

"He clearly has some talent as a law enforcement officer," Benedict said.

However, Benedict said Hayden would not be welcome back in the Clallam County Sheriff's Department.

"As long as another agency knows what they are getting, there has to be room for redemption and rehabilitation," Benedict said.

Hayden, who has a Montesano address, could not be reached for comment. His lawyer did not return a phone message seeking comment.

#### Alleged misconduct

Hayden was one of two officers who left the Clallam Sheriff's Department during the 2005 investigation into alleged misconduct.

A third officer was reprimanded.

In addition, the undersheriff resigned shortly before the results of the investigation were made public.

An investigation by Jill Dinse, a Portland, Ore., lawyer hired by the Sheriff's Department, focused on accusations against Hayden and Sgt. David Fontenot.

Hayden was fired following Dinse's investigation of reports that he conducted the extramarital affair while working, including spending about 60 hours on his department cell phone talking to the woman.

The woman's name was redacted in copies of Dinse's report that were released to the public.

According to Dinse's investigation, Hayden often visited the woman at her Sequim residence while wearing his uniform and once took her on patrol and had sexual relations at the department's West End building.

Dinse also looked into accusations that Fontenot took a pair of antique aviator goggles seized during the search of a warehouse in January 2005 and then did not log the item into evidence.

She also investigated allegations that Fontenot intentionally falsified a date on a legal document and sexually harassed female co-workers.

Fontenot was placed on paid administrative leave on Sept. 16, 2005, and he resigned within days.

In addition, Undersheriff Steve Snover retired from the Sheriff's Department after only six months in the No. 2 position.

### Captain reprimanded

Capt. Ron Cameron was reprimanded by Martin for failing to punish Fontenot more severely after looking into the allegations originally.

In June 2005, Fontenot was accused of displaying inappropriate behavior and using crude language that amounted to sexual harassment, Dinse's report said. No internal investigation was undertaken.

A female employee with the department brought another sexual harassment complaint against Fontenot in August.

Dinse agreed with a Port Angeles Police Department detective who originally investigated the complaint that Fontenot's behavior was "at least inappropriate and unprofessional," the report said.

Fontenot said he had used humor to motivate officers under his command and also to lighten the mood of an often-stressful job.

Regarding the accusation of taking the goggles, Fontenot admitted he made a mistake, which he called a "shortcut."

But he said he was never given a chance to explain his actions -- and that Dinse only asked him about allegations against Hayden, who was a deputy under his command.

He also said he did not have union representation at the time he quit and later attempted to rescind the resignation.

Cameron conducted an internal investigation in June 2005 into the accusation involving the goggles and the misdated document allegations and concluded that Fontenot had committed "policy violations."

Fontenot received a 10-day suspension that was reduced to five days.

Dinse found that Cameron's investigation bowed to perceived pressure from Snover, who the lawyer said was Fontenot's friend.

In his letter of reprimand, Martin said Cameron was not suspected of dishonesty, but by not holding Fontenot more accountable he showed "a serious shortcoming, poor judgment and inappropriate deference to Snover."

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