



**Latino Civic Alliance**  
empower your community to achieve greatness

## **LATINO CIVIC ALLIANCE, FULL STATEMENT IN RESPONSE TO WA ATTORNEY GENERAL FERGUSON NOT CHARGING PASCO POLICE FOR DEATH ANTONIO ZAMBRANO MONTES**

Pasco WA. 9.10.2016 “LCA disagrees with Washington State Attorney General Bob Ferguson’s decision not to file criminal charges against the three Pasco police officers, Ryan Flanagan, Adam Wright and Adrian Alaniz, that killed Antonio Zambrano Montes. We will use this situation to highlight the injustice of his death.

- The police officers chased Antonio for over 5 minutes and had ample time to use an alternative way to de-escalate the situation but instead they shot at him, as he was running away and then shot him to his death, as he appeared to be surrendering. They did this in front of community members including children.
- Pasco City Council has remained silent on how the police and management dealt with the situation.
- Prosecutor Shawn Sant chose to use a special investigation team that consisted of fellow police officers to handle the investigation. Police investigating police, how is this not a biased process? The lack of an outside state authority with the primary role of investigating police officers when stakeholders are killed creates at the very least the appearance of bias.
- Franklin County Commissioners and Superior Court Judges criticizing and preventing the Franklin Coroner from doing his job and holding an inquest of Mr. Zambrano Montes.
- A broken mental health system in the Tri- Cities that failed to provide treatment to Antonio and help him prior to being killed.
- The U.S. Justice Department, Eastern Region Attorney General Michael Ormsby denying to charge the police officers and releasing a report that never addresses the failed mental health system in Tri- Cities and only providing only a report instead of assuring oversight to the investigation to begin with. U.S. Justice Department is a bureaucratic institution that is complex and ambiguous in their practices. Our federal tax dollars are investing in a federal institution that fails to provide clarity of the role it plays to address the excessive use of force practices used in law enforcement. The U.S. Justice Department and FBI need to better educate the public statewide the services they offer and how the public can report abuse practices by police. The process needs to provide assurance to anyone reporting that they are safe from retaliation and can trust the system.
- Washington State having one of the most regressive law in the U.S. that can’t hold police officers accountable when they use excessive deadly force.

We have to be honest and face the truth that we have lost community members in our state to unnecessary violence by police officers. We have a broken system to hold officers accountable. How can oversight be provided when there is no leadership? We believe law enforcement officers should defend themselves when necessary because they too have family members that love them, but how can anyone justify that Antonio deserved to die like he did? He was not in a healthy mental state and he did not deserve to be murdered.

Yes, we all have a right to live in a safe environment but this does not excuse the unfair treatment of our community members by law enforcement officers. We want police management, officers and police unions who are serving to be conscious of the different levels of fear that has been created by the very same people we are depending on to

protect us. The hostile environment in our communities can be avoided by ensuring that the profile of a police officer is someone that is capable of fulfilling such an important position.

Washingtonians are expected to uphold the highest standards and be held accountable when we harm others or use unnecessary violence. We are expected to serve time in jail when this occurs and yet, our police officers that are trusted to protect us do not have to abide to this same due process simply because a law is in place that shields them from being accountable. It is time to stand up to this denial and against the unacceptable mind set.

We are asking the hard working police officers that value their role in the community and risk their lives every day to join us to reform the laws you work under so that we restore the trust that has been broken. We believe many of you are aware of those that abuse the duty to serve and protect.

You can join us by supporting the joint legislative task force ESHB 2908 that is currently evaluating RCW 9A.16.040. Another effort is supporting the Peoples Initiative I-873 that would amend the current law that exempts public officers and peace officers from criminal liability for using deadly force under specific circumstances. LCA believes the provision in RCW 9A.16.040, which says "A public officer of peace officer shall not be held criminally liable for using deadly force without malice and with a good faith belief that such act is justifiable pursuant to this section", must be removed from the law. The RCW shields police officers that use unreasonable deadly force, as a prosecutor must prove officers acted with "malice" and/or "good faith". LCA does not want to eliminate the RCW in its totality. LCA believes the language of "malice" and "good faith" must be deleted from the RCW to make it possible for an authentic partnership of police departments with Washington state citizenry. LCA believes that in order to protect the sanctity of life that we need to evaluate all this RCW to make sure we are protecting the public, the suspects, and the police from violence.

LCA believes law and order in Washington belongs to the people and not the other way around; we have police officers relying on a paramilitary model of police work. A police culture of "us vs. them" is polarizing and is preventing police from operating in full partnership with the communities in our state. The President's Task Force on 21<sup>st</sup> Century Policing has called for collaboration between police and communities. We agree and invite police to begin this partnership now.

As indicated by Attorney General Bob Ferguson our state and country should pursue new policing policies that keep officers and the general public safe while reducing the number of individuals killed by police shootings. Police officers will have to learn new methods when deciding whether to use deadly force against persons.

As we continue our efforts, we ask that you take a stand and contact your local Police Chief, Prosecutors, City and County Public officials, State Legislators, WA State Attorney General Ferguson, Governor Inslee and set the expectation that they support reform in our State that is fair to all." - *LCA Board of Directors*

To learn more about I-873 Initiative <http://www.notthistime.global/i-873-the-initiative/>

OR Joint Legislative task force: <http://app.leg.wa.gov/billinfo/summary.aspx?bill=2908&year=2015>

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