



*Washington Coalition
for
Police Accountability*

The mission of the Washington Coalition for Police Accountability is to reduce police violence and increase accountability. Our work centers families who have lost loved ones to police violence.

Washington Needs an Independent Prosecutor

Getting legislation enacted to establish an independent state-wide prosecutor is a top priority for the Washington Coalition for Police Accountability (WCPA) for the 2023 legislative session. We believe removing obstacles to criminal accountability will change law enforcement behavior and police culture, which will reduce violence and save lives.

The independent prosecutor would handle the caseload coming from the Office of Independent Investigations (OII) which was established to address the lack of impartiality when police investigate police. In the same way, the independent prosecutor addresses conflicts of interest with the local prosecutor. County prosecutors are part of the law enforcement arm in each county and work closely with police in bringing criminal charges. This includes being at crime scenes alongside law enforcement, talking to witnesses, and deciding what to gather for evidence.

However, when it is a police officer or sheriff's deputy who injures or kills a resident, the complexities increase. The prosecutor must change his or her vantage point because now the law enforcement officer is the suspect in an alleged crime and the person who was harmed is the victim. Currently, it is up to the county prosecutor to evaluate the investigative evidence and decide whether to bring charges. Families and victims of police violence and social justice advocates across Washington recognize the current system is not fair or credible.

Since I-940 was passed, two cases have resulted in charges against officers and neither of those cases has gone to trial yet. The trial against Officer Nelson for the death of Jesse Sarey is being held in King County under charges brought by the King County Prosecutor, and the Attorney General is prosecuting the three officers charged with Manuel Ellis's death. Before I-940 was passed, one case was brought under state law in Snohomish County, and that officer was acquitted. Our goal is a process that is more fair, transparent, credible, and accountable, and constructed to take into account the inherent difficulties with making decisions regarding persons with whom you work and upon whom you rely.

There are several moving parts in this proposal including:

- 1) **Jurisdiction** - would the independent prosecutor have exclusive jurisdiction or would jurisdiction be shared with the local prosecutors? Our goal is exclusive jurisdiction, to entirely remove the local prosecutor from the process.
- 2) **Location** - would the prosecutor be appointed by the Governor or would they report to the Attorney General? The WCPA wants as much independence as possible, regardless of where it is located.

The WCPA's bottom line is that the state prosecutor should be far removed from the local prosecutor. Prime sponsor Representative Stonier understands this, recognizes the problems with the current system, and is committed to getting as much separation from the local prosecutors as possible.