

RE: Three opinions tomorrow

Jonathan Meyer <Jonathan.Meyer@lewiscountywa.gov>

Wed 1/13/2021 11:06 AM

To: 'Pam Loginsky' <pamloginsky@waprosecutors.org>; Andy Miller <Andy.Miller@co.benton.wa.us>

Cc: Russell Brown <rbrown@waprosecutors.org>

I always include language about not agreeing to it being admissible, addressing in pre-trial, etc.

Jonathan L. Meyer

Lewis County Prosecutor

345 W. Main, Fl. 2

Chehalis, WA 98532

(360) 740-2638 (Desk)



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Thank you for your cooperation.

From: Pam Loginsky <pamloginsky@waprosecutors.org>

Sent: Wednesday, January 13, 2021 11:03 AM

To: Jonathan Meyer <Jonathan.Meyer@lewiscountywa.gov>; Andy Miller (Benton County) <andy.miller@co.benton.wa.us>

Cc: Russell Brown <rbrown@waprosecutors.org>

Subject: RE: Three opinions tomorrow

I agree with Jonathan. The court's order and the resignation letter provides sufficient background.

As for the dismissed charges, they are not admissible, but a defense attorney could question whether the possibility of their being refiled may lead the sheriff to try to curry favor with the prosecutor's office. Thus, there is impeachment value beyond that of a conviction.

From: Jonathan Meyer <Jonathan.Meyer@lewiscountywa.gov>

Sent: Wednesday, January 13, 2021 10:53 AM

To: Andy Miller (Benton County) <andy.miller@co.benton.wa.us>; Pam Loginsky <pamloginsky@waprosecutors.org>

Cc: Russell Brown <rbrown@waprosecutors.org>

Subject: RE: Three opinions tomorrow

[External Sender]

I think the ruling by the Court is such that a letter has to be issued. The Courts have forecasted a "better safe than sorry" approach. Given that the Court deemed they were legally sufficient to go forward shows that, at the very least, the claim is not baseless.

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From: Andy Miller <Andy.Miller@co.benton.wa.us>

Sent: Wednesday, January 13, 2021 10:50 AM

To: Pam Loginsky <pamloginsky@waprosecutors.org>; Jonathan Meyer <Jonathan.Meyer@lewiscountywa.gov>

Cc: Russell Brown <rbrown@waprosecutors.org>; Andy Miller <Andy.Miller@co.benton.wa.us>

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We also have this resignation letter from his Command Staff. Last week we received a copy of a retirement letter from a Deputy Sheriff who stated he was a witness to a crime

From: Andy Miller <Andy.Miller@co.benton.wa.us>

Sent: Wednesday, January 13, 2021 10:42 AM

To: Pam Loginsky <pamloginsky@waprosecutors.org>; Jonathan Meyer (Lewis County) <jonathan.meyer@lewiscountywa.gov>

Cc: Russell Brown <rbrown@waprosecutors.org>; Andy Miller <Andy.Miller@co.benton.wa.us>

Subject: RE: Three opinions tomorrow

Thank you for reminding me about this. And I'm being sincere.

We have had discussions of whether we should put Sheriff Hatcher on our PID list. We did have one case where Sheriff Hatcher was close by when an inmate escaped the jail/courtrooms and was involved in the arrest. I followed up on that and learned that the deputy prosecutor verbally advised defense counsel of the issue and that defense counsel was already aware. It appears that there will be a guilty plea and that neither counsel was planning on calling Hatcher as a witness. However, I confirmed this today by emailing the Supreme Court order to defense counsel with some additional explanation.

I wonder if this is an example of me being too close to the situation. Do you think I should make a determination of him being on our PID list? What do you think of me delegating that to another Prosecutor or team of prosecutors to review?

BTW, Joe Brusica was appointed to give Hatcher a second legal opinion on an issue after he did not like what our civil division advised him. Haskell charged Hatcher with DV and Witness Tampering and then dismissed to allow for further investigation. (And maybe that should be reviewed for Brady?) And Sant and Nagle have worked with Hatcher on a number of local projects

From: Pam Loginsky <pamloginsky@waprosecutors.org>

Sent: Wednesday, January 13, 2021 9:03 AM

To: Jonathan Meyer (Lewis County) <jonathan.meyer@lewiscountywa.gov>

Cc: Andy Miller <Andy.Miller@co.benton.wa.us>; Russell Brown <rbrown@waprosecutors.org>

Subject: RE: Three opinions tomorrow

More interesting to me is whether recall for such conduct will allow CJTC to strip Sheriff Hatcher of his law enforcement certificate so he cannot serve as a police officer for any Washington state law enforcement agency.

From: Jonathan Meyer <Jonathan.Meyer@lewiscountywa.gov>

Sent: Wednesday, January 13, 2021 9:01 AM

To: Pam Loginsky <pamloginsky@waprosecutors.org>

Cc: Andy Miller (Benton County) <andy.miller@co.benton.wa.us>

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Just curious more than anything. However, your comment underscores why I support a statewide list.

Jonathan L. Meyer
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From: Pam Loginsky <pamloginsky@waprosecutors.org>

Sent: Wednesday, January 13, 2021 8:59 AM

To: Jonathan Meyer <Jonathan.Meyer@lewiscountywa.gov>

Cc: Andy Miller (Benton County) <andy.miller@co.benton.wa.us>

Subject: RE: Three opinions tomorrow

I assume you are asking whether a PID was done. Since Hatcher is not a state officer, WAPA would not have received a required legal disclosure notice, such as the ones issued by the WSP.

Pam

From: Jonathan Meyer <Jonathan.Meyer@lewiscountywa.gov>

Sent: Wednesday, January 13, 2021 8:50 AM

To: Pam Loginsky <pamloginsky@waprosecutors.org>

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[External Sender]

On *Hatcher*, was a letter issued against him based upon the Court's findings?

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From: Pam Loginsky <pamloginsky@waprosecutors.org>

Sent: Wednesday, January 13, 2021 8:47 AM

To: WAPA Appeals <WAPA_Appeals@waprosecutors.org>; WAPA SAU <WAPA_SAU@waprosecutors.org>; WAPA

Police Advisors <WAPA_PoliceAdvisors@waprosecutors.org>; WAPA Elections
<WAPA_Elections@waprosecutors.org>; Mary Robnett <Mary.Robnett@piercecounitywa.gov>

Subject: Three opinions tomorrow

The Washington Supreme Court has announced that it may issue opinions in the following three cases tomorrow:

Sexual Assault Nurses and Confrontation Clause. *State v. Burke*, No. 96783-1. Argued May 14, 2020.

Issue: Did admitting statements a victim made to a sexual assault nurse violate a defendant's right to confront witnesses? State represented by Pierce County DPA Theodore Cropley.

Recall of Sheriff. *In re Recall of Fortney*, No. 98683-5. Argued Sep. 10, 2020. [Order allowing recall to move to the signature gathering stage.](#)

Recall of Sheriff. *In re Recall of Hatcher*, No. 98968-1. Argued Nov. 5, 2020. [Order allowing recall to move to the signature gathering stage.](#)

Pam Loginsky

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