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November 7, 2018

Det. Ryan Yates
Major Crimes Unit
Yakima Police Department
200 South 3rd Street
Yakima, WA 98901

***Re.: Tiffany Roberts Homicide
Suspect Wanda Roberts
November 5, 2018
YPD Case No. 18Y045668***

The following decision regarding the potential charging of suspect Wanda Roberts for the homicide of Tiffany Roberts which took place on November 5, 2018 at 602 N. 3rd St. #1 is based upon the current investigation, reports and documents that I have received from the Yakima Police Department to date. The Yakima County Prosecuting Attorney's Office has now completed its formal review of those reports. We have also discussed at length the case facts and issues leading up to this tragic homicide with the Yakima Police Department officers assigned to this investigation. Additionally, I have discussed this incident with the suspect's assigned counsel.

It is my official decision to not charge Wanda Roberts, DOB 01/10/1931, with the crime of murder or manslaughter for the homicide of her granddaughter, Tiffany Roberts, DOB 05/02/1984 at this time. After a full and fair consideration of all the facts and analysis of their relationship as well as the familial history, it is my belief that the State of Washington would not be able to prove beyond a reasonable doubt the absence of self-defense undertaken by Wanda Roberts. The use of force is lawful "whenever used by a party about to be injured . . . in preventing or attempting to prevent an offense against his . . . person . . . in case the force is not more than is necessary." RCW 9A.16.020 (3). Self-defense has three elements: (1) the defendant subjectively feared that she was in imminent danger of bodily harm, (2) her belief was objectively reasonable, and (3) she exercised no more force than reasonably necessary. *State v. Werner*, 170 Wn.2d 333, 337-338, 241 P.3d 410 (2010).

In this incident, the past historical relationship between the parties came into play as did the decedent's current volatility. The subjective analysis of the facts presented to the suspect, under the conditions that existed at that time to her, would, in my humble opinion, defeat any criminal charge for murder or manslaughter at trial.

Under RCW 9.94A.411(2)(a), the decision to prosecute standard here in the state of Washington indicates the following:

Crimes against persons will be filed if sufficient admissible evidence exists, which, when considered with the most plausible, reasonably foreseeable defense that could be raised under the evidence, would justify conviction by a reasonable and objective fact finder.

In this case, the State of Washington would be unable to prove the absence of self-defense once the Court allows that defense to move forward. The nature of the relationship, living situation and subjective evaluation by the suspect would prevent conviction by a reasonable and objective fact finder.

If you have any questions or concerns, please contact me. If there are any additional facts or evidence that are discovered or obtained, I certainly can reevaluate my decision to not charge this case out.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph A. Brusic". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Joseph A. Brusic
Yakima County Prosecutor
Yakima, WA