

Deposition of Mark Roe

Shavlik v. Dawson's Place / West v. Dawson's Place

October 4, 2017



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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF SNOHOMISH

LORI SHAVLIK,)
)
 Plaintiff,)
)
 -v-) CAUSE NO.
) 17-2-02076-31
 DAWSON'S PLACE,)
)
 Defendant.)
)

ARTHUR WEST,)
)
 Plaintiff,)
)
 -v-) Consolidated with:
) 17-2-02450-31
 DAWSON'S PLACE,)
)
 Defendant.)

DEPOSITION UPON ORAL EXAMINATION
 OF
 MARK ROE

Taken at 3000 Rockefeller Avenue
Everett, Washington

DATE TAKEN: October 4, 2017
REPORTED BY: Nancy M. Kottenstette, RPR, CCR 3377

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1 EVERETT, WASHINGTON; October 4, 2017

2 10:03 a.m.

3

4 MARK ROE, witness herein, having been
5 first duly sworn on oath,
6 was examined and testified
7 as follows:

8

9 MR. WEST: Very good. It's October 4,
10 a minute after 10:00, conducting the deposition of
11 Mark Roe. There was a protective order entered in
12 this case limiting the examination to the Telford
13 factors. I'm sure Mr. Myers is familiar with the
14 Telford factors.

15 The intent of this examination is to go into
16 the four Telford factors -- the first being the
17 function of the agency, the second being the funding,
18 the third being the level of government involvement,
19 and the fourth being the creation.

20 If you believe we go beyond those, please
21 speak up, and we can come to an agreement or contact
22 Judge Weiss.

23 MR. MYERS: We certainly will.

24 MR. WEST: And I know that you're
25 familiar with the Telford factors having argued them

1 with you for the last ten years almost since WACO and
2 more recently with the DMCJA.

3 MR. MYERS: A couple cases.

4 MR. WEST: And you were in the Telford
5 case itself, weren't you?

6 MR. MYERS: I was --

7 MR. WEST: Very good.

8 MR. MYERS: -- when I was a deputy
9 prosecutor some 20-plus years ago.

10 THE WITNESS: Despite your youthful
11 appearance.

12 MR. MYERS: You're too kind.

13 MR. REAY: Mr. West, I'm Sean Reay from
14 the Snohomish County Prosecutor's Office, attorney for
15 Mr. Roe.

16 MR. WEST: Very nice to meet you.

17 Can we mark Plaintiff's Exhibit 1.

18 (Exhibit 1 was marked.)

19 E X A M I N A T I O N

20 BY MR. WEST:

21 Q Can you identify this document?

22 A No.

23 Q Can you identify the signature on the
24 document?

25 A That does look like mine, such as it is.

1 Q Would you be so kind as to read the heading
2 and to who it is addressed out loud.

3 A The heading?

4 Q The large print underneath the three trees.

5 A Oh, okay. "Snohomish County, Prosecuting
6 Attorney, Mark K. Roe."

7 Q And who is this addressed to?

8 A Frank Chopp and Hans Dunshee.

9 Q And what is it concerning?

10 A Dawson's Place.

11 Q Can you read the highlighted portion of the
12 first paragraph, please.

13 A Okay. I have.

14 Q Could you read that out loud?

15 A "I am the elected Prosecuting Attorney for
16 Snohomish County, and Vice President of the Board of
17 Directors for Dawson Place Child Advocacy Center. I
18 have spent well over a decade personally prosecuting
19 cases involving the sexual and physical abuse of
20 children, and...am writing this letter in support of
21 the \$600,000 funding request in the 2013 Capital
22 Budget made by Dawson Place."

23 Q Do you remember writing this letter?

24 A No.

25 Q Could you turn to page 2, please, and would

1 you be so kind as to read the two highlighted sections
2 in paragraph 2 and 3.

3 A "With the \$600,000 funding request, Dawson
4 Place can complete the second phase of renovations."

5 "In that way, strapped agencies and Snohomish
6 County are already subsidizing the Child Advocacy
7 Center."

8 Q Are the representations in this letter correct
9 so far as you remember today?

10 MR. MYERS: Objection.

11 A I would have to review the entire letter.

12 MR. MYERS: Let me object, lacks
13 foundation. Witness testified he's not familiar with
14 the document.

15 MR. WEST: Okay.

16 MR. MYERS: And he couldn't identify
17 it.

18 So with that, you can answer the question.

19 MR. WEST: Thank you.

20 BY MR. WEST:

21 Q Would you take the time to review the entire
22 document.

23 A At some later point in time, sure.

24 Q Okay.

25 MR. MYERS: I think what he's asking

1 you to do is go ahead and read the document. We'll
2 sit here while you read the document.

3 THE WITNESS: Oh.

4 A Okay.

5 Q So I'll go back to the previous question. Are
6 the portions of this document that you read correct
7 and true?

8 A I think so.

9 MR. MYERS: I'm going to object. It
10 still lacks foundation and is vague as to what
11 portions you're referring to. But the witness has
12 answered, so I'll move on.

13 MR. WEST: Thank you.

14 Q In regard to the \$600,000 funding request, do
15 you recall what that was for?

16 A From my recollection or from the letter?

17 Q Either or both.

18 A The letter seems to describe what it's for.

19 Q Okay.

20 A I did not recall that until I read the letter.

21 Q Okay. From the letter, could you describe
22 what it's for?

23 A It looks like it's to help finish the outside
24 of the building.

25 Q Have you contacted the members of the

1 legislature about Dawson Place on other occasions
2 besides this?

3 A I can't recall. I may have.

4 Q All right. And in the last legislative
5 session, do you recall any contact with them?

6 A Not that I recall at this moment. I may have.

7 Q Thank you.

8 When you refer to "strapped agencies in
9 Snohomish County subsidizing the Child Advocacy
10 Center," what exactly does that mean?

11 A That they pay rent.

12 Q Okay. It says "...generally at a higher rate
13 than it would cost for them to be housed at their
14 parent facility."

15 A What's your question?

16 Q Thank you. Are you aware of any other
17 appropriations or funds other than the \$600,000 that
18 was requested in this letter that Dawson Place
19 received from the legislature?

20 MR. MYERS: Objection, vague as to
21 time.

22 You can answer the question.

23 A Over a period of years, I know there have been
24 numerous occasions, but specifically what and which
25 year, I don't know.

1 Q Very good. Plaintiff's Exhibit 2.

2 (Exhibit 2 was marked.)

3 Q Do you recognize this document?

4 A Kind of.

5 Q Okay. Can you read the heading under the
6 three trees?

7 A "Mark K. Roe, Snohomish County Prosecuting
8 Attorney."

9 Q And --

10 A "2010 Annual Report."

11 Q Thank you.

12 And what is this document?

13 A The 2010 Annual Report to the governor's
14 office, it appears.

15 Q Very good.

16 A Thank you.

17 Q The fourth page of this packet under "Mission
18 Statement," could you read the highlighted portion?

19 A I'm sorry. I went to page 4.

20 Q There it is. It's confusing.

21 A Out loud?

22 Q Yes.

23 A "The Special Assault Unit is housed at Dawson
24 Place" --

25 Q Actually, the page right before that.

1 A Oh.

2 Q Sorry. It's confusing.

3 A "It is the mission of the Snohomish County
4 Prosecuting Attorney's Office to fulfill its legal and
5 constitutional obligations to the citizens of the
6 County and the State; to vigorously, fairly, and
7 efficiently prosecute those who commit crimes in
8 Snohomish County...."

9 Q Thank you.

10 When you speak of the legal and constitutional
11 obligations to the citizens of the county and the
12 state, would that include those duties prescribed
13 under RCW 36.27.020?

14 MR. MYERS: Objection, calls for legal
15 conclusion.

16 You can answer.

17 Q And Plaintiff's Exhibit 3.

18 (Exhibit 3 was marked.)

19 Q Are you familiar with this statute?

20 A Not particularly. That's why I'm reading it.

21 Q Okay. Take your time.

22 A Okay. What's your question?

23 Q Having reviewed this document or this statute,
24 can you tell me what it covers or what it concerns?

25 MR. MYERS: Objection, calls for a

1 legal conclusions.

2 You can answer the question.

3 A It covers a myriad of things.

4 Q Okay. Could you read the heading of the --
5 under RCW 36.27.020.

6 A "Duties."

7 Q Then the next sentence?

8 A "The prosecuting attorney shall."

9 Q Would it be fair to say this statute
10 prescribes the duties of a prosecuting attorney for a
11 county?

12 A It does appear to do that.

13 Q And you've read that and now familiarized
14 yourself with it. Could you read Subsection 4, the
15 first line, and then the first word of the second line
16 to the comma.

17 A "Prosecute all criminal and civil actions in
18 which the state or the county may be a party...."

19 Q Thank you.

20 A "Defend." That was the word after the comma.

21 Is that what you wanted?

22 Q You did it perfectly.

23 Would it be safe to conclude that some of
24 these official duties involve law enforcement?

25 MR. MYERS: Objection, calls for a

1 legal conclusion.

2 You can answer.

3 A There doesn't appear to be any mention of law
4 enforcement here.

5 Q So prosecuting all criminal and civil actions,
6 that's -- you don't consider that law enforcement?

7 A I consider law enforcement the cops.

8 Q Okay.

9 A The cops do investigate and refer cases to
10 us --

11 Q Okay.

12 A -- to then make a decision about whether to
13 prosecute.

14 Q So would it be safe to assume this involves
15 prosecutorial functions?

16 MR. MYERS: Objection, calls for a
17 legal conclusion, calls for speculation.

18 A I can't really answer that based on this
19 document.

20 Q As a county prosecutor, what do you see your
21 job function as?

22 A Defending the county and county government in
23 lawsuits and legal actions and reviewing for
24 prosecution criminal cases that are referred to us.

25 Q Very good.

1 A That's the gist of it.

2 Q So a component of your official job duties
3 involves prosecuting criminals?

4 A Yes, it does.

5 Q Thank you.

6 Back to Exhibit 2, could we turn to the next
7 page after the one that you've read.

8 A Fine. The one that I started to read?

9 Q Yes. The one you started to read before.

10 Could you read the heading in capital letters
11 underneath the bar graph.

12 A Is this the right one?

13 Q No. The next page. Sorry. It is confusing.
14 Right there.

15 A "Special Assault Unit."

16 Q Would you be so kind as to read the
17 highlighted portion.

18 A "The Special Assault Unit is housed at Dawson
19 Place, our nationally accredited Child Advocacy
20 Center. Dawson Place celebrated its opening on
21 June 15, 2006 and is the only Child Advocacy Center in
22 Washington State to co-locate the medical, mental
23 health, law enforcement, prosecution, and victim
24 advocacy and social services...."

25 Q Thank you.

1 Do you recall submitting this report?

2 A No. I'm not saying that I did not. I don't
3 specifically recall.

4 Q It's seven years ago. I agree.

5 When you submit reports to the governor and
6 the legislature, do you do your utmost to make sure
7 that they are true and correct?

8 A Yes.

9 Q Do you -- would you -- do you believe that any
10 of the statements you've read from this thing are
11 incorrect or misrepresent the actions of Dawson Place
12 or your mission?

13 A The highlighted things that I've read?

14 Q Yes.

15 A Is there more in it?

16 Q Those are the only ones that I'm concerned
17 with today.

18 A Those appear to be accurate.

19 Q Thank you.

20 The third paragraph -- could you read the
21 paragraph underneath the highlighted one.

22 A The one that starts "During 2009"?

23 Q Yes.

24 A "During 2009, Dawson Place served a total of
25 934 unduplicated cases, involving 470 medical

1 evaluations, 239 individual therapy sessions/referrals
2 to ongoing therapy, 249 certified child interviews,
3 and 861 victim advocacy services to abuse victims.
4 During 2009, the Special Assault Unit received
5 639 criminal referrals (by defendant) from police to
6 make a charging decision, filed 353 charges (by
7 count), and obtained 263 convictions (by count)."

8 Q Thank you.

9 Do you believe that that's a representative
10 year for Dawson Place in the special advocacy center
11 as far as numbers would be concerned?

12 MR. MYERS: My objection was that the
13 question was vague. I think -- can you read it back?

14 (Record read back as requested.)

15 A I think it's gone up a little since then, but
16 that's a ballpark.

17 Q Pretty close then?

18 A I think the word you used, "representative,"
19 is probably a good one.

20 Q Okay. Thank you.

21 When it refers to 934 unduplicated cases,
22 what's an unduplicated case?

23 A I don't know. I stumbled over that term.

24 Q Me too.

25 A Because it breaks the paragraph into Dawson

1 Place and then our Special Assault Unit. And that
2 part talks about Dawson Place, and Dawson Place served
3 934 unduplicated cases. I'm not exactly certain
4 what's meant by that.

5 Q Okay. Thank you.

6 When -- the number on this of 249 certified
7 child interviews, what does that describe? What's a
8 certified child interview?

9 A Well, the child interview specialists are
10 certified. They have a certification that they earn
11 and have to update, so I believe that's what it would
12 be referring to.

13 Q Would that be a forensic interview?

14 A Just an interview of the child.

15 Q Okay.

16 A By the interview specialist.

17 Q Okay. And the 639 criminal referrals, what
18 exactly is that?

19 A A referral is a case submitted to our office
20 by the cops to make a charging decision.

21 Q Okay. And then it appears from the
22 639 criminal referrals, 353 charges were filed during
23 this period. What exactly is that process?

24 A The process of making a charging decision?

25 Q Yes.

1 A When law enforcement refers a case, the lead
2 of the unit is the first one to review the case. That
3 involves reading the police reports, perhaps watching
4 the interview, listening to recorded statements,
5 reviewing photographs, essentially, reviewing and
6 making an assessment of the file.

7 There are many cases, quite a few, that are
8 referred to our office that are called statutory
9 referrals only that are in one category that are
10 referred to our office by law enforcement, not because
11 law enforcement believes a crime was committed, but
12 because a statute was passed years ago requiring them
13 to submit all of those cases to us, even if their
14 investigation concluded no crime had been committed or
15 they didn't believe one could be proven. We review
16 those anyway.

17 Other more garden-variety referrals, the lead
18 will assess the case, decide based on his or her
19 knowledge and experience whether or not it's a case
20 that has any hope of being provable in a criminal
21 trial where you got to get all 12 people to agree
22 unanimously that X, Y, or Z took place.

23 If the lead concludes that it's a case that
24 might be chargeable, might be provable, he or she
25 will, generally, write a transfer memo, like the

1 strengths and the weaknesses of the case, and then
2 assign it to one of the deputy prosecutors that is
3 assigned to the Special Assault Unit.

4 At that point, the deputy prosecutor will
5 review the file, the reports, talk to witnesses, meet
6 with the alleged victim, maybe ask for more
7 investigation, maybe not, and then ultimately make a
8 charging decision to either decline prosecution, ask
9 for more investigation, or charge the case.

10 Any of those decisions also go back through
11 the lead attorney of the Special Assault Unit. If a
12 charge is filed, the deputy prosecutor who the case
13 was assigned to is the one who will generally handle
14 everything with regards to that case, although
15 frequently one deputy will cover for another or
16 routine hearing or something like that.

17 Q Thank you.

18 Then it says that of the 353 charges,
19 263 convictions were obtained. That's a pretty good
20 number. That would be criminal convictions in a court
21 of law?

22 A Yes.

23 Q And this is describing the Special Assault
24 Unit at Dawson Place?

25 A It's describing the Special Assault Unit,

1 period, wherever it was.

2 Q Where was it located at that point?

3 A In 2010, it was located at Dawson Place.

4 Q In 2010, do you remember what agency was
5 employing the forensic child interviewers?

6 A I don't.

7 Q Do you recall any transition from the past to
8 the present as far as who is providing the child
9 interview specialist?

10 A I do.

11 Q Could you generally describe that?

12 A I've been in the Special Assault Unit three
13 times, first as a deputy and the other two times as
14 the lead deputy. The first time I was in it, which
15 was back in the early '90s, the child you -- child
16 interview specialist -- I believe there was one of
17 them -- was employed by the sheriff's office.

18 The second -- and different agencies of the
19 27 different law enforcement agencies, some would ask
20 their detectives to do the interviews. Some went
21 through a child interview specialist. Some contracted
22 with a child interview specialist. Everybody did it
23 different.

24 The second time I was in there, it was still
25 the sheriff's, but then the sheriff's department

1 ceased providing or funding child interview
2 specialists. I believe at that time -- I can't tell
3 you the year that that was. I believe at that time I
4 strongly believed and still do that a child interview
5 specialist is very important.

6 I went to the police chiefs around the county,
7 told them we had this what I consider to be kind of a
8 crisis where we were without a child interview
9 specialist fairly suddenly, and got them to agree to
10 each foot like a prorated part of a child interview
11 specialist salary until we could figure out a better
12 way to fund it, prorated kind of by the number of
13 interviews that their department had.

14 I was ultimately, I guess, successful in
15 getting most of them to agree to do that and then
16 found a child interview specialist who had worked in
17 King County for quite some time, and she became the
18 child interview specialist.

19 But the child interview specialist role is not
20 really a law enforcement one. It's so broad that it
21 didn't -- having it funded the way it was, was an
22 expediency, but, ultimately, there was a transition
23 where the child interview specialist was funded more
24 appropriately, which is from the one-tenth of
25 1 percent mental health sales tax, because the work

1 that they do impacts and is done, in large part, to
2 help children heal in a mental health sense.

3 And so then it transitioned to the one-tenth
4 of 1 percent mental health sales tax forming then law
5 enforcement not having any involvement in funding them
6 at that point. I think that's the way it remains
7 today.

8 Q So today are there forensic interview
9 specialists at Dawson Place?

10 A There are two.

11 Q And do you know -- recall what the funding is
12 at this point?

13 A I believe it is funded by the one-tenth of
14 1 percent mental health sales tax.

15 Q Very good.

16 When your office prosecutes these types of
17 cases, do they sometimes use these interviews as
18 evidence?

19 A Yes. On occasion, yes.

20 Q Frequently?

21 A I wouldn't say frequently.

22 Q But occasionally?

23 A Yeah.

24 MR. WEST: Are we up to Exhibit 4?

25 THE REPORTER: Yes.

1 (Exhibit 4 was marked.)

2 Q Can you identify this document?

3 A No.

4 Q Could you read the top three lines or four
5 lines?

6 A "For official use only. Memorandum of
7 Understanding Between the Federal Bureau of
8 Investigation and The National Children's Alliance."

9 Q Can you read the rest?

10 A "Pertaining to the Use of Children's Advocacy
11 Center in Support of Investigations of Crimes Against
12 Children."

13 Q At this point, can you identify the document?

14 A No.

15 Q Have you -- are you aware of any MOU between
16 the Federal Bureau of Investigation and the National
17 Children's Alliance?

18 A No, not that I recall. I may -- like, I may
19 have seen this at some point or -- but it's not
20 ringing a bell right now.

21 Q Are you aware that Dawson Place is a child
22 advocacy center?

23 A I am.

24 Q Could you turn to page 3 and read the
25 highlighted portions.

1 A "...timely investigative responses to crimes
2 against children and to enhance protection of child
3 victims, it is necessary and advisable for the FBI to
4 collaborate with" normal -- I mean, "with local
5 agencies and organizations that provide forensic
6 interviewing services and access to a team of
7 multidisciplinary professionals."

8 Second part too?

9 Q Yes.

10 A "A CAC is a child-focused, facility-based
11 program in which representatives from many disciplines
12 to include law enforcement, child protection,
13 prosecution, mental health, medical and victim
14 advocacy work collaboratively to conduct joint
15 forensic interviews and form multi-disciplinary teams
16 to make decisions on investigation, treatment,
17 management and prosecution of child abuse cases."

18 Q Very good.

19 Do you consider that, the passage you just
20 read, to accurately describe a child advocacy center?

21 MR. MYERS: Objection, foundation,
22 calls for conclusions.

23 You can answer.

24 A I think it's a little muddled and condensed.
25 I don't believe it's really inaccurate, but I don't

1 think it's really clear.

2 Q Okay. Thank you.

3 (Exhibit 5 was marked.)

4 Q Can you identify this document?

5 A No.

6 Q Could you read the header of this document
7 down to the "2016."

8 A Dawson Place Child Advocacy Center
9 ...transforming hurt...to hope. Child Advocacy Center
10 of Snohomish County doing business as Dawson Place.
11 Dawson Place Child Advocacy Center (DPCAC).
12 Memorandum of understanding (Revised May 10, 2016).

13 Q At this point, can you identify this?

14 MR. MYERS: Why don't we let the
15 witness take a minute. It's a multi-page document.
16 Let him read the document over and familiarize himself
17 with it.

18 MR. WEST: Very good.

19 A Okay.

20 Q Looking from the back of the document forward,
21 can you identify some of the signatories of the
22 document?

23 A Yes.

24 Q Could you do so.

25 A Carol Cummings, Bothell police chief; Richard

1 Smith, it just says chief of police, but I know it's
2 Marysville; Ty Trenary, who is the sheriff; Norm Link,
3 the police chief for the Stanwood Police Department;
4 Gregory Elwin, chief of police for Mill Creek; Tim
5 Quenzen, chief of police for Monroe. I can't read the
6 one below that, but Greg Wilson is the chief of police
7 of Mountlake Terrace.

8 Q How about just by agency?

9 A Everett Police Department, Granite Falls
10 Police Department, Lake Stevens Police Department,
11 Arlington Police Department.

12 Q And the page immediately preceding that?

13 A Department of Social and Health Services,
14 Division of Children & Family Services, Children's
15 Administration; Dawson Place Child Advocacy Center.

16 Q Thank you.

17 MR. MYERS: Well, if he could complete
18 his answer by -- with the entire document. You've
19 asked him for the signatories. That's not all of
20 them.

21 MR. WEST: I asked him to read from the
22 back to the signatories up. Do you want him to read
23 the rest of the signatories?

24 MR. MYERS: You asked him to read all
25 the signatories.

1 MR. WEST: I asked him --

2 MR. MYERS: I think he should complete
3 the answer.

4 MR. WEST: I asked him to start
5 identifying them, and he reached the end of the public
6 agencies involved. I think he's answered my question.

7 MR. MYERS: For the record, he's asked
8 him to identify those for the back several pages.
9 There are one, two additional signatory pages.

10 MR. WEST: Okay. If you would like to,
11 you can continue on.

12 BY MR. WEST:

13 Q Yes, please continue on.

14 A Tom Sebastian is the president of Compass
15 Health.

16 Q Okay.

17 A Matthew Baldock is the lead attorney right now
18 for the Special Assault Unit of our office.

19 David Heitzman, Snohomish County Sheriff's
20 Office, but that is crossed off. And my guess is
21 because, before this was all done, Paul Blodgett had
22 replaced Dave Heitzman as the head of the special
23 investigations unit for the sheriff's office. Because
24 I know Dave used to be but now Paul is.

25 Same with Diane Golden from Providence

1 Regional Medical Center, I think that's probably
2 crossed off because she was the manager of that and
3 then now Melissa Mertz who I believe took over for
4 Diane Golden from Providence.

5 Q Very good. Thank you.

6 Would it be correct to say that the
7 representative from the Snohomish County Prosecutor's
8 Office who signed this document -- apparently signed
9 this document on May 31, 2016, was a deputy of yours?

10 A Yes.

11 Q Thank you.

12 Could you return to page 1. Could you read
13 the first two paragraphs and the first clause of the
14 third paragraph to the comma, please.

15 A "Whereas the undersigned agencies and
16 organizations have ongoing separate responsibilities
17 with respect to the investigation, prosecution, and
18 treatment of child physical and sexual abuse in
19 Snohomish County; and

20 "Whereas, it is well established that a
21 multidisciplinary approach to the investigation,
22 prosecution, and treatment of child physical and
23 sexual abuse is in the best interests of children,
24 their families, and the public; and

25 "Whereas, the undersigned agencies and

1 organizations formed a Task Force and a Steering
2 Committee to pursue the development of a
3 multidisciplinary facility" -- to there? I think
4 that's the first paragraph.

5 Q Oh, to the second comma.

6 A "...to be known as" Dawson Place -- "as the
7 Dawson Place Child Advocacy Center (DPCAC)...."

8 Q Thank you.

9 Could you turn to page 2, Section 3, and read
10 the first -- the headline and the first sentence.

11 A "DPCAC Management Team. The DPCAC Management
12 Team is a work group consisting of representatives of
13 each of the undersigned agencies and organizations as
14 well as other community members."

15 Q And then could you read the last sentence of
16 that paragraph. I believe it's highlighted.

17 A "All decisions of DPCAC Management Team are
18 made by consensus of all participating agencies and
19 organizations."

20 Q Thank you.

21 Are you aware of the -- how the DPCAC
22 management team operates, yourself?

23 A Generally.

24 Q What does it do?

25 A Discusses things like the various design plans

1 for the front of the building or whether we want to
2 have a new fish store deal with the fish tank and keep
3 it clean, whether we can -- whether one of -- like
4 Vikki, the receptionist, is going to go on vacation,
5 and we need to find someone for the period that she's
6 gone, general stuff like that.

7 Q Thank you.

8 Could we turn to -- could you read Section 4,
9 the first sentence after No. 4.

10 A Where it says "DPCAC Services"?

11 Q Yes.

12 A "The undersigned agencies and organizations
13 anticipate that they will continue to provide the
14 following services through" Dawson Place -- "DPCAC."

15 Q Thank you.

16 And then if you could, turn to the next page
17 and read Section D.

18 A "Snohomish County Prosecuting Attorney's
19 Office, Special Assault Unit (SAU): SAU reviews all
20 cases referred by law enforcement...SAU will continue
21 to consult with difficult cases with other members of
22 the multidisciplinary team, and coordinate with other
23 members of the team during all phases of prosecution
24 in order to further the goals of the team. SAU
25 provides victim advocacy services to child victims and

1 their families within the criminal justice system."

2 Q Thank you.

3 When your deputy signed this agreement on
4 behalf of the Snohomish County Prosecuting Attorney's
5 Office, does that bind you to this agreement? Are you
6 responsible for the actions of your deputies, would be
7 a question?

8 A Generally, yes.

9 Q And specific in this agreement, did you abide
10 by this agreement?

11 A We understand this agreement. I think it's
12 called the memorandum of understanding.

13 Q Okay. And the prosecuting attorney's office,
14 through your deputy, is a signatory to this agreement?

15 A Yeah.

16 Q And you're aware now of the terms of this
17 agreement?

18 A I was generally aware before. I just can't
19 place the actual document.

20 Q A lot of documents go through the people's
21 offices.

22 A And through a third-year career, yes, a lot of
23 documents have gone through my hands. Done with that
24 one?

25 Q We're done with that one.

1 (Exhibit 6 was marked.)

2 MR. MYERS: We'll go off the record and
3 figure this out.

4 (A break was taken from 10:52 a.m. to
5 10:53 a.m.)

6 Q Can you identify this document?

7 A I can read what it says it is.

8 Q Could you do so?

9 A Approving an Interlocal Agreement for Child
10 Interview Specialist Services Between Snohomish
11 County, The City of Everett, and the Snohomish County
12 Child Advocacy Center doing business as Dawson Place.

13 Q Thank you.

14 And if this document was completely filled
15 out, who would it be signed by?

16 A It looks like the council chair and the
17 assistant clerk of the council.

18 Q Are you aware of this, that this agreement was
19 ever entered into?

20 A I can't recall whether this was or not. I did
21 describe previously the transition.

22 Q Yeah.

23 A And that's my general recollection of the
24 transition of the child interview specialist position.
25 Whether this was actually executed and signed, I can't

1 recall.

2 Q Are you aware of any similar interlocal
3 agreements that were entered into by Snohomish County
4 or Dawson Place or law enforcement agencies for the
5 provision of child forensic services?

6 A Not specifically, no.

7 Q Generally?

8 A It doesn't mean there -- I assume there
9 probably were some, but I just can't specifically
10 remember them.

11 Q I understand. Thank you.

12 (Exhibit 7 was marked.)

13 Q Can you identify this document?

14 A I can read what it is.

15 Q Could you do so.

16 A It appears to be an announcement of the new
17 location of Dawson Place Child Advocacy Center.

18 Q Thank you.

19 And who is the contact for this document on
20 the third line?

21 A "Contact: Mary Wahl, Executive Director."

22 Q Could you read at the bottom of the page 1,
23 there's a headline in bold. Could you read that and
24 then the highlighted portion.

25 A About Dawson Place?

1 Q Yes.

2 A "The services that are provided through Dawson
3 Place include medical...forensic interviews, child
4 protective services, law enforcement investigation and
5 also offender prosecution services."

6 Q Thank you.

7 Is this -- do you, based upon your personal
8 knowledge, believe this is an accurate representation?

9 A Not entirely.

10 Q Okay. Generally?

11 A I think it gives an overview that could be a
12 little misleading to somebody.

13 Q Okay. In what way could it be misleading?

14 A Well, it says "The services that are provided
15 through Dawson Place," which I think could be worded
16 better because it suggests that those services are
17 provided by Dawson Place, but most of them aren't.
18 Most of them are provided by the independent
19 individual agencies. They're not provided by Dawson
20 Place. Dawson Place is a place. It's a location.
21 It's a roof.

22 Q Thank you.

23 MR. MYERS: Will you let the witness
24 finish his answer. Were you able to -- I want to make
25 sure we're not talking on top of each other.

1 THE REPORTER: Do you want me to read
2 it back?

3 MR. MYERS: Yes, if you could read
4 Mr. Roe's answer.

5 (Record read back as requested.)

6 MR. WEST: Thank you.

7 BY MR. WEST:

8 Q The child advocacy center of Snohomish County,
9 is that the same as Dawson Place?

10 A It's sometimes referred to as the child
11 advocacy center of Snohomish County, yes.

12 Q So when you say "Dawson Place," you're talking
13 about the child advocacy center of Snohomish County?

14 MR. MYERS: Objection, calls for a
15 conclusion.

16 A Not really.

17 Q Why not?

18 A Because the medical stuff is all provided by
19 Providence, not by Dawson Place. The counseling
20 component is all provided by Compass Mental Health,
21 not Dawson Place.

22 Q Okay.

23 A The investigations, the criminal
24 investigations, are conducted by the Snohomish County
25 Sheriff's Office, not by Dawson Place. And the

1 prosecutions are considered and the decisions all made
2 by deputies in my office, not by Dawson Place. And so
3 I guess that's what I mean.

4 There's advocates there also, social and
5 community-based advocates from Providence that have a
6 different function and scope than the two victim
7 advocates that work for my office.

8 Q Is Dawson Place a child advocacy center?

9 A It is.

10 Q Is it operating under certifications by the
11 NAC, National --

12 A NCA?

13 Q NCA.

14 A National Children's Alliance?

15 Q Yes.

16 A We have been -- it has been accredited a
17 couple times now.

18 Q Okay.

19 A Pretty recently.

20 Q And does it involve the use of
21 multidisciplinary teams?

22 A Multidisciplinary teams do meet there.

23 Q Thank you very much.

24 (Exhibit 8 was marked.)

25 Q Can you identify this document?

1 A I cannot.

2 Q Could you read the headline?

3 A "2014 Legislative Session, Member Requested
4 Local Community Project Information Form."

5 Q And what's the project name?

6 A "Dawson Place Child Advocacy Center Phase 2,
7 Building Completion Project."

8 Q And the project contact for that would be?

9 A Lori Vanderburg.

10 Q And she's listed as the director of what
11 organization?

12 A Dawson Place Child Advocacy Center.

13 Q Very good.

14 If you turn to page 2, could you read the
15 highlighted section?

16 MR. MYERS: I'm going to object to the
17 foundation. The witness is unable to identify the
18 document. There's no foundation for him to testify
19 concerning the contents. The document speaks for
20 itself.

21 Now, you wanted him to read certain portions
22 of the document?

23 MR. WEST: Yes.

24 Q Could you read that highlighted section of
25 page 2, please.

1 A "Dawson Place is the hub of a unique
2 collaboration of the five primary agencies...."

3 Q And then there's three or four agencies
4 highlighted below. Could you read those?

5 A Providence Intervention Center, Compass
6 Health, Child Protective Services, Snohomish County
7 Sheriff's Special Investigation, Snohomish County
8 Prosecutor's Special Assault, Dawson Place Child
9 Forensic Interview Specialist.

10 Q Thank you.

11 Do you believe the representations made in
12 this document are correct, those representations you
13 read?

14 MR. MYERS: Objection, lacks
15 foundation.

16 You can answer the question.

17 A Well, I haven't read it yet.

18 Q But the highlighted portions that you read, do
19 you believe that to be true?

20 MR. MYERS: I'm going to object. The
21 witness has been asked to read selected portions of
22 it.

23 You can answer the question if you're able to.

24 A Are you asking if I think it's a hub of a
25 unique collaboration of five primary agencies? Yes, I

1 do.

2 Q And that involves the Snohomish County
3 Prosecutor's Special Assault Unit?

4 A And the sheriff's office and Providence and
5 Compass Mental Health and the other agencies that are
6 housed there.

7 Q Thank you very much.

8 A There's other highlighted portions. Did you
9 want me to do something with those?

10 Q Let me see. Could you read the other
11 highlighted portions on the bottom of that document,
12 please.

13 A "We coordinate monthly Multi-Disciplinary Team
14 (MDT) meetings...MDT case meetings are collaboration
15 at its best, and strive for a better outcome for all
16 the cases reviewed."

17 Q Thank you.

18 A Done now?

19 Q Done with that one.

20 A Okay.

21 (Exhibit 9 was marked.)

22 Q Could you identify this agreement?

23 A No.

24 Q Can you identify the signatory to it?

25 A No. I can't read any of those signatories.

1 Q Can you read the headings above and below the
2 signatures?

3 A Snohomish County Council, Snohomish County,
4 Washington, and below that it looks like it says Dave.
5 But I can't read the last name, and it doesn't look
6 like Somers.

7 Q Very good.

8 A And attest, Barbara something, assistant clerk
9 of the council.

10 Q Thank you.

11 Could you read the header of this document?

12 A "License Agreement Office Space - Dawson
13 Place."

14 Q And then could you read the first two
15 paragraphs, please.

16 A "Whereas, the Snohomish County Prosecuting
17 Attorney's Office, Special Assault Unit and the
18 Snohomish County Sheriff's Office, Special
19 Investigations Unit have collaborated with outside
20 agencies to form a Child Advocacy Center known as
21 Dawson Place; and

22 "Whereas, the Child Advocacy Center's
23 functions are to perform the investigation and
24 prosecution of crimes committed in Snohomish County,
25 including those relating to child physical and sexual

1 abuse; and...."

2 You want me to keep going?

3 Q No, thanks.

4 A Okay.

5 Q Thank you.

6 A It does not strike me that that's correct, but
7 somebody thought it was.

8 Q Does that document appear to be signed by the
9 Snohomish County Council and Clerk?

10 A It does.

11 Q Thank you very much.

12 A It just doesn't appear to be correct.

13 (Exhibit 10 was marked.)

14 Q Could you read the header of this document?

15 A "May 15, 2013

16 "Child Interview Specialist Positions

17 "Dawson Place Child Advocacy Center

18 "Dawson Place is seeking funding for two Child
19 Interview Specialist (CIS)."

20 Q Thank you.

21 And then there's a highlighted section at the
22 bottom.

23 A "In the past two positions were funded by the
24 Sheriff's Office. Several years ago this funding was
25 cut. This is not the best practice as it is essential

1 for the interviewer to not be perceived as an employee
2 or in any way beholden to law enforcement. If they
3 are, they may be viewed as biased, and this is in turn
4 used by the defense as a reason to attack the
5 credibility of the forensic child interview and why
6 the child should not be believed at trial."

7 Q Thank you.

8 Does this correctly describe the history of
9 funding of the child interview specialist by the
10 sheriff's office?

11 MR. MYERS: I'm going to object. The
12 document lacks foundation. The witness to testify is
13 to establish some sort of knowledge about the
14 document.

15 But you can answer the question if you're able
16 to.

17 A I don't really think it is accurate. I
18 think --

19 Q How about the sheriff's office, funding the
20 positions, I'm asking --

21 A I don't think this is accurate. I think it's
22 incomplete.

23 Q Okay. Thank you. We're done with that
24 exhibit.

25 (Exhibit 11 was marked.)

1 Q Could you read the headline of this document?

2 A "Executive/Council Approval Form."

3 Q Okay. And underneath approval form, does it
4 identify a council?

5 MR. MYERS: I'm identifying a portion
6 of the document.

7 A Two council chairpersons, Snohomish County
8 Council.

9 Q Thank you.

10 Below there's a highlighted section under
11 "Background." Could you read that?

12 A "Dawson Place is seeking funding for two Child
13 Interview Specialist...positions. Prior to FY2011,
14 two CIS positions were funded by the County's General
15 Fund within the Sheriff's Office. However, these
16 positions were eliminated to meet the requested budget
17 reductions."

18 Q Thank you.

19 Do you, through your personal knowledge,
20 consider that to be an accurate statement of the CIS
21 positions funding prior to 2011?

22 A It doesn't really match my recollection.

23 Q What's your recollection?

24 A I thought it was earlier than that, that the
25 budget cuts in the sheriff's office resulted in having

1 to run around to all the different law enforcement
2 agencies. So there was a time period, as I described
3 before, when different police agencies kicked in a
4 certain amount, and this doesn't -- the omission of
5 that, I think --

6 Q Okay.

7 A -- means this isn't completely accurate.
8 There was an intervening funding mechanism.

9 Q But there was a transition from the sheriff's
10 office funding the positions to them being funded
11 jointly by a number of agencies to now them being
12 funded by the county?

13 A Yes. I don't know if it was 2011 or not
14 either.

15 Q Very good. Thank you very much.

16 (Exhibit 12 was marked.)

17 Q Do you know who A. J. Bryant is?

18 A I don't.

19 Q Can you read the words under A. J. Bryant in
20 the second paragraph?

21 A "Commander." Yeah. It does sound familiar.
22 It says -- it suggests he's a commander at the
23 Snohomish Police Department.

24 Q Okay. Can you read the highlighted portion of
25 this document?

1 A "Dawson Place is a Child Interview and
2 Advocacy Center. Their primary objective is to
3 interview child victims under the age of 12. The
4 Snohomish County Prosecutor's Office has a policy that
5 all child victims must be interviewed by them."

6 Q Based on your personal experience, do you
7 believe the last clause of that sentence is correct?

8 A No.

9 Q Okay. Why not?

10 A Because we can't dictate to anybody in law
11 enforcement what they must and must not do. Some kids
12 are interviewed by an interview specialist and some
13 are not. I personally prefer that they be.

14 Q So you would prefer that child victims be
15 interviewed by the specialist at Dawson Place?

16 A Yes.

17 Q Do you think that --

18 A Or wherever the child interview specialist
19 was -- when it was the Chaffee Building when I was
20 there, when it was at the Mission Building when I was
21 there in SAU.

22 Q Do you think that that helps provide accurate
23 interviews and helps put bad guys in jail?

24 MR. MYERS: Objection, form of the
25 question. It's compound.

1 Q Do you think it adds to the accuracy of the
2 interview process to have a forensic interview
3 conducted?

4 A Sometimes. That's -- I mean, the importance
5 of it, in my mind, is you have a consistency of the
6 same person that is doing it, and then everybody who
7 may or can provide services to that child is all
8 working off the same thing.

9 Q Okay.

10 A Like Providence. How do they know exactly
11 what to do with a child until they know what happened.

12 Q Exactly.

13 A Compass, the same way.

14 Q How many employees of your office are
15 located -- are in the Special Assault Unit?

16 A I've got one lead, five deputies, two support
17 staff, two advocates, and one paralegal or legal
18 assistant.

19 Q Of those, how many are actual deputy
20 prosecutors?

21 A Six.

22 Q How many deputy prosecutors total, roughly, do
23 you supervise?

24 A Well, I've got 62 in the criminal division, I
25 believe; 9 in the child support enforcement unit --

1 Q That's fine.

2 A -- and 20-some in our civil division.

3 Q So, roughly, 10 percent of your criminal
4 deputies are located in the Special Assault Unit at
5 Dawson Place?

6 A Roughly.

7 Q And these are deputy prosecutors fully
8 empowered as deputy prosecutors?

9 A The deputies, yes. On occasion, we'll utilize
10 interns to do more like clerical and filing and going
11 through discovery to make sure it's all numbered
12 accurately for the defense.

13 Q And aside from the six deputy prosecutors,
14 what other prosecuting attorney staff is there?

15 A The ones I described.

16 Q How many are there?

17 A Two support staff, like legal secretary or
18 office assistant, at least two, two and a half maybe.
19 We have somebody who is there half-time, a paralegal
20 or legal assistant, and two victim advocates from our
21 office that just work with the victims during the
22 narrow time period that the criminal case is pending.

23 Q What does a victim advocate do?

24 A Well, it's kind of a loaded question, because
25 there are many different kinds of victim advocates.

1 Q What do the victim advocates at the Special
2 Assault Unit do?

3 A They coordinate and schedule meetings between
4 the deputy prosecutor and the victim or victim's
5 family members. They sit in on those meetings. They
6 are available for phone calls and questions from
7 victims or their family members regarding what's going
8 on with the prosecution.

9 A prosecution is a narrow time period compared
10 to the overall healing of a child. Our victim
11 advocates are strictly geared to while there's a
12 criminal case pending. They'll help the victim, sit
13 with them during a defense interview, because,
14 unfortunately, usually, it comes down to what some
15 little kids says on the witness stand and at times she
16 doesn't get to choose. It could be somebody who she
17 still loves or threatened to kill her if she ever
18 told, and it can suck in that respect for sure. So
19 our advocates try to help victims through that.

20 Q Do you think that's a valuable thing?

21 A Yeah.

22 Q Do you think it helps you to get successful
23 prosecutions and put the bad guys away?

24 A It doesn't hurt it, but that's not why we do
25 it.

1 Q Does it help facilitate that process?

2 A On some occasions, I'm sure it does.

3 Q Thank you.

4 A But that's our advocates. That's not the ones
5 from Providence. They have a totally different --

6 Q We're not talking about the ones from
7 Providence today.

8 (Exhibit 13 was marked.)

9 Q On page 2 of this document bears -- could you
10 identify the office that this was sent from?

11 A Well, not from page 2.

12 Q Okay. Can you identify -- on page 2, can you
13 identify that particular office that's identified at
14 the bottom?

15 A Page 2 says Snohomish County Sheriff's Office,
16 Amanda Harpell-Franz.

17 Q And what was her title?

18 A She was a child interview specialist.

19 Q Okay. And could you read the highlighted
20 portion?

21 A "As of yesterday, Ashley and I were both told
22 that our child interview positions will be cut from
23 the Snohomish County Sheriff's Office beginning at the
24 start of the year."

25 Q Thank you.

1 And can you identify the date of that
2 communication?

3 A It says it was sent Friday, September 24,
4 2010.

5 Q And is that consistent with your recollection
6 of the transition from the sheriff's office that we've
7 described previously roughly?

8 A Well, this doesn't really talk about the
9 transition, but it does talk about why we had to have
10 one.

11 Q Okay. Thank you. Very good.

12 Then there's a -- on page 1 there's a
13 communication. Can you identify who that's from?

14 A It says Fred Havener.

15 Q And could you read the highlighted portion?

16 A "The news just keeps getting better. So, are
17 the requirements going to change at the Prosecutor's
18 Office? Will they allow our trained," in bolded and
19 italicized, "officers to conduct the interviews?"

20 Q Thank you.

21 (Exhibit 14 was marked.)

22 Q Can you identify this document?

23 A I can read what it says it is.

24 Q Could you do so?

25 A Memorandum of Understanding, Revised

1 December 20, 2011.

2 Q Okay. And what is this -- the line above
3 that, does it identify an organization?

4 A Child Advocacy Center of Snohomish County
5 doing business as Dawson Place, Dawson Place Child
6 Advocacy Center (DPCAC).

7 Q Would you be so kind as to read the first
8 two -- oh, is there a date of this?

9 A Yeah. December 20, 2011. It says revised
10 December 20. It doesn't -- I don't know if that was
11 the date that this was --

12 Q Could you be so kind as to read the first two
13 paragraphs.

14 A "Whereas, the undersigned agencies and
15 organizations have ongoing separate responsibilities
16 with respect to the investigation, prosecution, and
17 treatment of child physical and sexual abuse in
18 Snohomish County, and;

19 "Whereas, it is well established that a
20 multidisciplinary approach to the investigation,
21 prosecution, and treatment of child physical and
22 sexual abuse in the best interest of children, their
23 families, and the public; and...."

24 Q Thank you.

25 And could you turn to page 2 and read the

1 section after "now."

2 A Now, therefore, each of the undersigned
3 agencies and organizations, through their respective
4 directors or administrators, understand as follows."

5 Q And could you read the highlighted portion of
6 No. 1?

7 A Mine is not highlighted.

8 Q Could you read the first half of that
9 paragraph to the term "abuse."

10 A What do you consider half?

11 Q To line 5 -- to the underlined 5.

12 MR. MYERS: For the record, I'll
13 provide my copy which does have portions highlighted.

14 MR. WEST: I apologize.

15 MR. MYERS: And while you're reading
16 from my copy, I will highlight the exhibit to reflect
17 what is highlighted on my copy.

18 MR. WEST: And I apologize for the
19 inconsistency. It was late last night. We had a lot
20 of exhibits.

21 THE WITNESS: I've never done that.

22 MR. WEST: Our legal assistants did
23 yeoman's work, but no one is perfect.

24 A "Vision. The vision of the undersigned
25 agencies and organizations is to continue to develop

1 and operate the multi-disciplinary Dawson Place
2 Childhood Advocacy Center that houses a coordinated
3 network of investigation, prosecution, evaluation,
4 treatment, intervention, and education services to
5 victims of child physical and sexual abuse and their
6 families."

7 Q Thank you.

8 THE WITNESS: Should we trade back so
9 I'm looking at the exhibit?

10 (Exhibit 15 was marked.)

11 Q Could you identify this document and the
12 public officers appearing on the top of the front
13 page.

14 A It says it's an Executive/Council Approval
15 Form or commonly referred to as ECAFs, and it has the
16 names on the upper left-handed portion. It says
17 "Management Routing." Aaron Reardon, Peter Camp, John
18 Lovick, Rob Beidler, and Joanie Fadden.

19 Q Thank you.

20 Is there a date on this document?

21 A There's a lot of dates on it.

22 Q Okay. Is there -- what year does this
23 document come from and month?

24 A It says in one place 2/11/11, which I assume
25 is 2011. Another place 2/9/11 and another place

1 2/14/11, and at the bottom it says deadline or kind of
2 toward the bottom. It says 2/16/2011.

3 Q Thank you. Under the section "Background,"
4 could you read the highlighted portion.

5 A "In 2011 the City of Everett and Snohomish
6 County approached the Dawson Place Child Advocacy
7 Center with a request to provide forensic child
8 interviewing services to City and County detectives in
9 child abuse investigations. Forensic child
10 interviewing is the preferred method for interviewing
11 victimized children. Dawson Place will employ trained
12 child interview specialist, whereas the Snohomish
13 County Sheriff's Office does not."

14 Q Do you, through your personal experience,
15 consider that to be a relatively accurate statement?

16 A Like before, it seems incomplete to me. But
17 these things are short, and so stuff is condensed.
18 That, again, doesn't seem to talk about the
19 intervening stage between the county eliminating the
20 positions and the different police agencies supporting
21 them. It's not inaccurate. I don't think it tells
22 the whole story.

23 Q Okay. Thank you.

24 Page 3 of this packet, can you identify that
25 document?

1 A No.

2 Q Could you read the title?

3 A Professional Services Agreement Between
4 Snohomish County, The City of Everett, and Snohomish
5 County Child Advocacy Center doing business as Dawson
6 Place Related to Child Interview Specialist Services.

7 Q Are you aware of any such professional
8 services agreements that were entered into while you
9 were working as a prosecutor and/or associated with
10 Dawson Place, any similar agreements?

11 A While I was working there?

12 Q While you were a prosecutor or -- either a
13 prosecutor or associated with Dawson Place?

14 A Generally, yes.

15 Q Okay. Thank you.

16 A But this says -- just to clarify, this says
17 2011. I became the elected prosecutor in 2008. I had
18 been at Dawson Place since it opened before that time
19 period, but in 2011 I was not at Dawson Place. I was
20 the elected prosecutor over here.

21 Q Were you a board member at that point?

22 A At some points I have been and some points I
23 haven't been. I've been -- I think at one point I was
24 vice president and another point I was president. I
25 don't think I've always been on the board, but at the

1 very beginning, I don't think I was.

2 In the very beginning, I would attend meetings
3 to kind of give a report on what the prosecutor's
4 office was doing because there's no way that -- like
5 the management of Dawson Place, the decisions of the
6 prosecutor's office are made the same way they were
7 when I was in the Mission Building or when I was in
8 the Chaffee Building.

9 Q Thank you.

10 A We paid Art Skotdal rent, but he didn't tell
11 me what cases to charge.

12 Q Thank you.

13 A We paid Dawson Place rent, and they don't tell
14 me what cases to charge.

15 MR. MYERS: Would now be a good --

16 MR. WEST: We can take a break.

17 MR. MYERS: Are you through with
18 Exhibit 15?

19 MR. WEST: I'm not done with
20 Exhibit 15. Could we get through Exhibit 15 and then
21 take a break?

22 MR. MYERS: I think that would be an
23 awesome time to break.

24 MR. WEST: I agree.

25 THE WITNESS: Coffee is our friend and

1 our enemy.

2 BY MR. WEST:

3 Q So we'll get into exactly your history with
4 Dawson Place after the break, but could you turn to
5 page 2 of the -- actually, it's page 4 of the packet,
6 but page 2 of the professional services agreement.
7 Under Section 2.0, "Services To Be Performed," could
8 you read Section 2.1?

9 A Dawson Place shall provide child interview
10 specialist services to the City and to the County on
11 an as needed basis during the term of this Agreement."

12 Q Thank you.

13 Could you read Section 2.2 and the subsections
14 through 2.2.3.

15 A Child interview services -- child interview
16 specialist services include the following:

17 "2.2.1, Interview child victims of sexual
18 assault and physical abuse as requested.

19 "2.2.2, Document interviews; maintain detailed
20 records of all interviews and statistics.

21 "2.2.3, Assist detectives on assigned cases
22 working with victim's families."

23 Q Could you read 2.2.4 to the semicolon?

24 A "Assist investigators in interviewing victims
25 and witnesses of other crimes involving children as

1 requested...."

2 Q Could you read Section 2.2.5.

3 A "Testify in court as requested; provide
4 agencies with a DVD of the interviews; provide
5 assistance to the Prosecuting Attorney's Office, as
6 requested for child interview DVD transcriptions."

7 Q Thank you.

8 Based on your personal experience, does this
9 fairly accurately describe what CIS services are?

10 A Not completely, no.

11 Q Insofar as it goes?

12 A As it relates to the Prosecuting Attorney's
13 Office only, I think it's still somewhat incomplete,
14 but it's reasonably accurate.

15 Q Is there anything materially false here?

16 A Well, 2.2.4, I think, is misleading. It says
17 assist investigators. The child interview specialists
18 do not assist investigators per se. I think what that
19 means, but it says poorly, is assist investigators in
20 interviewing victims.

21 Q Thank you.

22 A They're not assisting the investigators.
23 They're doing the interview themselves. They're
24 assisting the investigators by virtue of doing and
25 completing the interview, which also assists the

1 people at Providence and the people at Compass and the
2 people at DSHS.

3 Q Thank you.

4 MR. WEST: I believe we have reached
5 the end of our -- this exhibit. Why don't we take a
6 break. Thank you for your patience.

7 (A break was taken from 11:34 a.m. to
8 11:51 a.m.)

9 Q Very good. We're back on the record. It's
10 about 10 to 12:00. And we're continuing the
11 deposition of Mark Roe.

12 (Exhibit 16 was marked.)

13 Q Could you read who this e-mail is from?

14 A Vikki King.

15 Q Do you know Vikki King?

16 A I used to.

17 Q Did she occupy a government position?

18 A She was Janice Ellis's administrative
19 assistant who I inherited when I took over for Janice
20 Ellis.

21 Q And at that point, Janice Ellis held what
22 position?

23 A She was the elected prosecutor before me.

24 Q And I believe she's a judge now?

25 A Yes.

1 Q Very good.

2 So was Vikki King working for you at -- in
3 February of 2012?

4 A It sure looks like it.

5 Q Could you read the first three large
6 paragraphs, aside from the greeting on this.

7 MR. MYERS: Object on the grounds of
8 foundation and hearsay.

9 A You just want me to read the e-mail that
10 somebody else wrote?

11 Q Yes.

12 A All right. Hi Henry! Good to see your name!
13 I hope all is well with you.

14 I think there is a big confusion on the fact
15 that there are two different documents that have been
16 floating around regarding Dawson Place that law
17 enforcement needed to look at and approve. The first
18 is the MOU that Mark handed out to most of the Chief's
19 at the January 26 meeting. According to his notes, he
20 gave Carol Bothell's copy. These MOU's need only be
21 signed by the Chief of Police. Not the mayor or City
22 Council.

23 The second document was the Contract for the
24 Child Interview Specialist. That document has been
25 put on hold and is being negotiated, as talked about

1 in this paragraph taken from the January 26, 2012,
2 Snohomish County Sheriff's and Police Chief's
3 Association meeting notes.

4 Deputy Chief Dan Templeman, now their chief,
5 reported that several agencies had additional changes
6 to the final Dawson Place Child Interview Specialist
7 Agreement. The changes have been incorporated into
8 the agreement and the Everett and Edmonds City
9 Attorneys are once again reviewing the documents.
10 Once this review is complete the agreement will be
11 forwarded to the Chief's to present to their City
12 Councils. Deputy Chief Templeman asked that any city
13 who will not be participating to please let him know
14 as soon as possible as it affects the cost percentage
15 charged to the cities who are participating.
16 Prosecutor Roe briefed that he will also be
17 distributing the Dawson Place MOU to the Chiefs for
18 approval by their City Councils.

19 Q Thank you.

20 When it references "Prosecutor Roe," would
21 that be you?

22 A That would be.

23 Q Do you remember distributing the Dawson Place
24 MOU for their approval?

25 A I don't doubt they did, but I don't remember.

1 Q Do you think that you did?

2 A This suggests that I did.

3 Q Okay. This suggests, okay.

4 A I don't remember that I did or didn't.

5 Q Okay. Thank you.

6 A It doesn't look like Vikki was either.

7 I have attached a generic copy of the MOU.

8 I'm not certain if that's what Mark handed out --

9 Q Thank you.

10 A -- or if there are MOU's drafted for each law
11 enforcement agency.

12 MR. MYERS: Let him finish.

13 Q Thank you.

14 (Exhibit 17 was marked.)

15 Q Can you identify this document?

16 A I can read what it purports to be.

17 Q Please do so.

18 A The "Professional Services Agreement for Child
19 Interview Specialist Services."

20 Q Could you read the first three lines of what's
21 below that?

22 A This Professional Services Agreement for Child
23 Interview Specialist Services, parenthetically, this,
24 quote/unquote, Agreement, is made and entered into as
25 of this 1st day of January, 2012, by and among the

1 Snohomish County Child Advocacy Center, a duly
2 registered Washington non-profit corporation and
3 Snohomish County, a political subdivision of the State
4 of Washington, the City of Arlington, the City of
5 Bothell, the City of Lake Stevens, the City of
6 Marysville, Granite Falls, Mill Creek, Mukilteo,
7 Everett, Brier, etc., etc.

8 Q Would this be the agreement that you talked
9 about wherein the various agencies paid proportionally
10 for child interview specialists services?

11 A I don't know without reading the whole thing,
12 and even then, I might not remember whether this is
13 the specific agreement or not. I know that there was
14 one. This could be it, but I can't specifically tell
15 you whether it is or isn't.

16 Q Would you be able to if you reviewed it?

17 A I doubt it.

18 Q Okay. Could you look at the fourth page from
19 the end, from the bottom of the document.

20 A Fourth page from the end?

21 Q From the bottom.

22 A It says Exhibit A?

23 Q Fifth page from the back.

24 A The first signature page?

25 Q Yes. Is this document signed at all?

1 A It doesn't look like it's a document. It just
2 looks like it's a signature page.

3 Q Is there a signature on the signature page?

4 A It looks like there's three of them.

5 Q And could you read the words in capital on
6 that?

7 A "City of Edmonds," and then there's three
8 signatures underneath that.

9 Q And what officials do those appear to be
10 signed by?

11 A I can't read the first one, but I bet it's
12 Dave Earling. He was the mayor of Edmonds at some
13 point, maybe this point. And then the one below that
14 looks like it might be Sandra Chase and then one below
15 that looks like it says Sharon Cates.

16 Q Thank you.

17 So you're not aware of this particular
18 document being signed, but you're aware of agreements
19 like this?

20 A Yeah. This is consistent with my recollection
21 that we got an agreement from a lot of different
22 police departments to help foot the bill.

23 Q Okay. And on page 2, Section 2.2, it has
24 defined CIS services. I think we read pretty much
25 exactly that in a previous document. Would that be

1 consistent with your recollection of what these
2 agreements encompass?

3 A In 2.2, huh?

4 Q No. On page 2 of the document, Section 2.2
5 where it says "CIS services."

6 A Okay.

7 MR. MYERS: Would you read back the
8 question.

9 (Record read back as requested.)

10 A And that gave me time to read it, and I think
11 it does.

12 Q Take as long as you like.

13 A I think it does. They do more than that. I
14 mean, actually, nothing is comprehensive or totally
15 complete, but I don't think that's inaccurate.

16 Q Thank you.

17 (Exhibit 18 was marked.)

18 Q Do you recognize this document?

19 A No.

20 Q Read the top heading of this under the three
21 trees.

22 A "Snohomish County, Prosecuting Attorney,
23 Mark K. Roe."

24 You're pretty good being able to tell those
25 are trees.

1 Q The representation of trees. And at the
2 bottom, it says "Sincerely."

3 A "Mark."

4 Q Would -- having identified it this way, do you
5 now recognize this document?

6 A I don't recognize the document. If you let me
7 read it, I may recognize my writing.

8 Q Could you read the document.

9 A It sure looks like something I wrote.

10 Q Do you deny writing this document?

11 A Oh, no. I'm not trying to be evasive. I just
12 write a lot of stuff over the years and then I move
13 on. This certainly looks like my writing. It has the
14 same somewhat colloquial style and informality of
15 things that I write.

16 Q It bears --

17 A I don't remember writing it.

18 Q It bears the logo of the Snohomish County
19 Prosecuting Attorney?

20 A Yes.

21 Q It says "Sincerely, Mark"?

22 A Yes. Either I wrote it or somebody was posing
23 as me and doing a fine job.

24 Q Have you ever prosecuted someone for posing as
25 you and writing fundraising letters for Dawson Place?

1 A Not yet.

2 Q Would you if someone did?

3 A Yeah.

4 Q So you don't deny that this is a letter that
5 came from your office and probably written by you or
6 one of your assistants?

7 A No. Probably written by me just because it
8 looks like my writing.

9 Q Okay. We're not done with it yet.

10 A Oh, sorry.

11 Q Could you read the first sentence under "Dear
12 Friend."

13 A "Of my 25 years prosecuting criminals, over
14 half has been devoted to crimes against children,
15 primarily cases of physical and sexual abuse, neglect,
16 and even starvation."

17 Q And the second?

18 A "I started handling those cases in 1991, and
19 in 2006 was proud to move our Special Assault Unit
20 into the state's first full service child advocacy
21 center. No longer would kids and their families have
22 to run all over the county to access the professional,
23 law enforcement, medical, and prosecution services
24 they deserved. For the first time, they were all in
25 one place; and we named it Dawson Place. While other

1 counties have CACs, none has all the services a kid
2 and family need under the same roof."

3 Keep going?

4 Q Sure. Up to the word "government" in the
5 middle of the next paragraph.

6 A "Seth Dawson, Snohomish County Prosecuting
7 Attorney at the time, hired me back in 1987, and from
8 even before that time he dreamed of creating one place
9 where victims could receive all the care they needed
10 and deserved. When it finally happened, Janice Ellis,
11 I, and many others agreed that it should be named
12 after Seth. In the years since 2006, due in large
13 part to Janice's efforts securing funding from state
14 and federal government, we were able to purchase a
15 permanent location right on California Street in
16 downtown Everett. That was --

17 Q Thank you.

18 A Oh, that's not where you told me to stop, but
19 I'll stop there if you like.

20 Q Thank you.

21 Do you consider those representations that
22 apparently you wrote to be correct?

23 A Yeah.

24 Q That's a fairly accurate --

25 A I think it's -- yeah.

1 Q So you were hired by Seth Dawson as a
2 prosecuting attorney in 1987 roughly around then?

3 A Well, I worked -- kind of. I worked as an
4 intern here in 1986 as a volunteer intern starting in
5 May and going through December of 1986. I had to take
6 the bar, and so I think I took that in December of
7 '86. And then I started work at the office again
8 after I got my results, and I think that was in March
9 of 1987.

10 Q And you passed the first time?

11 A Yes.

12 Q Very good.

13 When was the first time you heard about Dawson
14 Place?

15 A That I heard about -- just for clarification,
16 that I heard about Dawson Place itself, the entity as
17 it now exists, or that I heard about the concept of a
18 child advocacy center?

19 Q The concept of a child advocacy center.

20 A From Seth probably back in the early '90s
21 during my first time that I was assigned to the child
22 advocacy center.

23 Q Okay. And --

24 A It was a twinkle in his eye.

25 Q What was it composed of at that point?

1 A There wasn't any such thing.

2 Q But it existed as a vision?

3 A It didn't exist. It was an idea that had come
4 from some conference he had gone to back East.

5 Q What was his idea?

6 A That though law enforcement's job is very
7 separate and distinct, the prosecutor's job is very
8 separate and distinct, medical professional jobs are
9 very separate and distinct, counselors and therapists
10 job is very separate and distinct, DSHS is separate
11 and distinct, currently, kids who are the victims of
12 abuse or neglect -- physical, sexual, you name it --
13 have to go all over the county to find those various
14 places because they're all located in different
15 places.

16 And he thought that was mean and that making
17 people go all over the county to have to get services
18 that they deserve was unduly burdensome on people and
19 families that were already going through what was
20 likely the most difficult time of their life.

21 He liked the concept and he brought back the
22 idea that, although nobody is going to tell us what
23 cases to file and not file and no one is going to tell
24 us what cases to investigate or not investigate, we
25 could all benefit by being in a location with the same

1 landlord where we can share information and that that
2 will then mean only one place, hopefully, that a kid
3 has to go or needs to go. Anything can be provided
4 there in one location.

5 Q So that a victim of one of these horrific
6 crimes wouldn't have to be victimized again by having
7 to traipse all over the state and get interviewed by
8 half a dozen different people or in half a dozen
9 different places?

10 A Yeah. That's the general notion, yes, and it
11 seemed a common sense one.

12 Q And that then was Seth Dawson's idea in the
13 early '90s, late '90s?

14 A No. I think it was in the early '90s, because
15 I remember hearing about the concept of having
16 everybody doing very different things but doing it in
17 the same place was my first time, my first tour in
18 SAU, and that was in the early '90s.

19 Q Now, did Dawson Place, as it now exists, bring
20 into existence overnight or rise from the waves in the
21 manner of Aphrodite rising from the sea-foam fully
22 formed, or were there points at which different parts
23 of Dawson Place evolved or developed?

24 MR. MYERS: I'm going to object to the
25 question. It's to the form. It's vague and compound.

1 Do you understand the question?

2 A I think so. You tell me if I'm going the
3 wrong direction with this. There was kind of two
4 phases. The first was tons of meetings, task forces,
5 steering committees, and a lot of talking about the
6 concept of a child advocacy center and trying to work
7 out whatever impediments there were to creating one.

8 Because you can't -- there was no way to force
9 anybody to do it. It had to be voluntary. We have no
10 authority over Providence, and they have no authority
11 over us. And that talk and those meetings, I think,
12 went on for -- they did go on for years. There were
13 steering committees. Sometimes it was called a task
14 force. I was never on it, but I was aware of it. I
15 was aware that it was going on, and I was interested
16 in its progress and whether or not it was ever going
17 to happen.

18 But I was busy handling some of the worst
19 cases this county has to offer, and I focused on that.
20 In 2006 -- I think in '5 or '6 is when this building
21 got built, and to -- in my recollection -- I could be
22 wrong about this, but there was -- when this building
23 got built, people who had been housed other places,
24 moved into this building. And that left a vacant
25 second floor of a building on Colby that the county

1 had already rented and, I think, paid for, which I
2 heard about somehow or another and I thought would be
3 an available space that people could actually hang
4 their hats and their shingles and actually get this
5 started.

6 And that was in 2006, but there was -- it was
7 unknown whether everybody would come. Because there
8 was stuff that just -- interdepartmental stuff had not
9 been worked out. I guess that's what all the meetings
10 were about.

11 But then in 2016 -- or in 2006 we kind of hung
12 out the shingle there. There was discussion about it,
13 about whether we ought to give this a whirl before
14 people quit talking about it because it's the best
15 thing to do for the kids and told people at Providence
16 to come and have a look at the place and see what they
17 thought and people from Compass to come and have a
18 look at the place and see what they thought.

19 And I recall that everybody agreed that
20 Providence, since it has medical needs and actual --
21 needed bathroom and sink and stuff for an exam room
22 should kind of get the first pick of where they would
23 go in that area if they were willing to come. And I
24 thought that everybody kind of moved in within a few
25 months of one another.

1 And so I don't know if that fits your analogy
2 of rising from the ashes or anything, but it came
3 together reasonably quickly during that time period,
4 although it was under, I believe, the YWCA. You had
5 to have somebody that you were renting the space from
6 or that was your landlord, I guess. And for a while,
7 it was YWCA. I don't remember when it switched to
8 Compass.

9 There was a long germination period, I guess,
10 would be the way to put it. But when it sprouted, it
11 sprouted reasonably quickly in 2006 and has developed
12 since then. Does that make sense? Did you follow all
13 that, I guess?

14 That's reaching back a decade into the memory
15 where my focus during that time, as the head of our
16 Special Assault Unit, was the cases that I was
17 handling. That was my main focus, and I was doing a
18 fine job handling those, Mr. West --

19 Q I'm sure you were.

20 A -- in a different location where we didn't
21 have Compass or Providence or DSHS or anybody else.
22 And moving into a child advocacy center where those
23 people were present didn't actually change my job at
24 all. I was still doing the same thing. I just didn't
25 have to reach as far to get information or to share

1 information, and kids didn't have to go as far.

2 Q I'm sure it was a benefit for everybody.

3 A I think it has been.

4 Q We're not saying it wasn't.

5 So to encapsulate then, it started out as sort
6 of a twinkle in the eye of Seth Dawson, and then
7 there's a period where there was meetings between
8 various public agencies and private agencies. And
9 then there was a coalescence in 2006, and then people
10 moved into the Colby -- second floor of the Colby
11 building around then?

12 A Above the Bank of Everett, like at the corner
13 of Colby and California. Before that we were on Colby
14 in the Chaffee Building, and our landlord was not
15 Dawson Place. Our landlord was Art Skotdal who owns
16 half of Everett. We paid Art Skotdal, and he didn't
17 tell us what cases to charge either.

18 Q But, originally, the -- when the people moved
19 in, that would have been a combination of both public
20 and private agencies?

21 A Yeah.

22 Q And the public agencies would be who?

23 A Us and the sheriff's office.

24 Q Was DSHS a part of it at that point?

25 A I don't think they were a part of it at the

1 very beginning. They might have been. They might
2 have been. I don't recall.

3 Q And the private agencies were?

4 A Providence and Compass.

5 Q Thank you.

6 So as this document relates, in the years
7 since 2006 due in large part to Janice's efforts to
8 secure funding from the state and federal government,
9 Dawson was able or the CAC was able to purchase a
10 permanent location on California Street. Is that a
11 correct --

12 A I don't remember exactly the year, but that's,
13 essentially, correct, yeah.

14 Q So were you aware of Janice Ellis's
15 fundraising efforts at that time?

16 A I was kind of aware of them, but I was really
17 dubious. Because it was the recession, and I just
18 didn't think that she would ever be able to pull it
19 off. But she did.

20 Q Did you support those efforts?

21 A Oh, hell yes, yeah.

22 Q Did you write letters or talk to people?

23 A I may have. I have -- I can't tell you the
24 number of --

25 Q Make phone calls?

1 A I don't know if I made phone calls in part
2 because I generally don't like talking on the phone.
3 I like talking in person. You have to understand that
4 just this past year in legislative session, I was on
5 the governor's task force involving officer-involved
6 shootings, and I was only the prosecutor on that. And
7 I was down in Olympia five different days for almost
8 the whole day, and a lot of my career has been like
9 that.

10 So I may -- I am certain that I have at one
11 point or another addressed the legislature about
12 special assault issues, about laws and statutes. I'm
13 certain that I have talked to legislators on occasion
14 about the value of a child advocacy center.

15 Q Did you have a role in the creation and
16 formation of Dawson Place, a minor supporting role
17 perhaps?

18 MR. MYERS: Let me object. It's vague
19 as to what you mean by "Dawson Place." Dawson Place,
20 the place; or Dawson Place, the entity?

21 Q Well, any of the above.

22 A Well, they're different.

23 Q How are they different? I'm not getting this
24 distinction. Could you explain that?

25 A Dawson Place is just that, it's a place.

1 Q Okay.

2 A It's a place with -- that is run by a small
3 nonprofit that doesn't really have any role in the
4 work of the independent agencies that reside there.

5 Q And as opposed to Dawson Place --

6 A The location where we -- where the various
7 entities reside and do their work, I think I did have
8 a role in that. I encouraged it.

9 Q Okay.

10 A And I think I heard about this space, and I
11 grabbed a sergeant from the sheriff's office. And we
12 walked over there to see if we thought it was big
13 enough to house the different agencies that ought to
14 be part of a functioning child advocacy center, which
15 we did not invent. There are about 500 child advocacy
16 centers across the nation.

17 The one here has, I think, more of the
18 agencies, but, I mean, it wasn't like this new thing
19 that we invented out of whole cloth. So finding a
20 spot, a location, and encouraging people from other
21 agencies to come there with us and work with us so
22 we're together so kids don't have to run all over the
23 goddam place, yes, I had a role in that. I encouraged
24 that.

25 Q Are you proud of that?

1 A Yes, absolutely.

2 Q I think you should be.

3 Getting back to this document --

4 MR. MYERS: Exhibit 18?

5 MR. WEST: Exhibit 18.

6 BY MR. WEST:

7 Q Do you recognize what the purpose of this --
8 sending this document out was?

9 A Yes.

10 Q Could you describe it for me?

11 A For some time after it was created, people
12 didn't know about Dawson Place. They didn't know
13 there was a child advocacy center. They didn't know
14 there was one place where kids and their families
15 could go for a multitude of different reasons to help
16 them with the healing process and without going all
17 over the county.

18 We sometimes, in gallows humor, referred to
19 Dawson Place as the best-kept secret in Snohomish
20 County and agreed as a bunch of us were board members
21 at the time or were involved in Dawson Place or were
22 on the management team like I was that we would try to
23 have little house parties and invite people to hear
24 about Dawson Place and what it does. And I had one at
25 my house, and it sure looks like it is what I wrote, I

1 think, to get people to come there.

2 Q Did any portion of this involve fundraising
3 efforts?

4 A We made a decision that there would be no ask
5 at these things. We were just going to have people
6 come to hear and learn about Dawson Place without
7 having somebody immediately ask them for money.

8 Q Could you read the third paragraph of this
9 document.

10 A "I am very proud of Dawson Place, and think
11 you should be too. We simply want to tell you more
12 about it. What we will not do...is ask you for
13 donations. Each of you probably get requests dozens
14 of times a year from many worthy causes. Though there
15 are none worthier than Dawson Place, I know that you
16 can't possibly give to every organization or charity
17 you would like to. I am hosting this event at my
18 house so that when you and your spouse or associates
19 sit down to discussion your annual giving, Dawson
20 Place is something that you know about."

21 Q Thank you.

22 Do you consider that to be a fundraising
23 communication?

24 A I consider it to be an educational
25 communication, and part of that education is making

1 sure that people understand that, though there's cops
2 there, it's not a police station. And though there's
3 prosecutors there, it's not a prosecutor's office.
4 It's not funded by government. We will need
5 donations.

6 Q I understand.

7 When you say "I am hosting this event at my
8 house so that when you and your spouse or associates
9 sit down to discuss your annual giving, Dawson Place
10 is something you know about" --

11 A I'd like it to be part of their discussion.

12 Q So but they could donate money perhaps?

13 A If they decide to, yeah. Without calling
14 somebody and asking them for money is the way a lot of
15 places raise their money. That's not what this was.
16 If it caused them a desire to support Dawson Place,
17 great.

18 Q Thank you.

19 Fourth paragraph, fifth line -- oh, fourth
20 line starting with "my." Could you read the rest of
21 that paragraph?

22 A Which paragraph?

23 Q The fourth paragraph.

24 A Oh, you're talking about --

25 MR. MYERS: Are you talking "my older

1 sister"?

2 MR. WEST: Yes.

3 A Okay. "My older sister began the first
4 dedicated Special Assault Unit back in the '70s when
5 she was a King County prosecutor. My wife Lisa is the
6 current lead attorney at Dawson Place now, as she was
7 for much of the 90's, and as I was before becoming
8 County Prosecutor. These kids need people fighting
9 for them, and they need a safe and child friendly
10 place to go for all the care that we want to give
11 them. Here in Snohomish County we have a place,
12 Dawson Place."

13 Q Thank you. We're done with that exhibit.

14 (Exhibit 19 was marked.)

15 Q Do you recognize this document?

16 A Having gone through this letter, makes this
17 look more familiar. Do I recognize that this was
18 done, no, but I can certainly tell that it looks like
19 an invitation to what the letter is talking about.

20 Q Okay. And what was this an invitation to?

21 A That thing at my house where people could hear
22 about Dawson Place and what it does and why we think
23 it is important.

24 Q And did that take place?

25 A It did.

1 Q At your house and you recall that?

2 A Yeah.

3 Q Okay. In addition to yourself being listed
4 here, who are the special guests?

5 A Nelson Beazley, the Arlington police chief,
6 and Sonya Kraski, the Snohomish County Clerk.

7 Q And what took place at the meeting or what
8 does it say happens at 6:00 to 8:00 p.m. under the --

9 A Well, that's the time for the thing is 6:00 to
10 8:00.

11 Q And there were hors d'oeuvres and refreshments
12 served?

13 A Uh-huh.

14 Q Do you recall who attended?

15 A I don't.

16 Q Do you recall how many people?

17 A I don't. I remember I wasn't embarrassed.
18 Whenever you have something and afraid no one is going
19 to come, and people came. I just don't remember how
20 many.

21 Q Were there people from public agencies
22 attending?

23 A Other than the ones listed, I don't believe
24 so. It was primarily looking to people in the
25 community and the north Snohomish County community

1 that I've been part of from my coaching sports and
2 stuff for years. And that's, I think, why we had
3 Nelson Beazley because Arlington is up there and Sonya
4 Kraski because she's from Arlington.

5 Q And when you were conducting activities for
6 Dawson Place Child Advocacy Center, were you doing so
7 as the Snohomish County Prosecutor?

8 A Yeah. I was the Snohomish County Prosecutor.
9 That was certainly no secret.

10 Q And part of your official job functions?

11 A I consider helping crime victims part of my
12 official job.

13 Q Well, that's good.

14 A Part of the job I've always done --

15 Q I agree.

16 A -- which is why I've done the job for
17 30 years.

18 Q I think that's a laudable goal. Thank you.

19 A It doesn't say what year.

20 Q Do you do this every year?

21 A No.

22 Q Do you remember how many times?

23 A I've only done it once.

24 Q Does Dawson Place have a yearly event?

25 A We have started to, yes, a luncheon.

1 Q And how does that work?

2 A Like any other luncheon. People get invited
3 to it. And at some point, you have a speaker; and at
4 some point, there's an ask for support and donations.

5 Q Okay. So I'm getting down to the bottom of
6 this, but let's just recap then. You were hired as a
7 prosecutor in Snohomish County when?

8 A I started as a volunteer in '86.

9 Q Okay.

10 A And I was hired in '87.

11 Q And when did you start working at Dawson
12 Place?

13 A From its inception in 2006.

14 Q And at what roles have you -- what role did
15 you play -- what was your job in 2006?

16 A I was a supervisor of our Special Assault
17 Unit.

18 Q When it moved to the facility?

19 A Uh-huh. I believe so. I mean, I've been the
20 supervisor and at other times I've not been the
21 supervisor. I believe I was then.

22 Q Very good.

23 A I'm not sure.

24 Q Have you held positions in Dawson Place such
25 as president or board member?

1 A I have been a board member. I am currently a
2 board member. And I have been the president of the
3 board, and I have been the vice president of the
4 board.

5 Q Do you know what years those would have been
6 at this point?

7 A No. I'm sorry. I don't.

8 Q Do you know when your position -- your
9 executive position or board membership would have
10 started?

11 A I don't exactly. I don't believe it started
12 right at the outset, though. I remember we had board
13 meetings in the bank in a conference room down there
14 because the bank owned the building, and they were the
15 landlord at that point.

16 And I would go to the board meetings. Janice
17 was there. Janice was there, Kathy Atwood, the
18 Everett police chief was there. They were on the
19 board, but when I attended, it was generally to
20 provide a report on our office's -- our cases and
21 stuff like that.

22 Q Okay. And the --

23 A I don't know when that changed. I don't know
24 when I became a board member.

25 Q Now, are you familiar with the articles of

1 Dawson Place?

2 A Not really, no.

3 Q Have you submitted the articles to any public
4 agency in association -- recently in association with
5 any letter or response?

6 A I'm not familiar with them, so I don't know
7 that I've had anything to do -- what articles are you
8 referring to? I'm not even sure.

9 Q The articles of the incorporation of Dawson
10 Place.

11 A I'm not really familiar with those.

12 (Exhibit 20 was marked.)

13 Q Do you recognize this letter?

14 A No.

15 Q Okay. Do you recognize the signature on this
16 letter?

17 A Yeah.

18 Q Can you tell me the date appearing on the top
19 of the letter?

20 MR. MYERS: I'm going to object to this
21 exhibit and to the scope concerning this. Can you
22 tell me how this relates to the Telford factors?

23 MR. WEST: Yes. It talks about the
24 articles of Dawson Place, and it requires the
25 prosecuting attorney in Snohomish County to be a

1 member. And that's what it's being offered for.

2 MR. MYERS: How does that relate to the
3 Telford factor?

4 MR. WEST: The bylaws? If the bylaws
5 of an organization require the prosecuting attorney to
6 be a member of an organization?

7 MR. MYERS: This, on its face, is
8 something that was directed to the Public Disclosure
9 Commission. It does not contain the Articles of
10 Incorporation themselves.

11 MR. WEST: It -- it was attached --
12 they were attached to the bylaws.

13 MR. MYERS: Let me finish. The
14 document is something that was addressed to the Public
15 Disclosure Commission. It does not attach the
16 Articles of Incorporation, which speak for themselves.
17 They've been produced in discovery. The --

18 MR. WEST: It goes to the voracity of
19 the witness, whether he's aware of the bylaws and the
20 requirement that the prosecutor is a member of Dawson
21 Place.

22 MR. MYERS: It describes Dawson Place
23 as a 501(c)(3) corporation and --

24 MR. WEST: And what does it say after
25 that?

1 MR. MYERS: And then it talks about the
2 Articles of Incorporation. If you want to ask about
3 the Articles of Incorporation Bylaws, ask him about
4 that document. This document has nothing to do with
5 those other than that it, apparently, sent them to the
6 Public Disclosure Commission.

7 MR. WEST: Okay. Do you --

8 MR. MYERS: How does sending something
9 to the Public Disclosure Commission relate to the
10 Telford factors?

11 MR. WEST: The statement, pursuant to
12 its bylaws, the Snohomish County Prosecuting Attorney
13 is a member of the board of directors. If you want to
14 admit that, we don't have to admit this as an exhibit.

15 MR. MYERS: That has already been
16 submitted to you in the discovery where we gave you a
17 list of who was on the board.

18 MR. WEST: Okay. So you'll -- for the
19 purposes, then, of the record, you will stipulate that
20 pursuant to its bylaws the --

21 MR. MYERS: The bylaws are what the
22 bylaws are and testifying in hearsay form about what
23 the bylaws provide from a document that is not the
24 bylaws themselves is certainly not the best evidence.

25 MR. WEST: Hearsay from the witness

1 that we're examining? How is that hearsay?

2 MR. MYERS: This isn't hearsay.

3 MS. SHAVLIK: This is online.

4 MR. WEST: This is signed by Mark Roe.

5 MS. SHAVLIK: This is his document that
6 he admitted his performance and his official capacity.

7 MR. WEST: How is that hearsay?

8 MR. MYERS: I'm trying to get at why
9 this relates to a Telford factor. The articles might
10 relate to a Telford factor. The bylaws might relate
11 to a Telford factor.

12 MR. WEST: I'm not examining as to the
13 content of the complaint. I don't even think the
14 complaint was founded myself. I'm not even saying
15 anything about the complaint. I'm saying are you
16 aware that under the bylaws of the organization, the
17 Snohomish County Prosecutor is required to be a member
18 of the board?

19 MR. MYERS: That's a proper question.

20 And you can answer the question.

21 MR. WEST: That's the question, and
22 that's the only reason this has been addressed.
23 That's the only question from this document that I
24 prepare to use.

25 MS. SHAVLIK: And I have a follow-up.

1 So I have a follow-up.

2 MR. MYERS: Well, let him answer the
3 question that's been posed, which is: Are you aware
4 that the bylaws provide that the Snohomish County
5 Prosecutor is on the board?

6 MR. WEST: Is required to be on the
7 board.

8 A I was not, but I would have been on the board
9 voluntarily and wanted to be on it anyway. So I guess
10 I didn't know it was required to be on the board. I
11 think that refers to anyone from my office. Anyone
12 from my office can be on the board as my
13 representative, but I choose to be on the board. I
14 will probably choose to be on the board long after I'm
15 retired as a prosecutor.

16 Q Very good. Did you write this document?

17 A No, but I reviewed it and signed it.

18 Q And, again, it says pursuant to its bylaws,
19 the Snohomish County Prosecuting Attorney is a member
20 of the Board of Directors of the Dawson Place Child
21 Advocacy Center?

22 A And I can tell you that I probably wouldn't
23 have paid much attention to that line, because I'm on
24 the board. I want to be on the board. So whether I'm
25 required to be on the board or not, I want to be.

1 Q Yes. Okay. Thank you.

2 MS. SHAVLIK: Thank you.

3 MR. WEST: You had a follow-up
4 question, and you may object if it's out of the scope.

5 MR. MYERS: Do you want to ask a quick
6 follow-up question before we get to your questions?

7 MS. SHAVLIK: Let's wait. We'll wait.

8 MR. WEST: I have a couple more.

9 BY MR. WEST:

10 Q What is your conception of a multidisciplinary
11 team?

12 A A whole bunch of people who do different jobs
13 getting together to talk about a kid from their
14 perspective so that everybody is there to be better
15 informed about that child and what would be to the
16 benefit or detriment of that child.

17 Q When you talk about information sharing, is
18 that part of the actions of a multidisciplinary team?

19 A Yeah.

20 Q Do you think that the co-location of all of
21 the various public and private entities at Dawson
22 Place makes your job as a prosecutor easier?

23 A It makes it harder in some respects.

24 Q Yeah. In what respects?

25 A As a deputy prosecutor handling cases about a

1 very difficult and emotional subject matter, it is
2 simpler and easier if I don't have some
3 community-based therapist or advocate or counselor
4 coming in upset that I decided not to charge the case.
5 It is probably simpler to make those decisions without
6 talking to them with a bunch of people who may
7 disagree with me.

8 We don't -- we aren't part of being at Dawson
9 Place because it makes our job easier. It makes our
10 job better. I think it makes it better for the kids.

11 Q Do you think that the community is well served
12 by the activities of Dawson Place?

13 A Oh, yes, I do.

14 Q Do you think that victims of crime get a
15 better result from the services they utilize because
16 of the co-location?

17 A Depends on what you call result. What result
18 are you talking about?

19 Q Well, do you think it's beneficial for the
20 victims to have Dawson Place there?

21 A It is beneficial to them in their healing. I
22 don't know that it particularly helps us one way or
23 another in an actual prosecution, because most of the
24 cases and the kids who come to Dawson Place, there
25 isn't a criminal referral. And there aren't going to

1 be criminal charges. That's not the focus of Dawson
2 Place. That kid and that kid's healing are what the
3 focus of Dawson Place is. So in that respect, it's
4 beneficial.

5 Q Let's talk about the prosecutions. The
6 Special Assault Unit located at Dawson Place, what's
7 their primary focus?

8 A Crimes against children, physical and sexual
9 abuse and neglect.

10 Q And that Special Assault Unit, roughly, how
11 many prosecutions does it do in a year?

12 A That's -- I mean, that's a hard question to
13 answer. Very generally?

14 Q Generally.

15 A We'll get, you know, four or five hundred
16 referrals, give or take, and, generally, make filing
17 decisions and file somewhere around half. Sometimes
18 more; sometimes less.

19 Q A couple hundred, though?

20 A Yeah.

21 Q Okay. And that unit is located in the Dawson
22 Place Child Advocacy Center?

23 A Yeah.

24 Q And it shares information with some of the
25 other agencies?

1 A Uh-huh. They want to know has that case been
2 charged yet? Have you guys reviewed that case? Have
3 you met with the victim? She didn't show? Maybe we
4 can help with that. Yeah, we share information.

5 Q That's --

6 A One of the main purposes for being there.

7 Q -- to try to get a better result for the
8 victims?

9 A For the kid ultimately --

10 Q And the community.

11 A -- to get the services that they need, and
12 that's going to help the community. That's for sure.
13 When you victimize a kid who is 6, he or she has
14 probably got 80 more years to live.

15 When I first started doing these cases
16 exclusively back in the early '90s, there were so many
17 kids that never got any therapy or counseling and to
18 this day have never talked about what happened to
19 them. I don't think that's good for them for their
20 healing, and neither do the experts. I mean, it was
21 just my gut extinct that that can't be good to bottle
22 that up inside of you forever.

23 I think it's good. I think it's good for
24 them. Whether we file charges or don't is, generally,
25 in most instances, with most cases who go to Dawson

1 Place, we don't ever file charges.

2 Q But you said before -- I'm sure when Mr. Myers
3 examines you, you're going to talk about everybody
4 operating independently, and there being no Dawson
5 Place Child Advocacy Center, that Dawson Place is
6 merely a roof under which different agencies operate.
7 That's your view of how it works?

8 A Well, there's a center where we're all
9 co-located and we all have a common landlord, and
10 that's Dawson Place, the entity. But we all do our
11 jobs independently, but I think having more
12 information is better and can help you do your job and
13 help you be more compassionate and less traumatic for
14 the kids we deal with.

15 Q And, certainly, psychologists and therapists
16 don't arrest people. The sheriff doesn't sign
17 criminal informations. Everyone does their job;
18 correct?

19 A Kind of in their lane.

20 Q In their lane. But all of these lanes form a
21 larger whole. Would you agree? Say like lanes in a
22 swimming pool or lanes on a freeway, the cars are
23 driving in separate lanes, but they're all going the
24 same way?

25 MR. MYERS: I'm going to object to the

1 form of the question.

2 Q Could you explain your metaphor of a lane?

3 A We're there to help kids, and that's
4 everybody's goal. There we try to help them in
5 different ways. We can't help them all, and you have
6 plenty of dissatisfied customers who don't like one
7 thing or another that happened or didn't happen
8 because it's an unpleasant experience to be the victim
9 or the parent of somebody who has been victimized like
10 this.

11 But everybody has got their own job to do, and
12 they do it. I don't tell anybody at Providence how
13 they should do a medical exam. And I don't tell
14 anybody at Compass how they should deal with somebody
15 during group, and they don't tell me what cases to
16 charge or what cases to ask for follow-up law
17 enforcement on.

18 Q But all these people share information and try
19 to work for the best interest of the child?

20 A Oh, yeah, of course.

21 Q That's the function of Dawson Place?

22 A Well, that's the function of all the people
23 that work there. The function of Dawson Place is to
24 kind of keep things coordinated, keep the lights on,
25 that kind of stuff. It's a facilitator. It's a

1 facilitating organization to help us all do our jobs
2 by allowing us to be co-located in one location.

3 Q Very good.

4 MR. WEST: Thank you for your time. Do
5 we want to take a break?

6 MS. SHAVLIK: Yeah.

7 MR. MYERS: Lori, how long --

8 THE REPORTER: Do you want to be off
9 the record?

10 MR. WEST: Off the record.

11 (A luncheon recess was taken from
12 12:47 p.m. to 1:19 p.m.)

13 E X A M I N A T I O N

14 BY MS. SHAVLIK:

15 Q My name is Lori Shavlik. And I'll be having
16 some follow-up questions from the exhibits that have
17 already been entered, and then I'll have my own
18 exhibits to add too.

19 So going to Exhibit 2, on the fourth page,
20 there's a chart, and it refers to the sexual assault
21 unit. Mark, you had said that the child --

22 MR. MYERS: Are you referring to the
23 fourth page? That's the fifth page.

24 Q Okay. Okay. So you talked about the child
25 interview specialist. Who do those specialists work

1 for, were they employed by?

2 A Back then in 2006 -- well, when, I guess?
3 Because this is the 2010 report, and that's changed
4 over time. I don't know exactly when it changed.
5 They were employed -- when I first got into SAU in
6 1991, it was the sheriff's office.

7 Then when I was in -- then they cut the
8 positions, and I thought that was during the
9 recession, which, was, like, '9 or '10; right? And
10 then I think they may have still been employed by the
11 sheriff's office, but they were paid for by all of
12 county law enforcement or maybe they were actually
13 employed by Dawson Place at that point. I can't
14 actually tell you.

15 I know that now they're employed by Dawson
16 Place and funded by the one-tenth of 1 percent sales
17 tax, but the exact chronology and years, I'm not
18 certain.

19 Q Okay. And so they're definitely not employed
20 by Dawson Place?

21 A They are employed by Dawson Place. They're
22 employed by Dawson Place, and they're paid for by the
23 one-tenth of 1 percent mental health sales tax.

24 Q Let me clarify. At the time they began, they
25 weren't paid -- they weren't employed by Dawson Place?

1 They started with the sheriff's office; correct?

2 A Back in the '90s, I know they worked for the
3 sheriff's office. Now and for quite some years, they
4 have been employed by Dawson Place.

5 Q Okay. Thank you for that.

6 A And there was an intervening period where they
7 were employed by either Dawson Place or the sheriff's
8 office. I don't know which, but they were paid for by
9 kind of passing the hat amongst county law
10 enforcement.

11 Q Okay. That helps out. Thank you.

12 And when they created a file on -- say they
13 had a case and they created a file and they worked on
14 this file, who held those files?

15 MR. MYERS: I'm going to object. Can
16 you specify who "they" is?

17 MS. SHAVLIK: I'm sorry. I was
18 speaking of the child interview specialist.

19 A I don't know that they create a file.
20 Generally, a DVD is created, but I don't know how they
21 do their bookkeeping or whether they have a file or
22 folder or what they do. I know that they do an
23 interview, and the interview is recorded in video and
24 audio on a DVD. I know that much.

25 Q Do they document their name and address and

1 phone number?

2 A Whose? The interview specialist?

3 Q Yes. Sorry.

4 A I don't know.

5 Q Have you ever done a CIS interview?

6 A Have I? No.

7 Q No?

8 A No. I'm not a child interview specialist. I
9 have never interviewed a child.

10 Q Who interviews the child?

11 A The child interview specialist.

12 Q And who from your agency would that have been
13 at the beginning?

14 A Nobody in my agency does that.

15 Q Have they ever?

16 A Not to my knowledge. The child interview has
17 been done by the child interview specialist for as
18 long as I can remember. They are not part of my
19 office. We generally will receive a copy of the
20 interview that they did.

21 Q You said that they were employed by the
22 sheriff's office in the beginning?

23 A In the beginning, a woman's name was Carol
24 Rankin, and she was employed by the sheriff's office.
25 And she was a child interview specialist, and then she

1 moved -- got married and moved to --

2 Q Okay. Thank you. I think you've answered the
3 question. However, I'm still questioning have you
4 ever, Mark Roe, personally ever witnessed or been
5 present during a CIS interview?

6 A I have watched portions of some interviews as
7 they were taking place on the kind of closed-circuit
8 TV monitor in the adjoining office where the interview
9 is happening. But in the interview room, it is just
10 the interview specialist, the child, and usually a
11 dog.

12 Q Okay. Are the parents accompanying the child?

13 A Not in the interview. The child is usually in
14 the room with the dog and the interview specialist.
15 Not always a dog, because some kids in some cultures
16 don't like dogs. Most people like them.

17 Q So the documents that the CIS specialist would
18 use is the DVDs?

19 A They produce a DVD.

20 Q They produce a DVD, but they don't keep track
21 of --

22 A I don't know whether they do.

23 Q -- any file?

24 MR. MYERS: Let her finish asking the
25 question before you answer it so our court reporter

1 can take it down.

2 Q So the CIS interview, when this person would
3 interview a child, would they keep a file of any kind
4 or create a file or refer to a file or have any kind
5 of a file that is created by another, say, agency?

6 MR. MYERS: I'm going to object to the
7 form of the question. It's compound.

8 MS. SHAVLIK: Let me rephrase it.

9 MR. MYERS: Thank you.

10 Q So on evidence item No. 12, you referred to a
11 victim advocate. The highlighted area, could you read
12 the highlighted area?

13 A Again? "Dawson Place is a Child Interview and
14 Advocacy Center. Their primary objective is to
15 interview child victims under the age of 12. The
16 Snohomish County Prosecutor's Office has a policy that
17 all child victims must be interviewed by them."

18 Q When you read that, you referred to them as
19 victim advocates.

20 A Referred to who?

21 Q The interviewers. The interviewer that
22 represented the prosecuting office, your staff.

23 A Okay. There's no interviewers that represent
24 the prosecutor's office. We don't employ
25 interviewers. We do employ two victim advocates, but

1 they don't do interviews.

2 Q Okay. That clarifies it.

3 Who controls the communication between the
4 victim, maybe victim's parents, and the advocate?

5 A Nobody. They usually have each other's phone
6 numbers, and they talk to each other directly.

7 Q Would that be the prosecutor's office?

8 A If it was about a case that was being
9 prosecuted, but it would be Providence if it's about
10 some other angle if it wasn't something that wasn't
11 integrally related in the prosecution. Our advocates
12 are there to help guide victims and families into
13 being part of a prosecution, but there are other
14 avenues in the building.

15 Q The question, I guess -- the question was
16 about the victim advocates and their role. And I'm
17 trying to understand the victim advocate that you
18 named at your office, which is -- you had said that
19 you had one lead, five deputy prosecutors, two and a
20 half support staff, and two advocates. Those are the
21 advocates I'm referring to, and I am just trying to
22 understand their role as victim advocates. Can you
23 explain their role and what they do with the victim?

24 A Sure. They'll make the initial contact with
25 the victim and let them know and let their parent know

1 or guardian or responsible adult, sometimes it's the
2 victim themselves, that a case has been referred to
3 our office, that it has been assigned to a deputy
4 prosecutor, and that we would like to set up a meeting
5 at some point to meet the deputy prosecutor who was
6 assigned the case to make -- help make a charging
7 decision or explain a charging decision.

8 Q So the advocate would be in charge -- in
9 guidance with the prosecution -- decision of
10 prosecution?

11 A No. The prosecutor decides whether to file a
12 charge and just the prosecutor, but the advocate helps
13 schedule a meeting with the victim, victim's parent,
14 make sure that it fits the prosecutor's schedule.
15 They're kind of a go-between, to some extent, and
16 answer questions for people and families if they've
17 got questions about what's going on or what's taking
18 so long or, gee, how could this case get continued and
19 that kind of stuff.

20 Q So they control the communication between the
21 victim and your office?

22 A They don't control it. They take part in it.
23 I can pick up the phone and call someone. I have done
24 that on occasion, but they certainly take part in it.

25 Done with that one?

1 Q Yes.

2 So No. 7, at the bottom of the page, it says
3 the services that are provided through Dawson Place
4 include medical exams, community advocacy, preventive
5 education, mental health assessments and counseling,
6 among -- there's some other -- child forensic
7 interviews, child protective services, law enforcement
8 investigations, and also offender prosecution
9 services.

10 When they have these cases, do they share
11 information from the medical file?

12 MR. MYERS: I'm going to object to the
13 form of the question. Can you identify who "they" is
14 when you're asking -- who you're asking about.

15 MS. SHAVLIK: I read --

16 BY MS. SHAVLIK:

17 Q The CIS, the advocates, anyone who comes in
18 contact with the victim who does interviews or
19 communication, do they share their knowledge with the
20 other agencies, such as the sheriff, the prosecutor,
21 the medical, the counseling? Do they allow their
22 information to be shared altogether?

23 MR. MYERS: I'm going to object to the
24 form of the question as it's compound, and it's vague
25 as to who you're asking about.

1 MS. SHAVLIK: Two people.

2 MR. MYERS: And also the foundation as
3 to whether this witness knows.

4 BY MS. SHAVLIK:

5 Q Okay. Let me ask it again. The victim
6 advocate that is from your agency, the prosecutor's
7 office, the CIS interviewer, when they come into
8 contact with the victim, do they share their
9 information and knowledge gained through the interview
10 with the other agencies, such as the sheriff, the
11 prosecutor, the medical, and the counseling?

12 MR. MYERS: Let me object to the
13 foundation, because I think it assumes facts that
14 aren't in evidence about what the victim advocate has
15 learned through their contacts.

16 But you can answer the question if you can.

17 A I don't know all of what people share and who
18 they share it with. I do know our victim advocates
19 share any information they get with the prosecutor.
20 That's for sure. That's one of the reasons they're
21 there.

22 Q And do they receive information from the
23 medical? Compass Health, do they share? Do they
24 talk?

25 A I don't know that. I don't think that -- I

1 don't know that. The conversations that we have -- we
2 get a completed investigation, and, usually, all that
3 information is in the completed investigation.

4 Q Is that in the form of a file?

5 A A special assault case, generally, comes into
6 the form of a file. It's made into a file.

7 Q Who has that file?

8 A The sheriff's office would have their
9 investigative file, and then we make our own file with
10 that information that contains everything that they
11 gave to us.

12 Q Does Dawson Place have a file?

13 A Not about investigation and all that. I
14 think -- I don't know what they maintain. I think
15 it's just appointments and when somebody was there and
16 who they had an appointment with.

17 Q No. 9, has Dawson Place ever been located at
18 2722 Colby Avenue?

19 A Yes.

20 Q Did they pay the space rent of 7,464.24 to the
21 Snohomish County for their lease space?

22 A I don't know. This -- I know this would
23 suggest that they did.

24 Q You had referred in the past to the -- them
25 paying lease. I was just wondering if this is

1 referring to that lease that you're talking about?

2 A Yeah. There's a number of different rental
3 agreements we've talked about. There's the current
4 agreements for the agencies that are in the current
5 location, and that was different back in 2006 than the
6 original location because I think the owner was the
7 Bank of Everett. And I think that's -- they were
8 involved in it somehow, but I wasn't involved in the
9 money stuff, so I don't really -- can't answer that
10 very well, I guess.

11 Q No. 16.

12 A Are you done with 9? There certainly was a
13 mistake on 9 that I don't agree with. I think I
14 referred to that when you were talking to me.

15 Q No. 16, this document refers to Vikki King
16 writing an e-mail. And my question would be: Did
17 Vikki King have permission or authorization from you
18 to communicate on your behalf?

19 A Sometimes. I don't have any specific
20 recollection of this, but she was my administrative
21 assistant back when I had one.

22 Q I'm looking for 18. In No. 18, you talked
23 about the task force and the steering committees
24 starting in 2006. Was that when they were located at
25 2722 Colby Avenue?

1 A Well, your questions, I think, said the
2 steering committee and task force started in 2006. It
3 started way before that. The actual move to the
4 2722 Colby, that happened in 2006, but the steering
5 committee and task force -- I don't remember which was
6 which -- that, I think, started back in the '90s.

7 Q Okay. And Dawson Place stayed at the
8 location, 2722, until they moved into 1509 California?

9 A Yeah.

10 Q And how did they get the funding to do that?

11 A I think Mr. West has some document that showed
12 some federal funding, some state funding. I think
13 still to this day, I'm surprised that Janice Ellis was
14 able to get that during the recession, but that's --
15 she did. God bless her.

16 (Exhibit 21 was marked.)

17 Q Does this document reflect when they received
18 their funding and how they got their funding? The
19 very bottom paragraph, does it describe?

20 A The very bottom paragraph on which page?

21 Q The front.

22 MR. MYERS: Object on the foundation as
23 to the witness's familiarity with the document.

24 Q Do you recognize this document?

25 A No.

1 Q At the back, let's see, that would be the
2 fourth page, on the fourth page, who signed that
3 document?

4 A A couple people. Kathy Atwood and Tam Moen.

5 Q Who is Kathy Atwood?

6 A She is a former Everett police chief.

7 Q Did she ever hold any position at Dawson
8 Place?

9 A She did. She was president of the board.

10 Q Okay.

11 A I think she was on the steering committee and
12 the -- or the task force or maybe both, but I don't
13 remember.

14 Q And right under the "Deed of Trust," could you
15 read that first paragraph?

16 A On which page?

17 Q The front.

18 A Oh, back on the front. Okay.

19 Q Under the "Deed of Trust."

20 A "This Deed of Trust, made this 7th day of
21 October, 2010, by and between Dawson Place Child
22 Advocacy Center, Grantors, whose address is
23 1509 California Street, Everett, Anderson Hunter Law
24 Firm, Trustee, whose address...is 2707 Colby,
25 Suite 1001, PO Box 5397, Everett, Washington

1 98206-5397; and Janice Ellis, Beneficiary, whose
2 address is 13530 134th Drive Southeast, Snohomish,
3 Washington 98290."

4 Q What does this appear to be to you?

5 A It says it's a deed of trust, and that's what
6 it appears to be.

7 Q Janice Ellis being the beneficiary?

8 A Yes.

9 Q Thank you.

10 (Exhibit 22 was marked.)

11 Q Do you recognize this floor plan?

12 A I don't think I've seen this before. It
13 certainly appears to be similar to the layout of
14 Dawson Place.

15 Q How many floors are there at Dawson Place?

16 A Two.

17 Q And what space would the sheriff, the
18 prosecutor, and the county offices occupy of that
19 space?

20 A There's no county offices there. There's just
21 the sheriff and the prosecutor. When I think county
22 office, I think county council or the assessor or
23 something like that. The prosecutor and the sheriff
24 are on the second floor.

25 Q Do they share other space with, say, the FBI

1 or --

2 A Not that I know of.

3 Q -- Homeland Security?

4 A Not that I know of. I don't think so.

5 Q So you guys had the whole top floor?

6 A Well, there is a board room that's on the left
7 side of the page, Dawson Place -- it looks like it
8 says dining room. It's a poor dining room, but it's a
9 decent board room. And then next to that -- although
10 sometimes you can eat there. Next to that is a
11 conference room, which I think is really the library
12 where there's a big TV and stuff for Skype interviews
13 or something, a couple of meeting rooms there, and the
14 bathrooms for the entire second floor are up there as
15 well.

16 So most of it looks like it's the sheriff and
17 the prosecutor, but there's those other components
18 there too and a couple of stairwells.

19 Q Okay. Thank you for that.

20 (Exhibit 23 was marked.)

21 Q Do you know what 2320 Hoyt Avenue, Unit B, is?

22 A Huh-uh.

23 MR. MYERS: Did you answer?

24 A No, I don't.

25 Q Does Dawson Place -- actually, it says Child

1 Advocacy Center of Snohomish County, Dawson Place.

2 Are you aware of the properties that they own or
3 operate?

4 A This might be the little building behind the
5 main building. The address threw me because Dawson
6 Place is on California. There was kind of a crappy
7 little building behind that that was vacant, and it
8 had been vacant for a long time. And Dawson Place,
9 with the approval of the board, purchased that
10 building to expand the counseling and group therapy
11 type capacity of Compass.

12 Q Okay.

13 A And I believe that's the address.

14 Q But it's the child advocacy center as the
15 owner on this document?

16 A I have never seen this document before. I'm
17 not very familiar with what these things mean, but I
18 believe Dawson Place does own that now.

19 Q Just for the record, these documents came from
20 the county auditor/assessor's office.

21 A Yeah. Don't doubt you.

22 (Exhibit 23 was marked.)

23 Q This document talks about the MDTs. On the
24 list of names on who it was sent to, do you recognize
25 any of the names coming from your department only?

1 A Yeah.

2 Q What are those names?

3 A On the distribution list, you have Lisa Paul
4 who was the head of the Special Assault Unit because
5 that was who took over for me; Adam Cornell who was
6 one of the deputies who was assigned to SAU; Jarett
7 Goodkin was one of the deputies assigned to SAU; Matt
8 Hunter was a deputy assigned to SAU; Edirin Okoloko, a
9 deputy assigned to SAU; Heidi Scott, victim advocate
10 assigned to SAU; Kaia Scott, a victim advocate
11 assigned to SAU. Heidi was there part-time, I recall.
12 Annette Tupper, assigned to SAU; Keri Wallace was
13 generally out at juvenile court, but sometimes, I
14 think, came down for meetings and stuff at Dawson
15 Place. And I think -- but at this point, I was over
16 here. I wasn't at Dawson Place every day anymore, but
17 I do recognize all those names. And they all at the
18 time at least worked for me.

19 MR. MYERS: Can you clarify what
20 Heidi's last name was?

21 THE WITNESS: Heidi Potter. And she
22 was the first -- our first dog handler, having a
23 therapy dog for victims. And the dog's name was
24 Stillson, and Stillson was trained with and resided
25 with Heidi and brought a great deal of comfort to a

1 lot of kids even.

2 BY MS. SHAVLIK:

3 Q Does Dawson Place have a dog currently?

4 A There are two -- no. There's one. There is
5 one there all the time, Harper. There's another one,
6 Lucy, who goes over there sometimes, but, generally,
7 it's Harper.

8 Q Where does Lucy stay?

9 A Lucy stays with Kathy Murray who is one of our
10 legal secretaries in our civil division. She's the
11 dog handler or houser person.

12 Q Is Lucy owned by the prosecutor?

13 A None of these dogs are owned by the
14 prosecutor. They're owned by K9 Companions for
15 Independence, and they're trained by them. And we're
16 allowed to use them.

17 Q Nice. That's very nice. So this would be 25.

18 (Exhibit 25 was marked.)

19 Q Do you recognize Patti Gray's name on this
20 document?

21 A I know who Patti Gray is, yes.

22 Q Who is Patti Gray?

23 A She was a legal secretary in our office for
24 quite some time.

25 Q Could you explain why it says Dawson Place

1 Child Advocacy Center under her name?

2 A She worked in a bunch of different places.
3 She was a floater who goes to different places dealing
4 with different units in different cases.

5 Q So she worked for both Dawson Place and the
6 prosecutor's office?

7 A She never worked for Dawson Place. She's
8 always worked for the prosecutor's office, not for
9 Dawson Place, but she would probably be at Dawson
10 Place sometimes if she was a floater.

11 Q If you read this document, would it be
12 misleading to the person reading it assuming that this
13 person was a Dawson Place employee given that they
14 listed the name, the address, and the phone number of
15 Dawson Place?

16 MR. MYERS: I'm going to object to the
17 form of the question. It's argumentative and compound
18 and calls for speculation.

19 But you can answer the question.

20 A I don't know. I don't think so.

21 Q It says that the mailing address is listed as
22 Rockefeller, 3000 Rockefeller?

23 A Where are you looking?

24 Q Right underneath her name. It lists both
25 addresses.

1 A Oh, our main office is at 3000 Rockefeller,
2 and Dawson Place is at 1509 California.

3 Q And where is Patti's office?

4 A I don't know at the time. When is this?
5 2015? I don't know. I can't keep track of where
6 everybody's office is.

7 Q Thank you. I appreciate that. And this one
8 just follows up that document, No. 26.

9 (Exhibit 26 was marked.)

10 Q Under Patti Gray, there's an e-mail address.
11 Did Dawson Place ever use the Snohomish County servers
12 for their communications for Dawson Place?

13 A This is in 2015?

14 Q The date -- this is the document.

15 A It looks like the same thing that you sent
16 me -- handed me before, just cut off. And that was
17 from 2015, no. I mean, Patti --

18 Q These documents are not the same.

19 A Oh, they're not?

20 Q They're not the same.

21 A Certainly not in that time frame. Back in the
22 beginning, I think they probably were briefly at some
23 point. I think County may have hooked up the phones
24 initially.

25 Q They hooked up the phones?

1 A But I don't recall specifics about that.

2 (Exhibit 27 was marked.)

3 Q On this Executive/Council Form, do you
4 recognize this?

5 A Huh-uh.

6 Q Under purpose?

7 A Under purpose?

8 Q Under purpose, do you recognize that?

9 A No.

10 Q Can you read that, please.

11 A "County Council approval and Executive's
12 signature on the License Agreement for office space in
13 the Bank of Everett Tower to Dawson Place."

14 See, I thought it was the Bank of Everett.

15 Q So do you now recognize this document?

16 A No, I don't think I've ever seen this
17 document. If I had, I just don't remember it.

18 Q And under background, would you read that?

19 A How far?

20 Q Is it highlighted?

21 A Yeah.

22 Q Could you read that highlighted.

23 A "The Snohomish County Prosecuting Attorney's
24 Office, Special Assault Unit and the Snohomish County
25 Sheriff's Office, Special Investigations Unit have

1 collaborated with outside agencies to form a Child
2 Advocacy Center known as Dawson Place. The Child
3 Advocacy Center functions are to perform the
4 investigation and prosecution of crimes committed in
5 Snohomish County, including those relating to child
6 physical and sexual abuse."

7 Q And then could you just say that the
8 address -- identify the address that's listed right
9 below that.

10 A 2722 Colby.

11 Q And the amount for the license agreement, the
12 very last line?

13 A "...responsible for paying a monthly license
14 fee of \$7,464.24 during the term of said license
15 agreement."

16 MR. MYERS: Can you read that whole
17 sentence, please?

18 A "This license agreement will allow Dawson
19 Place to continue occupancy of the approximate
20 5,133 square feet of space on the second floor of the
21 Bank of Everett Tower through March 31, 2010. Dawson
22 Place will be responsible for paying a monthly license
23 fee of \$7,464.24 during the term of said license
24 agreement."

25 There's other parts that I think are

1 inaccurate, but I didn't write it.

2 Q This is part of the county council records
3 online.

4 Okay. So Item No. 28.

5 (Exhibit 28 was marked.)

6 Q Do you recognize this document?

7 A No.

8 Q This is talking about the interlocal
9 agreements. Do you want to read the caption that
10 refers to the RCW?

11 MR. MYERS: I'm going to object. The
12 document speaks for itself, and the witness has
13 testified that he doesn't recognize the document. So
14 it lacks foundation.

15 Q He may recall it once he reads it.

16 A I read it while you guys were talking, and I
17 don't recognize this.

18 Q Are you aware of this document?

19 A No. I know that interlocal agreements exist,
20 but this doesn't appear to be an interlocal agreement.

21 Q Can you go to the second page. Under 195,
22 does it list Dawson Place?

23 A "Dawson Place with Snohomish County and
24 various Municipal Corporations within Snohomish
25 County."

1 Q Okay. On the very front page, can you read
2 the portion that says -- the third paragraph down, it
3 starts with "the interlocal agreement"?

4 A There's only one paragraph.

5 Q On the top, it's the third sentence down.

6 A Oh, third sentence. "The interlocal
7 agreements shown below are posted here to comply with
8 RCW 39.34.040 and may not have been recorded with the
9 Snohomish County Auditor's Office.

10 (Exhibit 29 was marked.)

11 Q On the second page, do you recognize what this
12 document is?

13 A No.

14 Q Have you ever seen a resolution before?

15 A I have seen county council resolutions
16 declaring this Seattle Seahawks Championship Day and
17 other stuff. There's lots of "whereases" in them,
18 that's for sure.

19 Q Line No. 8, what does it refer to?

20 A No. 8 says Dawson Place child advocacy
21 center --

22 Q Does it appear that they're granting
23 \$10,000 for some reason?

24 MR. MYERS: Objection, foundation.

25 You can answer.

1 A It has a figure \$10,000 next to that.

2 Q Are you aware of any money that Dawson Place
3 received from the Everett County Council under those
4 resolutions?

5 A I wasn't, but it doesn't surprise me.

6 Q Okay. So the front page lists all the
7 resolutions that are included in this document. Are
8 there any that you recognize?

9 A Just looking at the front sheet here, it
10 doesn't tell me much, but I don't recall seeing
11 Everett City Council resolutions. I don't have -- I'm
12 not suggesting that's not what they are, that they
13 don't exist, but I don't recall seeing them.

14 MS. SHAVLIK: Can I go off the record
15 for just a second.

16 (Discussion off the record.)

17 (Exhibit 30 was marked.)

18 Q This is Item No. 30. Do you recognize any of
19 these totals on this form?

20 A I don't.

21 Q Okay. Let's go to the second page. I'm
22 sorry. It would be the third page. Are you aware of
23 any funding that came from Washington State Department
24 of Commerce?

25 A Yeah. I know we did get some money from the

1 State of Washington. Whether it was the Department of
2 Commerce or something else, I couldn't tell you. But
3 we did get a chunk of money from -- or Dawson Place
4 got a chunk of money from the State of Washington to
5 help buy the new building.

6 Q And page 4, is that the chunk of money?

7 A Well, that sure looks like a chunk of money.
8 I don't know if you've seen a check for
9 \$1,500,000 before, but I have not.

10 Q Where is that check addressed to?

11 A Child Advocacy Center Snohomish County doing
12 business as Dawson Place.

13 Q And the address?

14 A 3000 Rockefeller Avenue. That's a mistake.

15 Q Did that check come to 3000 Rockefeller?

16 A I don't know. It clearly got to the right
17 place at some point because we got the building.

18 Q This was for the building?

19 A I think that's -- I can't recall ever hearing
20 about that type of money being spent for anything
21 else.

22 Q Okay. And the second page, 92,338.58, what
23 was that amount for?

24 A I don't know.

25 Q And the next page, what's the amount you show?

1 A \$24,836.42.

2 Q Do you recall that amount?

3 A Huh-uh.

4 Q Or the next page for 6,998.37?

5 MR. MYERS: Before we move on, can you
6 answer that last question audibly.

7 THE WITNESS: No. I noted the
8 addresses are all different. The first one says
9 3000 Rockefeller, the million dollar check. The next
10 one says 2722 Colby. The next one says 1509
11 California.

12 Q Interesting.

13 A But --

14 Q The 6,998.37, do you recognize that?

15 A No.

16 (Exhibit 31 was marked.)

17 Q The front page is just a recap of what is
18 behind through the initiatives, the house bills. On
19 the second page, could you read what house bill number
20 that was?

21 A "Engrossed Substitute House Bill 1092."

22 Q And on the next page, could you read line 34
23 and 35?

24 A "Dawson place child advocacy center land
25 acquisition and renovation."

1 Q And what is the amount next to that?

2 A 650,000.

3 Q Do you recall what that \$650,000 was for?

4 A I don't recall this document or anything at
5 all, but it says land acquisition and renovations, so
6 probably buying the current location and remodeling
7 it.

8 Q Oh, thank you.

9 And the next page, could you read what house
10 bill that was?

11 A "Engrossed Substitute House Bill 2765."

12 Q And the next line?

13 MR. MYERS: I'm going to object to the
14 foundation of the document as these are not complete
15 copies of the bills.

16 But you can answer the question.

17 A It's written "Dawson place child advocacy
18 center land acquisition and renovation, 650,000."

19 Q And the next page is House Bill number what?

20 A 1216.

21 Q The next page, the third line down?

22 A Dawson place child advocacy center,
23 \$1 million.

24 Q And the next page, the house bill number?

25 A "Engrossed Substitute House Bill 2836."

1 Q And the next page, line 4?

2 A Dawson Place child advocacy center,
3 \$1 million.

4 MR. REAY: These documents speak for
5 themselves. Do you have any questions for Mr. Roe?

6 MS. SHAVLIK: Yeah, I'm asking him if
7 he recognizes that.

8 MR. REAY: You've been asking him what
9 they say.

10 MS. SHAVLIK: Thank you. Let's go
11 back.

12 MR. REAY: And they speak for
13 themselves.

14 MS. SHAVLIK: Do you want to go back
15 through them?

16 MR. REAY: I just want to know if you
17 have any questions.

18 MR. WEST: The question would be do you
19 recall Dawson Place obtaining any money from
20 legislative enactments?

21 THE WITNESS: Not specifically, but I
22 think the legislature would certainly have to approve
23 an amount. I certainly hope so. That's what we're
24 voting for them for; right?

25 MR. WEST: Do you recognize any of the

1 amounts from any of the bills that have been
2 referenced that you think may have been used by Dawson
3 Place?

4 THE WITNESS: No.

5 MR. WEST: So the \$650,000 doesn't ring
6 any bells?

7 THE WITNESS: No.

8 MR. MYERS: I'm going to object to the
9 foundation, and, Mr. West, you've had your opportunity
10 to ask him questions. Now Ms. Shavlik is asking
11 questions.

12 MR. WEST: I was hoping to clear up the
13 questions and move things forward.

14 MR. MYERS: I appreciate it.

15 MR. WEST: And that was my intent.

16 MS. SHAVLIK: If he has follow-up
17 questions that are appropriate.

18 You put the document away.

19 THE WITNESS: I set it down.

20 BY MS. SHAVLIK:

21 Q Let's go back. On the front of the page, it's
22 listed all the house bills. Do you recognize any of
23 those bills coming to Dawson Place?

24 A I don't, no.

25 Q You don't. Okay. Thank you.

1 (Exhibit 32 was marked.)

2 Q Under "Department," on the left-hand side, do
3 you recognize the title, the name? What is "PA"?

4 MR. MYERS: I'm going to object to
5 foundation with the exhibit. You need to lay some
6 foundation.

7 Q Does the prosecuting attorney office pay
8 Dawson Place for space at Dawson Place?

9 A No. I think the county does. I don't
10 think --

11 Q For the prosecution?

12 A Yeah. No, for the prosecutor's office to
13 house our people that are there.

14 Q The county pays for the prosecution office to
15 be located there?

16 A Yeah, I think so.

17 Q And --

18 A I don't think it's our budget specifically. I
19 think it's the county. I could be wrong. I don't
20 know.

21 Q And are you aware of any of these amounts that
22 they pay for lease?

23 A No. I don't pay particularly close attention
24 to money matters.

25 Q Okay.

1 (Exhibit 33 was marked.)

2 Q Do you remember the open house in 2010 --

3 A No.

4 Q -- when Dawson Place opened?

5 A I don't remember it. I'm not questioning that
6 one took place. I just don't have a specific
7 recollection of it.

8 Q Were you a part of the open house?

9 A Probably.

10 Q Okay.

11 A I would imagine.

12 Q And under "About Dawson Place," can you read
13 the highlighted area?

14 A "Dawson Place cares for approximately 1,000
15 sexually and/or physically abused children from
16 Snohomish County (birth to 18 years of age) at no
17 charge. The purpose of Dawson Place is to coordinate
18 timely, comprehensive, and multidisciplinary responses
19 to child physical and sexual abuse within a safe,
20 agency-neutral and child-focused setting. The
21 services that are provided through Dawson Place
22 include medical exams, community advocacy,
23 preventative education, mental health assessments and
24 counseling, child forensic interviews, child
25 protective services, law enforcement investigations

1 and also offender prosecution services."

2 Do you want me to keep going?

3 Q On the second page, it refers to "We had
4 received \$650,000...." Do you remember that?

5 A Huh-uh. It doesn't surprise me, but I don't
6 remember that specifically, no.

7 Q Were you aware that Senator Patty Murray gave
8 you money?

9 A I was aware that Patty Murray was instrumental
10 at getting money for Dawson Place in the federal
11 budget, but I'm pretty sure that the money didn't come
12 from Patty Murray.

13 Q Thank you.

14 A At least, if it did, I really owe her a phone
15 call.

16 Q Or a letter?

17 A Yeah.

18 (Exhibit 34 was marked.)

19 Q Were you involved when they had the Phase II
20 building project with Dawson Place?

21 A I don't specifically recall it, but I would
22 imagine I was.

23 Q Were you included in this e-mail on the second
24 page?

25 A Let me see. Yes.

1 Q So you received -- it would appear that you
2 would have received this document?

3 A Or that I received an e-mail.

4 Q And on page 3, the Dawson Place funding, would
5 you read that, please.

6 MR. MYERS: Are you meaning page 3 of
7 the e-mail or page 3 of the document?

8 MR. WEST: Three of the e-mail. Thank
9 you.

10 A The e-mail is from Briahna Taylor who keeps
11 track of legislation and stuff for the county.

12 "Dawson's Place Funding Request. Attached to
13 this report is information on a capital funding
14 request that the Prosecutor's Office has been working
15 on. The County Executive has indicated support for
16 securing the funding. Direction: Does Council also
17 support the request, and is there a desire to have
18 GTHGA lobby the issue?"

19 I don't know what GTHGA is.

20 Q Was the prosecutor's office -- what were they
21 working on -- what capital funding project were they
22 working on at the prosecutor's office?

23 A I don't know. I have always advocated for
24 resources for Dawson Place whenever I had the chance
25 wherever I've been if I thought it could help.

1 Q Were you part of it?

2 A I don't remember being part of it, but it
3 wouldn't surprise me if I was.

4 MS. SHAVLIK: Thank you. That's all I
5 have. Do you have follow-up?

6 E X A M I N A T I O N

7 BY MR. WEST:

8 Q Did you receive that e-mail?

9 A I don't know.

10 Q Do you deny receiving that e-mail?

11 A I don't know. But there are -- I can't
12 remember some e-mail that I might have gotten in
13 February of 2014.

14 Q Do you know -- do you know Briahna Taylor?

15 A No. But I received lots of e-mails from her
16 in the past about legislative stuff. I don't think
17 I've met her.

18 Q Do you know who she works for?

19 A I think she works for the county council, but
20 I can't even tell you that. She'll send out updates
21 periodically about where certain legislation is that
22 might be of interest to anyone in the county.

23 Q I have a question about during the time that
24 you worked as a board member or president or a
25 prosecutor assigned Dawson Place, did you interact

1 with any other agencies -- any other public agencies
2 other than Snohomish County?

3 A Certainly.

4 Q Would it be safe to assume that you would have
5 interacted with pretty much every city in Snohomish
6 County during that period?

7 A No.

8 Q And cities do you remember having -- or which
9 city police departments do you remember having
10 interactions with?

11 MR. MYERS: I'm going to object and ask
12 Mr. West how does that relate to the Telford factors?

13 MR. WEST: Telford factor No. 3 is the
14 level of government involvement. I want to know what
15 the level of involvement of Dawson Place is with the
16 various law enforcement agencies in Snohomish County.

17 MR. MYERS: Your question was Mr. Roe,
18 as the prosecuting attorney of Snohomish County, have
19 interactions.

20 MR. WEST: No. It was not as the
21 prosecuting attorney of the Snohomish County. It was
22 as the board member or president of Dawson Place.
23 That was a very specific question.

24 A I misunderstood your question, so I'm glad it
25 was clarified.

1 During the time I was on the board of Dawson
2 Place or the board president, I wouldn't have
3 interacted in that role with hardly any law
4 enforcement agencies. I interact with law enforcement
5 agencies because I'm the prosecutor, and they send
6 their cases to my office to be reviewed.

7 Q While you were the prosecutor working at
8 Dawson Place, did you interact with any law
9 enforcement agencies?

10 A I interacted with any agency who referred a
11 case to us, even if it's just an interaction where I
12 declined a case after reading it.

13 Q How many agencies in Snohomish County refer
14 cases to the prosecutor's office?

15 MR. MYERS: I'm going to object, again,
16 to the scope of the question because you're asking
17 about the interaction between the prosecutor's office
18 and law enforcement agencies, not about Dawson Place.

19 But you can answer the question.

20 MR. WEST: The prosecutor is required
21 to be a board member of Dawson Place.

22 MR. MYERS: You can answer the
23 question.

24 A What was the question again?

25 Q The question is: When you were -- in your

1 time -- in the decade or so that you worked as a
2 prosecutor --

3 A As a deputy prosecutor.

4 Q As a deputy prosecutor in Dawson Place, did
5 you interact with other law enforcement agencies?

6 A Yes.

7 Q Would it be safe to assume that you interacted
8 with a majority of the law enforcement agencies in
9 Snohomish County?

10 A Probably not.

11 Q A third?

12 A I don't know. I'd be guessing. Anyone who
13 referred sex cases to the prosecutor's office, I would
14 have some level of interaction with.

15 Q Did you interact with Department of Social and
16 Health Services?

17 A At any time?

18 Q Yes.

19 A Probably.

20 Q Okay. Are there any other public agencies
21 that you interacted with?

22 A I'm sure there are.

23 Q Could you specify any of them?

24 A Not really.

25 Q Okay. But there were others?

1 A Probably.

2 Q A lot of others?

3 A I don't know.

4 Q Okay.

5 A Mr. West, I talked to and interacted with
6 anybody who I thought could help me make good
7 decisions on cases.

8 Q Okay. That's a fair answer.

9 About how much time do you spend a month
10 working as a board member for Dawson Place?

11 A Many months zero.

12 Q On the average?

13 A That would be impossible for me to calculate.
14 I'd purely be speculating.

15 Q Last month how much did you do?

16 A I couldn't tell you that. I know we had a
17 board meeting last month, and the board meetings are
18 from 9:00 until 10:30 -- usually about 10:30. I know
19 I took some -- somebody on a tour of Dawson Place.
20 And so that was some time there, but that wasn't
21 really as a board member. That was more as the county
22 prosecutor. Here's how we do things here.

23 Q Was that somebody a public representative of a
24 public agency or a private person?

25 A That was a private person, I think, but I

1 can't even remember who it was. I just remember
2 giving a tour at some point last month.

3 Q Okay. Well, when you refer to Dawson Place as
4 the best-kept secret in Snohomish County, what were
5 you talking about?

6 A Kids can report, disclose sexual or physical
7 abuse to anyone anywhere. It can be noticed if
8 there's a kid that's got physical injuries and it
9 appears they're being physically abused. It can be
10 noticed and commented on if a child is being starved.

11 Unfortunately, I've had to deal with all of
12 those things. If a child arrives with a head injury
13 that they then die from, which, unfortunately, I've
14 had to deal with too.

15 A lot of those different professionals who are
16 out in the community had had -- didn't know Dawson
17 Place existed, and we thought it was important to try
18 and correct that. One thing that sometimes, for
19 instance, a school counselor or a teacher, we would
20 want them to know that Dawson Place exists, because it
21 was new and a lot of people didn't know it existed
22 because it hadn't.

23 Q So when you refer to it as the best-kept
24 secret in Snohomish County, that was because some
25 people didn't know about its existence and functions?

1 A Yeah. So they didn't realize that those
2 resources were there and that kids could have a child
3 interview, could have a medical exam. I mean, the
4 medical exams, it's a full well child exam generally,
5 and some of these kids have never seen a doctor. Some
6 are from great homes. Some are from not great homes.
7 They come from all different levels and degrees of
8 care. And there's a lot of services there at Dawson
9 Place from counseling to medical exam to advocacy from
10 the Providence advocates to -- we want to spread the
11 word. We want people to know.

12 Q And I take it it's beneficial that the public
13 knows about the benefits of Dawson Place?

14 MR. MYERS: I'm going to object. We
15 covered that before on your direct questions. Do you
16 have anything from Ms. Shavlik's questions?

17 BY MR. WEST:

18 Q My one last question would be: As a member of
19 Dawson Place and as Snohomish County prosecutor, do
20 you think that the Public Records Act has anything to
21 play -- has a role to play in educating the public
22 about the functions of Dawson Place?

23 MR. MYERS: I'm going to object, calls
24 for a legal conclusion and speculation.

25 You can answer the question.

1 A I don't. I think that you can ask any
2 newspaper person or TV reporter, Mr. West, whether me
3 and this office through me and my attitude towards it
4 are about as open with public records requests as any
5 place you want to find. I know The Herald and The
6 Times and the TV people certainly feel that way.

7 When we get specific requests for things,
8 what's the quickest way to be done dealing with that
9 request? It's just to comply with it and be done;
10 right? Dawson Place --

11 Q Are you aware that I have a request for
12 records about Dawson Place with your office?

13 A Dawson Place isn't -- we don't run Dawson
14 Place.

15 Q Are you aware that I filed a request for
16 public records with your office concerning its
17 communications with Dawson Place?

18 MR. MYERS: And, again, I'm going to
19 object. That has nothing to do with the Telford
20 factors.

21 MR. WEST: It goes to the voracity of
22 the witness.

23 MR. MYERS: The protective order in
24 this case has to do with limiting this deposition to
25 his knowledge concerning the application of the

1 Telford factors to Dawson Place. Whether or not there
2 is a public records request in the Snohomish County
3 Prosecutor's Office that has been filed has nothing to
4 do with the status of Dawson Place as a public agency.
5 I'll allow the witness to answer this last question,
6 but beyond that, we're really getting far fielded.

7 A I'm aware that we had scads of public records
8 requests made every day, and I don't keep track of all
9 of them.

10 MR. WEST: Thank you and thank you for
11 your time and your patience.

12 MR. MYERS: We'll read and sign it, and
13 I have no questions.

14 THE REPORTER: Would you like to order
15 a copy of the transcript?

16 MR. WEST: We're going to order the
17 transcript.

18 MR. MYERS: I'll take a copy.

19 MR. REAY: I'll take a copy.

20 MS. SHAVLIK: We share.

21 (The deposition concluded at 2:29 p.m.)

22 (By agreement between counsel and
23 witness, signature was reserved.)

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C E R T I F I C A T E

STATE OF WASHINGTON

COUNTY OF KING

I, Nancy M. Kottenstette, a Certified Shorthand Reporter in and for the State of Washington, do hereby certify that the foregoing transcript of the deposition of Mark Roe, having been duly sworn, on October 4, 2017, is true and accurate to the best of my knowledge, skill, and ability.

I do further certify that I am a disinterested person in this cause of action; that I am not a relative of the attorneys for any of the parties.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 11th day of October, 2017.


Nancy M. Kottenstette, RPR, CCR 3377

