



David L. Marshak  
Sheriff

# SHERIFF'S OFFICE

## Jefferson County, MO

### News Release



Timothy S. Whitney  
Undersheriff

6-6-23

Sheriff Dave Marshak regretfully announces criminal charges against former Deputy Colby McCreary.

Today, Jefferson County Prosecuting Attorney Trisha Stefanski charged McCreary with one felony count of Driving While Intoxicated resulting in the death of another, and one felony county of Involuntary Manslaughter. The incident occurred in the early morning hours of April 30<sup>th</sup> when McCreary and his late wife were involved in a single-vehicle crash. McCreary was off-duty at the time. The Festus Police Department investigated the crash and later requested the Missouri State Highway Patrol investigate. The charges come from the work done by MSHP.

Colby McCreary is no longer an employee of the Jefferson County Sheriff's Office.

On April 30<sup>th</sup>, the Sheriff's Office learned of the crash and that one victim would likely die. Lt. Colonel Tim Whitney called Festus Police Chief Doug Wendel to ask about the incident and, if necessary, offer investigative support. **Colonel Whitney was told Festus Police Officers had wrapped up the investigation, and the driver showed no signs of impairment. No Sheriff's Office employees were on the crash scene while the victims were present, but they arrived later.**

On or about May 10<sup>th</sup>, the Sheriff's Office was notified by MSHP that Festus Police requested them to conduct an additional investigation.

"I have read the Probable Cause affidavit completed by the Highway Patrol," said Sheriff Marshak. "The information contained is substantially different than what we were told on April 30<sup>th</sup>. The allegations are disheartening and, if true, are not consistent with our values and expectations of our employees."

McCreary was booked at the Jefferson County Jail and released on \$10,000 surety bond.

#### **Fundraiser Canceled**

A fundraiser for the McCreary children began as a collaboration of community members with the best intentions, based on the information at the time. In light of the most recent information, the event is postponed. The Sheriff's Office will work with community volunteers and sponsors to determine the best path forward for the children impacted by this tragedy.

"We feel for everyone affected by this loss," said Marshak.

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