



STATE OF WASHINGTON
COMMISSION ON HISPANIC AFFAIRS
COMISIÓN DE ASUNTOS HISPANOS

Lack of Accountability Frustrates Commission on Hispanic Affairs

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Olympia, WA – The Washington State Commission on Hispanic Affairs is dismayed and exasperated to learn the U.S. Attorney for Eastern Washington, Michael Ormsby, declined to file civil rights violations against any of the three Pasco Police Officers Adrian Alaniz, Ryan Flanagan, and Adam Wright who shot and killed Antonio Zambrano-Montes, a mentally ill, unarmed, immigrant undergoing a mental health crisis, who did not speak English, as he retreated, on February 10, 2015.

The actions of these officers show the utter absence of preparation, training, or otherwise that an officer needs to protect its citizens in instances when they need help the most. The declination of finding any wrong doing on behalf of these officers under these facts and circumstances is indicative of the complete lack of accountability for law enforcement officers who stray outside the color of law in the State of Washington.

Although the decision to not hold accountable the officers for their complete and total disregard for Mr. Zambrano-Montes' life and the lives and safety of the many bystanders in the area within their gunfire range is determined to be within the letter of the law, they clearly demonstrate the imbalanced and discriminatory structures that exist in Washington. It highlights the ineffectiveness of one of the least accountable state policies on the use of force by law enforcement officers. The decision further affirms the practice and culture of the Pasco Police Department to not properly train their officers in crisis intervention training. We completely support efforts that prioritizes both the safety of the police officers and their communities.

In 2010, the state of Washington was the second worst state in prosecuting law enforcement officers (16%) and in convicting law enforcement officers (17%) when accused of misconduct, according to the Cato Institute's National Police Misconduct Reporting Project. These statistics are a convergence of two factors: first, Washington State laws require a nearly impossible burden of proving malicious intent to charge an officer who kills in the line of duty, and second, the difficulty to prosecute a police officer when the systems to hold law breakers accountable function to protect criminal acts instead. This is symptomatic of the greater systemic issues that plague our criminal justice system.

Policing standards in the state of Washington have eroded and depleted the public's belief that justice is served in both directions and those law enforcement officers who act reprehensively will be held accountable for those actions. The officers involved in the shooting that led to the death of Antonio Zambrano-Montes, recklessly endangered the lives of bystanders when non-lethal options were available in deescalating the situation. Where Antonio Zambrano-Montes was clearly not armed with a firearm or a knife and was retreating, the officers made the conscious decision to fire seventeen rounds in a busy, crowded intersection.

The Commission has a deep respect for the law enforcement officers who put themselves in danger each and every day with the sole focus of keeping our communities safe. But, when laws absolve actions with outcomes that do not value all human life, it is time we revisit those laws. The Commission believes that this is not an either or issue. Communities of color absolutely can support our police departments and officers while still valuing life and ensuring that any outlier officers that do not are held accountable.

The Commission holistically supports leading community organizations, such as the Latino Civic Alliance and the Latino Coalition, in their requests for the City of Pasco and Pasco Police Department to drastically improve their outreach and integration of communities of color in decision-making processes and to invest in an in-depth comprehensive Crisis Intervention Training. Ensuring that these local jurisdictions hold themselves accountable is paramount to the safety of our communities.

The Commission also hopes that stakeholders participating in the new Task Force on Community Policing Standards place an emphasis on the stark disproportionality of contact, suspicion, and profiling communities of color face when interacting with law enforcement officers. The Commission calls upon community, local, and state leaders to be the vanguards of a new era of government and law enforcement accountability and positive culture change.

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