



Photo illustration by Steve Larson/Flathead Beacon

By [Myers Reece](#) , 11-23-11

According to a lengthy multi-agency investigation into allegedly pervasive illegal and unethical activities by Lake County law enforcement officers, the sheriff's office is accused of fostering a "culture of corruption" that encourages the motto: "You can't break the law, if you are the law."

State investigation documents obtained by the *Beacon* detail an array of allegations against the Lake County Sheriff's Office spanning over a decade. Dozens of interviews, including sworn statements by current and former officers, describe an atmosphere of "misguided brotherhood" at the sheriff's office in which deputies have allegedly engaged in poaching, assault on fellow officers, falsification of one deputy's military history and a "cover-up" pertaining to a 2004 boating death on Flathead Lake, among other allegations.

The reports also describe the allegedly illegal hunting activities of a Confederated Salish and Kootenai Tribal Law and Order officer, who is accused of using hunting privileges granted to him as a tribal member to help perpetuate the poaching activities of sheriff's deputies, as well as his own, over the course of more than a decade in addition to hunting violations in Oregon.

Multiple investigations into Lake County law enforcement officers have sprouted up since last spring, including two open investigations by Montana Fish, Wildlife and Parks and the Montana Public Safety Officer Standards and Training Council, as well as an investigation that was passed on from the state Department of Justice to the Lake County attorney's office earlier this year.

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In March of 2010, FWP first began investigating possible illegal hunting activities involving Jesse Jacobs, a reserve deputy with the Lake County Sheriff's Office at the time, stemming from a 2005 moose shooting. Jacobs, who is no longer with the department, was charged with two felony counts of unlawful possession of a game animal. The case was later dismissed.

But, as the investigation unfolded, "credible allegations" about other officers within the sheriff's department surfaced, according to a Sept. 20, 2010 letter from FWP Game Warden Frank Bowen to John Strandell, chief of the state Department of Justice's criminal investigation division.

The letter indicated information had turned up implicating law officers in "other serious offenses that are outside the jurisdiction of Montana Fish, Wildlife and Parks," warranting, FWP game wardens believed, consideration from the Department of Justice. The warden wrote that he intended to ask the state Attorney General's Office to "bring various charges against several Lake County area Law Enforcement Officers."



The letter also noted that the Montana Public Safety Officer Standards and Training Council (POST) had passed on information acquired from its own investigation into alleged ethics violations by Deputy Sheriff Dan Duryee.

In POST's investigation report dated June 8, 2010, a compliance officer wrote that the sheriff's department had determined Duryee, despite claims for more than a decade to the contrary, never engaged in military combat operations and in fact never served in the U.S. Marine Corps.

"After his military service was disproven, Duryee continued to make false claims to members of the public," the compliance officer wrote.

The report says Duryee's military claims had earned him respect within the department and possibly led to unwarranted positions and promotions.

"It is evident that Duryee was allowed to be a member of the Special Response Team and a sniper without attending any formal training based on his false claims of military service and combat experience," the POST officer wrote, adding that Duryee was also given command of the Special Response Team.

During an April 2008 standoff, according to an article in the *Missoulian*, Polson police "handed off command of the incident to Sgt. Dan Duryee of the sheriff's office because of Duryee's expertise and training for such situations."

In a sworn statement to POST, one deputy said he began doubting Duryee's military experience after being ordered into an unsafe position during an armed standoff. After he discovered Duryee had no military record, he told the investigator that he approached Duryee and was threatened. The deputy said he was disciplined for using a department computer to gather the information about Duryee's military history.

Lake County Sheriff Jay Doyle said last week Duryee is no longer on the Special Response Team but that the decision was made before he became sheriff after winning last fall's election. It appears all of the allegations made in the POST and FWP documents are from before Doyle took office. The last two sheriffs were Lucky Larson and Bill Barron, currently a Lake County commissioner.

"The reason that (Duryee) was either asked to step down or removed, I couldn't comment on that," Doyle said. "That was under a former administrator's regime."

Other findings in the POST report include a sworn statement by a former deputy that Duryee "tried to get him to poach a deer as an initiation into the 'club'" and assaulted him in an argument over a Taser, an allegation supported by another officer's testimony. The deputy left the force, according to an FWP report, because of "the corrupt nature of several of the Offices, and the unwillingness of the local leadership to deal with the issue."

Also, according to the list of findings, a sergeant in the sheriff's department gave a sworn statement that he witnessed Duryee bag up skull fragments from a suicide victim who had died from a gunshot to the head. The sergeant said Duryee was collecting the pieces of skull for a female deputy, who wanted them to train her cadaver dog for search and rescue. At the time of the investigation, Duryee and the female deputy were dating, the report stated.

The POST officer recommended revoking Duryee's law enforcement certification, or a secondary recommendation of suspension with psychological evaluation requirements before reinstatement. Duryee was placed on administrative leave in August of last year and then reinstated a couple of weeks later, according to a news report from the *Lake County Leader*.

At the time, POST Executive Director Wayne Ternes was quoted in the *Leader* as saying the sheriff's department had fulfilled its obligations for the deputy's reinstatement. But last week, Ternes told the *Beacon* that his office, noting its responsibility is "policing the police," has since fielded more complaints about Duryee and opened another investigation, which is ongoing.

"It's still open, so I can't go into any detail," Ternes said.

Does WT have subpoena power?

Doyle said he was not aware of a renewed POST investigation or any other ongoing investigation.

"I have not been advised of any new information at all," Doyle said. "Myself and several others traveled to Helena quite some time ago and attempted to speak with POST and they would not discuss the issue with us."