

Chief Matthew Murray's Office

200 S 3rd Street | Yakima, WA 98901
Telephone: (509) 575-6211



February 8, 2023

Dear Yakima Community,

As your Chief of Police, I continually work to advance the relationship between the Yakima Police Department and the community. As in any relationship, open and honest communication is the hallmark of the trust the community bestows upon its police. I am writing this letter to discuss a wide variety of public safety issues. Due to the relevance to Yakima, I will include my thoughts on the Memphis police scandal involving the death of Tyre Nichols and also a bit on the heroic 9-1-1 call involving a triple homicide suspect in Yakima. As always, I invite your questions and comments... we work for you.

Memphis Police Atrocity

On January 7, 2023, five members of the Memphis Police Department's SCORPION Unit (Street Crimes Operation to Restore Peace in our Neighborhoods) conducted a traffic stop on Tyre Nichols for driving the wrong way down a street. What followed can only be described as a horrific act of violence. Officers repeatedly punched, kicked, and struck Mr. Nichols with batons. They threatened him, cursed at him, and caused injuries so severe that Mr. Nichols died three days later.

Most of you are likely aware that the officers involved in this incident were quickly terminated and have been arrested and charged with murder. The Memphis Police Department has also disbanded the SCORPION Unit.

Let me start by saying that I find the entire incident repugnant. There are no words strong enough to effectively denounce what these murder suspects did to Mr. Nichols.

But I want to add a different perspective to this national conversation. What those officers did ***was against policy, it was against the law, and it was voluntarily recorded by the officers engaged in the criminal acts.*** The fact that the officers were terminated for policy violations and arrested for murder in very short order demonstrates that policy and law banning this type of action was already in place. Presumably, all of the officers were trained on both policy and the law.

Further, the Memphis Police Body Worn (and in-car camera) policyⁱ specifically requires officers to activate their cameras (in other words, they do not record until the officers turn them on) and "shall record all law-enforcement encounters and

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activities”. So, the officers obviously knew their actions were being recorded because they had to activate their cameras and most of us have seen the resulting video.

I write all of this because after horrific events like this one occur, there is a cry for new legislation, tougher policies, mandatory body-worn camera programs, and better training. Other than Memphis’ training (which I am not familiar with), all of these things were in place. *And it didn’t stop the officers from engaging in the behavior.*

After nearly thirty-four years in policing (most in a major American city), what I can say with certainty is that what happened is a result of organizational culture. I cannot speak to the culture of the Memphis Police Department as a whole, but when (at least) five officers collectively engage in wanton behavior, and are all part of one team, there is at least a unit culture that accepts malfeasance. In my experience, this is typically related to the erroneous concept that “the end justifies the means”.

My previous boss and mentor, Chief RC White, used to say, “Culture eats policy for lunch”. I wholeheartedly agree. So the real answer to ensure that incidents like this do not occur is to *create a culture that will not abide bad behavior*. Just as the existence of a culture that tolerates misconduct is a product of poor supervision and leadership, highly ethical cultures are a result of intentional leadership and quality supervision with both accountability for poor behavior and praise for excellence.

I cannot guarantee that a single officer will not ever engage in misconduct, including inappropriate force. What I am very comfortable reporting to you is that I cannot fathom a circumstance where five Yakima police officers would engage in such acts in unison and then write fictional reports as was done in Memphis. *That is not accepted in our culture*. If an officer does use inappropriate force, they will be disciplined appropriately as a result.

The new mission statement (established in 2019)ⁱⁱ for the Yakima Police Department only contains two elements: reducing violent crime and providing exceptional customer service. Since 2019, misconduct allegations against officers have been reduced by 76%. That is a remarkable achievement, and I credit the professional officers of our department, the supervisors who take their roles seriously, and the leadership team which has set the tone and created an ethical culture. In 2022, there were fourteen formal complaints (not including ten traffic collisions). Of the fourteen allegations, **ten** (71%) were a result of a member of the department bringing conduct to the attention of management. That is a culture of accountability!

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With the significant reductions in violent crime,ⁱⁱⁱ it is a testament that both parts of our mission can be effectively and simultaneously accomplished.

“See Something- Say Something”

On January 24, 2023, at 3:33 a.m., a man walked into the Circle K convenience store at 18th Street and Nob Hill, and in less than forty seconds killed three people. Then he walked across the street, shot the window out of his own car (he had locked the keys inside), and fled the scene.

With assistance from the suspect's family, investigators were quickly able to establish the identity of the suspect and located his car (with obvious bullet strikes) at his home. Officers immediately surrounded the home and negotiators then attempted to communicate with the suspect for the next seven hours. There was no response. Investigators worked to obtain a search warrant to enter the home and the court issued an order at 1:30 p.m.

At 2:15 p.m. SunComm operators received a 9-1-1 call from Danielle Sargent. She explained that a man had approached her near the Target store and asked to use her phone to call his mother. She let him and then overheard him telling her he was responsible for the shootings and that he was going to kill himself.

After the man returned her phone and she was able to get some distance from him, she called 9-1-1 to report what had happened. She maintained a watch on the suspect and provided the 9-1-1 operator with good information about what she had heard, what the suspect was wearing, and where he was (including real-time information as he moved). At one point the suspect turned around and began walking toward Ms. Sargent. In a frightened voice, she told him to stay away and then, at the direction of the operator, she went into a business to provide better personal safety from the suspect.

Yakima police officers immediately began pouring into the suspect's location. Video evidence shows that prior to their arrival the suspect appeared to be attempting to flee the area, then as the sirens are audible, he shot himself in the head. Although officers, firefighters, and paramedics provided emergency life-saving treatment, the suspect died of his injuries an hour later.

Investigators located a handgun and over 150 rounds of ammunition in a bag the suspect was carrying.

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When the suspect first asked Ms. Sargent to use her phone, he was just feet from the entrance to a very busy Target store. This was over four miles from his house and police had no idea he was there. Without Ms. Sargent's call, we can only speculate how much worse this day might have ended. Her willingness to get involved and provide information may very well have saved lives. She deserves appreciation from the Yakima community. She saw something and *said something!*

Flock Camera System Update

The City of Yakima installed 22 Flock® cameras on April 6, 2022. These cameras are state-of-the-art technology. They "read" license plates (actually old technology) but also the characteristics of cars (like a bumper sticker or body damage). They are incredibly accurate and provide alerts to officers in real time (the system compares the plate to databases with information like stolen plates or a suspect in a criminal case). These cameras do not take photos of the front of cars (so that driver and passenger information remain unknown to prevent subjective factors like age, gender, or race from being considered) only look at the car and the plate. The system also deletes all the data that is not flagged (for a specific law-enforcement purpose) after 30 days. It is not used for traffic enforcement. Finally, the Yakima Police Department provides a transparent view of all data obtained by the Flock® System on its web page^{iv}.

That is the basics of the system and how it operates. But let me tell you about the technological revolution and the advantage it is providing law enforcement to aid in making communities safer. Within the first week of the system going active, I said that it was the biggest change to law enforcement since DNA. I stand by that statement.

In ***less than a year*** we had 596 stolen vehicle hits, 276 stolen license plates, 190 violent persons alerts (associated with a license plate or vehicle), 133 wanted people, 78 sex offenders, and 33 missing persons. We have seen a dramatic increase in the number of stolen vehicles recovered and fewer vehicles being stolen. It is often the first thing we look to immediately after a violent crime occurs. We have since added 9 more cameras but can certainly make an argument for many more! (Flock® Cameras can also be purchased by individuals or businesses and added to the law enforcement network to increase coverage)

Flock® Cameras have also become our number one intelligence-sharing tool. We have assisted nine other Yakima county agencies with their cases^v. Perhaps the most interesting was when we received a call from an investigator in California who

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saw a Flock® hit in Yakima for a vehicle they were watching. Through a combined effort (led by the Department of Homeland Security), a warrant was served, resulting in the recovery of thirty-eight guns, narcotics, and cash^{vi}. Suspects from this investigation were later arrested for a Yakima homicide as well.

That is a game-changer.

Traffic

In my September of 2022 letter to the community^{vii}, I wrote a section about the traffic problems affecting Yakima. This was due to the alarming increase in traffic fatalities, injury accidents, and DUI arrests. I announced our intention to “enhance our overall traffic enforcement” and I want to give you the data and an update on our progress.

In the fall of 2022, Yakima police officers began to dramatically increase the number of traffic stops. The agency expectation (including command officers in the Patrol Division) is to stop at least four vehicles per day. We do not have “ticket quotas,” as that is the discretion of each individual officer. I have to hand it to our officers. They took the challenge and increased safety by identifying violations and immediately addressing them. In the third quarter of 2022, officers made 5,900 traffic stops. In the fourth quarter, they increased that number by 177% (10,450 stops)!^{viii}

But there is work left to do. We ended the year with 459 DUI arrests. This is nearly 30% more than in 2021. There were 532 injury collisions and 9 traffic fatalities. Thus, we will continue our enforcement to slow people down to ensure they stop for traffic signals and get impaired drivers off the road. I intend to add two traffic officers whose sole focus will be the detection and apprehension of impaired drivers. Hopefully, the community will do its part in correcting traffic behavior for the safety of everyone.

I recognize that some will agree with my letter and others will not. I welcome both points of view and encourage people to communicate your thoughts to me. We work for you and your voice is relevant to how we operate in our shared community.

Warmest Regards,

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ⁱ <https://www.documentcloud.org/documents/3002950-Memphis-Police-Body-Cam-Policy>

ⁱⁱ <https://yakimapolice.org/>

ⁱⁱⁱ In the FBI crime report for 2021, Yakima's Aggravated Assaults were down 17.4%; robbery was down 29.4%, weapons violations were down 18.5%, and forgery was down 50%

^{iv} <https://transparency.flocksafety.com/yakima-wa-pd>

^v Wapato (42), Yakima Sheriff (38), Union Gap (11), Moxee (4), Selah (4), Toppenish (2), Sunnyside (1), Zillah (1) and Grandview (1)

^{vi} https://www.yaktrineews.com/news/crime/38-firearms-meth-money-and-fentanyl-seized-from-mexican-cartel-in-yakima/article_c0f9aa80-4c8e-58ff-9142-08ab587d530a.html

^{vii} <https://yakimapolice.org/2022-community-crime-policing-report/>

^{viii} A special nod goes to Sergeant Eric Jones' and Sergeant Ryan Yates' evening ('C') shift for the remarkable efforts they made

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