

Leonard Crouch
Secretary/Treasurer

GENERAL TEAMSTERS, FOOD PROCESSING EMPLOYEES, PUBLIC EMPLOYEES, WAREHOUSEMEN and HELPERS



LOCAL UNION NO. 760

Affiliated with

INTERNATIONAL BROTHERHOOD OF TEAMSTERS

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June 25, 2019

To Citizens of East Wenatchee and
Members of the East Wenatchee City Council

Dear Citizens and Councilmembers,

This letter is written pursuant to the Washington State Uniform Correction or Clarification of Defamation Act, RCW Chapter 7.96. On May 31, 2019 I was served with a copy of a Summons and Complaint in a lawsuit filed by Police Chief Harrison and Assistant Chief Coble against me personally and my employer Teamsters Local 760. The lawsuit alleges that statements made in the letter that I presented to City Council dated January 22, 2019 contained statements that defamed each of them.

The Complaint filed by the Chief and Assistant Chief identifies six specific passages from that letter which are alleged to be defamatory. The Complaint did not allege the defamatory meaning of any of the six passages. As is our right under RCW 7.96.050 of the Washington State Uniform Correction or Clarification of Defamation Act, prior to preparing this response counsel for Teamsters Local 760 had contacted counsel for the Chief and Assistant Chief and requested that they disclose reasonably available information material to the falsity of the alleged defamatory statements. As of the date of this letter we have not received a response.

1. "Absence from the Department"

The quote above is from the lawsuit; it is not from the January 22, 2019 letter. The passage in the January 22, 2019 letter regarding the Chief and Assistant Chief having "been absent as members from the department", was made on page one in the fifth paragraph of my letter. To clarify the statement, it refers to the fact that several years ago the Chief and Assistant Chief had vacated their offices inside the police department within the administrative offices of the city and relocated their offices to an annex located across the parking lot. As a consequence of no longer having offices in the police department, the officers of the East Wenatchee Police Department no longer had regular contact or meetings with the either the Chief and Assistant Chief as they had prior to the Chief and Assistant Chief moving to the annex. Since presenting my letter of January 22, 2019 the Chief and Assistant Chief have begun the process of returning to the offices they once occupied within the Police Department.

2. "Refusing to Actively Participate in Critical Department Functions"

The quote above is from the lawsuit; it is not from the January 22, 2019 letter. In the January 22, 2019 letter a statement was made that the Chief and Assistant Chief had "dismissed themselves from actively participating in critical functions of the department." This passage immediately followed the statement that the Chief and Assistant Chief have been absent as members of the department. The passage refers both to the fact that the Chief and Assistant Chief had relocated their offices to a separate annex located outside of the police department as well as to how training of officers has been handled at the Department. Mayor Lacy had specifically noted the practice of the Department instituting new and sometimes voluminous policies without the opportunity for training and review in his July 17, 2018 email to then Teamsters Local 760 Business Agent Steve Bruchman. As stated by Mayor Lacy in that July 17, 2018 email:

It does appear that the institution of new and voluminous policies (LexiPro) without sufficiently clear advance notice of when they would become effective, and without more extensive opportunity for training and review before implementation has occurred.

In the aftermath of that email, and through the date of my January 22, 2019 letter, the majority of police officers in the bargaining unit represented by Teamsters 760 had noted no discernable difference in the administration's approach to training.

3. "Failing to Provide Meaningful Training"

The quote above is from the lawsuit; it is not from the January 22, 2019 letter. The letter addressed "[t]he method of leadership practiced by this administration is the issuance of policies and directives with no meaningful training or involvement by officers that are impacted." To clarify, this also refers to what Mayor Lacy acknowledged in his July 17, 2018 email. In the time between the July 17, 2018 email and my letter of January 22, 2019 there still has been no training provided to officers on the new and voluminous policies.

Following my letter of January 22, 2019, the City agreed to obtain a review of the East Wenatchee Police Department by the Loaned Executive Management Assistance Program (LEMAP) of the Washington Association of Sheriffs and Police Chiefs review. That review was recently completed by the LEMAP team and the report specifically notes that "employees rarely participate in consistent, contemporary and relevant in-service training. This is highly problematic in contemporary law enforcement. Also, the LEMAP team learned that the Chief and the A/C are not involved in the development or oversight of curriculum for those (few) classes that are delivered to employees."

4. Reforms Aggressively Dismissed or Ignored

On page 2 of my letter of January 22, 2019 I referenced positive departmental reforms that came about through negotiations. The same paragraph closes with the statement that the reforms had initially been aggressively dismissed or ignored by Chief Harrison. By way of clarification, the union had first proposed moving officers to a 12-hour shift approximately ten years ago. When the officers were on a 10-hour shift, there was up to 4 hours per day when no Sergeants were on-duty. The City rejected the Union proposal to adopt a 12-hour shift more than once. Sometime in 2017 there was an officer involved shooting in the early morning hours

when no Sergeant was on-duty. After this incident, the Department finally agreed to the Union's proposal for 12-hour shifts which resulted in more consistent supervision throughout shifts.

5. Chief Harrison's "Lack of Motivation" and Assistant Chief Coble's "Lack of Knowledge and Experience in Implementing" Reforms

The statement within the second paragraph on page 2 of my letter of January 22, 2019 regarding Chief Harrison' lack of motivation to engage in the department's operations and Assistant Chief Cobles lack of knowledge and experience in implementing reforms as threatening the progress made by officers through negotiations is an expression of opinion regarding the fitness or qualifications to hold of the two public officials. The right to express an opinion on the fitness or qualification of public officials to hold office is a protected form of free speech. *Dodds v. American Broadcast Co.*, 145 F.3d 1053 (9th Cir, 1998).

6. Public Safety Suffers

The statement within the second paragraph on page 2 of my letter of January 22, 2019 that "It has become clear to us that public safety suffers under this administration" also reflects an expression of opinion regarding the fitness or qualifications to hold of the two public officials. Further, by way of clarification, the statement refers to the lack of consistent, contemporary and relevant in-service training available to officers in the Department which the LEMAP team recognized was "highly problematic in contemporary law enforcement."

Respectfully Submitted,



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