively recanted her previous testimony. As Richmond reviewed the e-mail he noted that many of the points made in the e-mail were similar in nature to the allegations that Gerald Hatcher had made during

his interview.

On October 4, 2019, at approximately 0940 hours, Detective Sergeant Richmond, Detective David Kiehl, and Trooper Ben Borgman contacted Monica at her office, located at 2490 Garlick Blvd, Richland, WA. Monica agreed to provide a taped interview, during which she recounted events that had occurred since October 1, 2019. Monica detailed multiple phone calls, in-person conversations, and text messages she had exchanged with Jerry. Detective Kiehl took notes during the entire interview, and afterwards reviewed his notes to identify four separate instances in which Jerry had tampered with witnesses.

1. 10/1/2019, Tuesday midday-afternoon:

After Jerry was called by WSP Sgt. Richmond, Jerry called Monica. Jerry informed Monica that he had been contacted by detectives from WSP, and he adamantly denied the alleged incident at that point to Monica.

During the phone call, Jerry became suddenly quiet and questioned if Monica was recording the call. Jerry requested to continue the conversation in-person. He arrived at Monica's house shortly thereafter.

Monica and Jerry had a conversation both in the driveway and in his car, during which he gave Monica specific instructions on how he wanted her to recant her allegations. Jerry told her how to go to the courthouse, who specifically to talk to, and what to say for this recantation.

2. 10/3/2019, Thursday late morning to early afternoon:

Jerry showed up at Monica's office called her as she walked out the front door. Jerry told Monica to "just keep walking through the parking lot" past her own car, until she spotted him in a car she did not recognize. Jerry wanted Monica to get in the car with him, but she would not leave with him. Jerry said he wanted to go to his house with Monica. Monica drove in her car, while Jerry followed in his car to his house.

Jerry told Monica to get her laptop and start typing an email, addressed to Sgt. Richmond and the Benton County Prosecutor, in which she would recant her allegations against him. Jerry had typed up a document on his cell phone, which he read to Monica. Monica typed Jerry's document onto her laptop at his direction. Then, Jerry sat with Monica and watched over her shoulder while she revised the document to be written in her own voice and style (again, at the direction of Jerry).

During this process, Monica stated she was crying and emotionally distraught, while Jerry was angry and then smiling and happy when Monica would follow his instructions. Monica said she did not feel free to leave the situation.

Jerry told Monica that WSP investigators are wrong and are trying to manipulate her, and instructed her to have no further contact with WSP investigators.

Monica left Jerry's house without sending the email.

3. 10/3/2019, Thursday evening:

Jerry called Monica as she was arriving at her mother's house. Jerry had instructed Monica to provide proof of sending the email to Sgt. Richmond and the prosecutor, but he had not received any such proof yet.

Jerry instructed Monica to tell her son, Evan, to stay out of this and to stop talking to or cooperating with WSP investigators in any way. Jerry also started listing off other people who could be potential witnesses in this case, including Monica's assistant Betty Cooper, that he wanted Monica to call and give instructions to stop talking to and cooperating with investigators.

Jerry told Monica to call her sister Amy and gave specific instructions and suggested responses Amy should use if she was contacted by investigators.

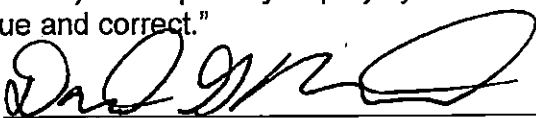
4. 10/4/2019, Friday morning:

Jerry called Monica while she was on her way to work. Jerry continued to direct Monica to tell her sister Amy to not speak to anyone about this investigation. Monica stated that Jerry was extremely direct in this phone call.

Jerry again instructed Monica to tell her son Evan to stay out of this. Jerry reiterated that any possible witnesses needed to stop talking to WSP investigators or simply reply "I don't recall" if questioned about the case.

"I certify (or declare) under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct."

Arresting Officer


Signature

Pers. No.

D262

DANIEL G. RICHMOND
Print Name

Agency

WSP

Date

10-4-19

Location Signed:

City

KEMANICK

County

BENTON

State

WA

Judge

Signature

Date

Print Name