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Tabbatha Denning, Deputy Prosecutor
Tanya Margerison-Wolt, Office Manager

To: Editor, bradycops.org
From: Kathryn I. Burke, Ferry County Prosecutor
Date: 1/25/18
Re: Washington – Public Records Request – 2nd Notice

Dear Sir or Madam:

This memo serves to supplement Ferry County's earlier response, dated January 27, 2015, to your request for information concerning officers in our jurisdiction subject to potential impeachment disclosure (Brady) letters. The following are officers within our jurisdiction classified by this office as requiring potential impeachment disclosure in criminal cases in which they may be called as a witness:

- Darin Odegaard, Ferry County Sheriff's Office – Misleading statements; untruthfulness
- John Cruz, Republic Police Department – Untruthfulness during internal investigation into misconduct

Please note that our office provides this information to satisfy any potential obligation pursuant to *In re Pers. Restraint of Gentry*, 137 Wn.2d 378, 396 (1999) and *Brady v. Maryland*, 373 U.S. 83, 87, 83 S. Ct. 1194, 10 L. Ed. 215 (1963). No other meaning is attached other than that the requirement to disclose the material to the defense has been determined to exist.

Should you have questions about our potential impeachment disclosure policy, please let us know. Otherwise, we will consider this request complete and closed.

Thank you,



Kathryn Burke
Ferry County Prosecutor

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May 21, 2018

Re: Sgt. Joseph Lauseng

To Whom It May Concern:

On May 4, 2017 the above-named government witness was terminated by the Colville Tribal Police Department based on the results of an internal investigation which concluded that allegations of Immoral Conduct, Misuse of Department Equipment, Untruthfulness, and Noncompliance with Orders were sustained.

Given the decision in *In re Stenson*, 174 Wn.2d 474, 276 P.3d 286 (2012), it is clear the higher courts have taken a "better safe than sorry" approach to disclosure of potential impeachment evidence. Such a position must be followed by this office as well.

Our office is providing this information to satisfy any potential obligation pursuant to *In re Pers. Restraint of Gentry*, 137 Wn.2d 378, 396 (1999); *Brady v. Maryland*, 373 U.S. 83, 87, 83 S. Ct. 1194, 10 L. Ed. 2d 215 (1963). This notice should not be interpreted as any type of official determination by this office. Any attempt to introduce this information at trial may be the subject of pretrial litigation in the appropriate court.

Sincerely,

[Deputy] Prosecuting Attorney

cc file