



STATEMENT FORM

OPA-IS FILE NUMBER 2015OPA-0117

Date: 7-16-2015	Time: 9:35 a.m.	Place OPA Offices
Statement of: Officer Cynthia Whitlatch		
Statement Taken By: Sergeant Krista Bair		
Transcribed by (Taped/Translated Statements) J. Wicklund		

BAIR: I am Sergeant Bair of the Seattle Police Department. The date is July 16th, and the time is 9:35. The OPA case number is 2015OPA-0117. I am interviewing Officer Cynthia Whitlatch, who is a named employee. Also present is Officer Kevin Stuckey, her Guild representative. This interview is taking place at Suite 1800 Pacific Building. Please state your name and spell your last name.

WHITLATCH: Cynthia Whitlatch, W-H-I-T-L-A-T-C-H.

BAIR: Sir?

STUCKEY: Kevin D. Stuckey, S-T-U-C-K-E-Y.

BAIR: This interview is being documented by a recording. Do you understand this interview is being recorded and agree to be recorded?

WHITLATCH: Yes.

STUCKEY: Yes.

BAIR: Have you received copies of the Garrity Advisement and the Seattle Police Officer's Bill of Rights outlined in your Collective Bargaining Agreement and do you understand them?

WHITLATCH: Yes.

BAIR: And have you received notification of the allegation made in the complaint?

WHITLATCH: Yes.

BAIR: Under the authority of the Chief of the Seattle Police Department you are hereby ordered to answer all questions asked of you truthfully and completely. Failure to do so may result in discipline up to and including termination. Do you understand?

WHITLATCH: Yes.

BAIR: Okay. Officer Whitlatch, we are interview—I am interviewing you again. We have some questions that need some clarification and some other things that need to be explained. So first thing we're gonna do is, this is in relation to 0117, the incident where you arrested Mr. Wingate for Harassment and Obstruction.



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Taken by: Sergeant Krista Bair

WHITLATCH: Okay.

BAIR: And this was from July 9th of 2014. And I wanna go back to the initial observation, your initial observation. I went back to the intersection, and granted, this intersection, I believe, is the same intersection it was a year ago, however, now it has the rainbow on the sidewalk intersections and all that, but I'm trying to give you a little bit more perspective. And I would like you to draw—oh, this isn't gonna show up. This pen doesn't work very well. You know what? We're gonna, we're gonna pause. You don't have a Sharpie, do you?

STUCKEY: No, I don't. I'm sorry.

BAIR: We're gonna pause, for just a second.

BAIR: We're back on tape. It's 9:40. And I have some options here. So I'm gonna turn this sideways, otherwise I can't see.

WHITLATCH: Okay.

BAIR: So we have some pictures. Where did that...? I had a piece of paper that had stuff, but anyway, so this the view. The first picture is labelled #2. The first picture I printed out...

WHITLATCH: Okay.

BAIR: ...wasn't necessary, so that's why one is gone. Okay? So this view here is looking eastbound on East Pike Street...

WHITLATCH: Okay.

BAIR: ...just shy of 11th Avenue East.

WHITLATCH: I see.

BAIR: Does that look familiar to you? Is it that area?

WHITLATCH: Yeah.

BAIR: Okay. All right. So this is just a viewpoint. And as we're showing, there's one lane going eastbound, one lane going westbound and there is a two-lane, or two...

WHITLATCH: Okay.



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BAIR: ...two left—what's it called?

WHITLATCH: Center two-way...

BAIR: Center lane.

WHITLATCH: ...left turn.

BAIR: Yes. And right now on that picture there's a truck occupying it, but at that time that was not there. This is just for this viewpoint. Okay?

WHITLATCH: Okay.

BAIR: So then we get a closer picture as we're approaching 11th Avenue on East Pike Street. Okay?

WHITLATCH: Okay.

BAIR: And again, the fourth picture is the same kinda thing as you're coming up to the crosswalk.

WHITLATCH: Okay.

BAIR: Okay? The crosswalk would be to your north. Okay? So in your initial statement you had stated that you had gone around a truck.

WHITLATCH: Yes.

BAIR: Can you tell me where that truck was—and we have several pictures that might be better for you, so you can look through them and mark where that truck was. You can just go...

WHITLATCH: Oh, this...actually I'm going to use your #2 one.

BAIR: Was the—?

WHITLATCH: Or I can get it...

BAIR: Sure.

WHITLATCH: I can get it...oh, this one, here...

BAIR: Okay.



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WHITLATCH: ...probably is the best one.

BAIR: Okay.

WHITLATCH: So the truck was, there was I think two trucks actually, and they were delivering stuff. So this, see where this car is parked...

BAIR: Yes.

WHITLATCH: ...here?

BAIR: Um-hmm.

WHITLATCH: This blue car, A-L-W-3185, so the truck—

BAIR: So there is a car parked on East Pike Street on the north side of the street facing westbound. Is that correct?

WHITLATCH: Yeah, yeah.

BAIR: Okay.

WHITLATCH: So just as a reference...

BAIR: Uh-huh.

WHITLATCH: ...because, 'cause I, the, you have the crosswalk here, so the, the truck was parked maybe 15 feet west of the crosswalk approximately, adjacent to this vehicle.

BAIR: Okay, so I'm sorry, I need to see this really quick. So the crosswalk that—

WHITLATCH: *This* crosswalk here.

BAIR: *That* crosswalk. So the crosswalk you're referring to is the one that...

WHITLATCH: Across East Pike.

BAIR: ...is the one that goes from north to south that's on East Pike Street.

WHITLATCH: Yeah, on the east side—or the west side of that intersection.

BAIR: And was he parked in the center lane?



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WHITLATCH: He was parked in the center lane.

BAIR: Okay, go ahead and draw that.

WHITLATCH: And it was about 15 feet-ish.

BAIR: Back from the crosswalk?

WHITLATCH: Yeah.

BAIR: Okay. So you could write...

WHITLATCH: To...

BAIR: ...make an X for the truck and write Truck or whatever, and then you can put 15 feet west of the crosswalk.

WHITLATCH: So approximately 15 feet or so. This...like it wasn't enough that I could pull in and park my, you know, pull in completely to make the left turn and *then* make a left turn.

BAIR: Okay.

WHITLATCH: I had to cut, I had to cut in...

BAIR: So you were making—

WHITLATCH: Do you understand what I'm saying?

BAIR: Yes.

WHITLATCH: Okay.

BAIR: You were making a left hand turn from the eastbound lane.

WHITLATCH: Eastbound lane.

BAIR: So you were not in the center lane.

WHITLATCH: I had to—I went through part of it, but I couldn't merge into the center...

BAIR: Right.

WHITLATCH: ...two-way left turn lane because there wasn't enough room for me to merge in...



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BAIR: Okay.

WHITLATCH: ...and then be fully in the lane to make the turn.

BAIR: So essentially though, so you turned from the eastbound lane, but you crossed into the center lane...

WHITLATCH: Yeah, yeah, for sure.

BAIR: ...but you did not, your whole car was not in the center lane before you turned.

WHITLATCH: Yeah.

BAIR: Okay. Okay. And I'm gonna actually note on there in blue so I have an understanding of this. So there's the truck, there's 15th, so you're basically going like this. And you came in—

WHITLATCH: No, no.

BAIR: No, you *didn't*? That's why I wanna clarify.

WHITLATCH: Okay. I'll use the black line.

BAIR: Yep.

WHITLATCH: So I came up here...

BAIR: Um-hmm.

WHITLATCH: ...and then I pulled in and then kinda did *that*.

BAIR: And turned.

WHITLATCH: So, yeah, so...well, I see, you *did* get back far enough.

BAIR: Um-hmm.

WHITLATCH: So it was within this range here.

BAIR: Right. So I'm not really concerned about the distance from the, from the, from the north/south crosswalk.



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WHITLATCH: Yeah.

BAIR: I'm interested more on when you cut, basically you cut in front of the truck.

WHITLATCH: Yeah, I had to turn...

BAIR: Okay.

WHITLATCH: ...in front of the truck...or behind it.

BAIR: The truck that was parked.

WHITLATCH: Uh-huh.

BAIR: Okay. And you, when you cut across and you came into 11th Avenue, then we end up going to where it's basically *now* we're saying how far over...so these, see how on this, on #7, see how these cars are backed-in parking?

WHITLATCH: Yeah.

BAIR: Okay.

WHITLATCH: Yeah, yeah, yeah.

BAIR: So when you came over...

WHITLATCH: So when I came over...

BAIR: Um-hmm.

WHITLATCH: ...there was no oncoming vehicles...

BAIR: Uh-huh.-huh.

WHITLATCH: ...and so I ended up probably like my back, my right side of my car was probably like right here, so I was kinda going like *that*, 'cause this is pretty narrow, so it barely fits two vehicles.

BAIR: Um-hmm. Would you say you were in southbound lane or were you in the northbound lane or in-between the two?

WHITLATCH: In-between the two.



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BAIR: Okay.

WHITLATCH: So I, I was, would estimate that the distance between the very rear driver's side of my patrol car, the back of it when I was completing my turn,...

BAIR: Um-hmm.

WHITLATCH: ...I was estimating that that was probably like five to seven feet...

BAIR: Um-hmm, okay.

WHITLATCH: ...from the curb...

BAIR: From the curb.

WHITLATCH: ...to the back of my patrol car, which I'm illustrating here as this kinda parenthesis.

BAIR: Okay. Okay, that makes sense. And just so that I can clarify, this would've been, 'cause this is on 11th, this would've been oncoming traffic coming southbound. This would've been northbound traffic coming northbound.

WHITLATCH: Yeah, northbound traffic is this way, southbound traffic is *this* way.

BAIR: So this is 11th right here?

WHITLATCH: Yeah.

BAIR: Okay, so this would've been the traffic that's coming here?

WHITLATCH: This, this is southbound.

BAIR: Correct, and that's northbound.

WHITLATCH: Northbound.

BAIR: Okay. So my point is is you were somewhat over into the southbound oncoming traffic lane *if* there was oncoming traffic.

WHITLATCH: Well, the think about...

BAIR: It brought you closer to the curb.



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WHITLATCH: The thing about these residential streets is that they're not delineated by a yellow line, so they're not technically...most Seattle residential streets, you, if you use enough room you can pass each other, but...

BAIR: Um-hmm.

WHITLATCH: ...most people will travel down, give the parked cars on the right more room, if it's possible because of opening doors and because the road is actually quite narrow.

BAIR: Okay.

WHITLATCH: And so it's not uncommon to go down the middle of the street, essentially, or—

BAIR: Unless you have to move over for oncoming traffic.

WHITLATCH: That's correct.

BAIR: Okay. All right. So basically, regardless, you're stating you were approximately, your rear vehicle on the rear side of your driver's side of your vehicle was approximately five to seven feet from the curb of, of that sidewalk.

WHITLATCH: Yeah.

BAIR: Okay.

WHITLATCH: And this would be the northwest corner.

BAIR: Correct.

WHITLATCH: Okay.

BAIR: Okay. And where was Mr. Wingate standing when you first were alerted to him?

WHITLATCH: Well, he was...

BAIR: And there's other...

WHITLATCH: Let me get a better image here—'cause there was a little bit more distance on the sidewalk—if you have it maybe. Maybe I can use this one here. So the box truck is here...

BAIR: Um-hmm.

WHITLATCH: ...and so there's, there was two trucks, if I remember correctly...



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BAIR: Um-hmm.

WHITLATCH: ...but there's a space between them, and so when I'm making the turn, since this is such a heavily...there's just always a lot of pedestrians here in Seattle.

BAIR: Um-hmm.

WHITLATCH: You have to watch constantly, and so I was looking for the people that were gonna cross north or south, and then, of course, east and west.

BAIR: Um-hmm.

WHITLATCH: And so I observed, I didn't really get a look at him, but I observed person...

BAIR: Um-hmm.

WHITLATCH: ...walking kinda as I...as I was going past the trucks I'm trying to look between the trucks to see if anyone is coming, and then, of course, as I'm slowing to make my turn I'm looking to make sure that I have enough—I, I think I see him at that point.

STUCKEY: Um-hmm.

WHITLATCH: And then I, I'm like okay, well, there is somebody kinda headed toward that corner, and so when I get to the corner I just want to make sure that I have enough time to make the turn without cutting him off.

BAIR: Right, if you were to enter the crosswalk.

WHITLATCH: Yeah.

BAIR: Um-hmm.

WHITLATCH: Like before I make the turn, because I would otherwise yield the way—yield the right-of-way to him to cross.

BAIR: Okay. So if we're looking at picture A here...

WHITLATCH: Yeah.

BAIR: ...is he anywhere on that sidewalk or is it further back?

WHITLATCH: Well, when I am...I think the easiest way is when I'm actually making the turn...



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BAIR: Um-hmm.

WHITLATCH: Where is the one where I was, it showed the back of my car?

BAIR: Showed the back of your car?

WHITLATCH: That one.

BAIR: That's over here. I'm sorry, I was trying to get as many angles as possible.

WHITLATCH: Just looking. Here's some. Okay. So I had decided that I had enough time to make this turn and not cut him off.

BAIR: Um-hmm.

WHITLATCH: And so, you know, I wasn't really paying attention to him, necessarily, 'cause I thought I was clear to make my turn.

BAIR: Right.

WHITLATCH: But what happened was when I made the turn and my—and my driver's door is basically at the sidewalk—I, I get a glimpse out of the corner of my eye of something moving. And at the, when I get that, I, I look over, and as I'm looking over I heard a big clang, and I immediately look in my rearview mirror. And what I see when I look in my rearview mirror is him. And I believe he's standing on this side, because of the stop sign, because what I remember seeing is...I heard the clang of the golf club hit the stop sign post.

BAIR: Um-hmm.

WHITLATCH: And then I remember seeing him bringing the club back across his chest. So it was in his right hand, so I, I believe he was on this side of the stop sign...

BAIR: Um-hmm.

WHITLATCH: ...but he was right at this corner here. And he had hit the, once, once I heard the clang and I looked in my mirror, he basically hit the stop sign as he was walking.

BAIR: Um-hmm.

WHITLATCH: So he hit the stop sign and when I looked over, I saw the club coming back and him starting to enter the street.



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BAIR: Okay. So let me clarify for this, because you're saying when you...you were first alerted to Mr. Wingate as just a person that had not been in the crosswalk, that basically you're alerted—

WHITLATCH: I just was watching for some, *anybody* that might be approaching the crosswalk so that I didn't...

BAIR: Cut them off.

WHITLATCH: ...cut them off.

BAIR: Okay, and so then as you're in the crosswalk, you were actually *in* the crosswalk. Is that correct...

WHITLATCH: Yeah.

BAIR: ...when you were alerted to a—

WHITLATCH: I'm in the motions of my turn...

BAIR: Uh-huh.

WHITLATCH: ...and out of the corner of my eye...

BAIR: Um-hmm.

WHITLATCH: ...I glance, glimpse, have a glimpse of some motion.

BAIR: Some motion.

WHITLATCH: And I immediately hear the clang.

BAIR: Okay.

WHITLATCH: And of course, that draws my attention because it's super close to me. I mean it's right to my left.

BAIR: About five to seven feet away.

WHITLATCH: That's right.

BAIR: Okay.



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WHITLATCH: But my vehicle is still moving and I see, hear it, and then when I look back I see him with a golf club and the gold club is coming back across to his right side from the left side, and he's glaring at me. And he's, *he* didn't stop walking, and I...

BAIR: So is he, is he in—?

WHITLATCH: ...I was still in a little bit of motion, so I was like he just tried to hit the back of my *car*...

BAIR: Okay.

WHITLATCH: ...with his *golf* club.

BAIR: Okay. So let's really pay attention to take, not stepping over each other on our conversation. I apologize, but I'm, 'cause I'm eager to get your answer. So I understand what you said was that you saw a motion out of the corner of your eye, you heard a clang, and, and you're continuing to move forward at this point.

WHITLATCH: Yeah, just a little, but yeah.

BAIR: You heard a clang. In your rear view mirror is when you looked back, or did you look over your shoulder?

WHITLATCH: I looked in one of my mirrors. I can't remember...

BAIR: Whether it be the side mirror or,?

WHITLATCH: Yeah, it may have been the side mirror first, but I also looked in the rear view mirror because I remember my first thought was he couldn't have *possibly* just swung that at my car, could he have?

BAIR: Um-hmm.

WHITLATCH: And so I look back in my rear view mirror to see—'cause now I can't really see him out of the side of my mirror, 'cause he's crossing the—that's right—'cause he's crossing the side, the crosswalk. And so I'm thinking did he really just do that to my car, to me? And there's nobody else around. And so I see him still *glaring* at me.

BAIR: So his body is facing westbound...

WHITLATCH: It's facing...he's...

BAIR: ...as he's walking...

WHITLATCH: ...moving eastbound, but he's...



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BAIR: I'm sorry, moving eastbound.

WHITLATCH: He's turned looking at my car, and I'm the only car there, also.

BAIR: Right, so have you cleared the crosswalk at this point?

WHITLATCH: Oh, yeah.

BAIR: Okay.

WHITLATCH: Yeah.

BAIR: And so when he's looking at your car, can you please describe what he was looking, how, what you thought he looked like.

WHITLATCH: He was glaring at me.

BAIR: Okay.

WHITLATCH: And I, and he just kept looking at me as I was, as he proceeded through the crosswalk. So I'm like I think he just...I think he *did* just swing that at my car.

BAIR: Okay.

WHITLATCH: And so that's when I turned on my video because I thought it might capture any part of him...even though my front video probably wouldn't catch it, I was hoping at the rear would catch it because I've seen the video out the rear window captures some stuff in previous incidents...

BAIR: Uh-huh.

WHITLATCH: ...and so I thought maybe it would capture him, you know, glaring at me or maybe the, the swing back across or something like that.

BAIR: Um-hmm.

WHITLATCH: I mean I didn't what it was capturing, but I, I, I was hoping it would capture *something*.

BAIR: Sure. Okay. So as, as you said, you saw a motion, you heard a clang. Did you actually see the golf club make contact with the stop sign?

WHITLATCH: No, un-huh.



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BAIR: Is it possible that clang came from some other noise?

WHITLATCH: No. I mean it was right to my left, my window was open, I heard it just as I was passing through, and I saw the motion of the club coming back away from that.

BAIR: Okay.

WHITLATCH: I, there's no question in my mind that was what he hit.

BAIR: Okay. And I'm watching you animate the strike. And you basically, with, you're saying now that it was right-handed. He was, it was his right hand?

WHITLATCH: Yeah, he had it in his right hand.

BAIR: Okay. So he came across in from, from shoulder to hip diagonal kinda area? And again, I don't mean specifically...

WHITLATCH: I didn't see the...

BAIR: ...shoulder to hip, I just mean from that diagonally area.

WHITLATCH: Well, I didn't see the initial swing...

BAIR: Okay.

WHITLATCH: ...but I saw the swing *back*.

BAIR: And the swing back is going across your body?

WHITLATCH: Yeah, it went across his body, so I knew he had...that's why I think he had to be standing to the left of the stop sign, because if he's swinging across his body, then he would've been to the right of the stop sign...

BAIR: Okay.

WHITLATCH: ...and, as opposed to him, you know, swinging out to the right.

BAIR: And you think it was to the left of the stop sign, so you think...the stop sign is facing northbound.

WHITLATCH: Yeah, I think he was right here. And it definitely wasn't *this* one, because when I looked back in my mirror, he was standing right here and he was *still* walking. He basically was, hit it as he was walking. And *then* I thought well, did I just cut him off and I didn't realize it, but I don't think I did.



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BAIR: Okay.

WHITLATCH: I think he...I don't really know why he did what he did.

BAIR: So when you actually did see him swing back across his body, the golf club was still in his right hand.

WHITLATCH: Yes.

BAIR: Did it look as if he was, did it look as if he was trying to aim for your car, or how far away was your car from his swing *back* at that time?

WHITLATCH: Well, what makes me think...he...the thing about him, me thinking he swung it at my car was because this isn't really very far. If you're standing right here and you extend your arm and, and this golf club and you swing it out and you end up hitting the stop sign, well, you know, it's maybe a couple feet, if that, from my, from my actual back of my car.

BAIR: What is? The golf club?

WHITLATCH: The *golf* club.

BAIR: Okay.

WHITLATCH: So I'm thinking he couldn't maybe reach my car, maybe, I don't know, or maybe he was just trying to scare me. I, I don't know what he, what his intentions were, but—

BAIR: But your perception was what?

WHITLATCH: That he had just swung that golf club at my, back of my car and ended up hitting the stop sign instead. It was either to startle me because maybe he felt I cut him off or maybe he was, doesn't like the cops or maybe he was trying—I don't know what his...

BAIR: Sure.

WHITLATCH: ...intentions were.

BAIR: Okay.

WHITLATCH: But I do know, I *did* feel, after seeing him glaring at me as he's walking across the crosswalk, that it clearly was intended for *me*...

BAIR: Okay.



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WHITLATCH: ...'cause—

BAIR: And you described glaring. In the last interview you said he had a furrowed brow.

WHITLATCH: Yeah.

BAIR: Can you please explain how you know it is a glaring stare compared to other stares?

WHITLATCH: Well, usually they have a furrowed brow and their face is all munched-up and...

BAIR: Okay. So you, you—

WHITLATCH: He looked really angry.

BAIR: He looked angry. Okay.

WHITLATCH: Yeah, he looked really angry.

BAIR: So it's your perception that he was angry.

WHITLATCH: Yeah.

BAIR: He was *pointedly* looking at you.

WHITLATCH: Yes.

BAIR: Okay.

WHITLATCH: Yeah, there's, I have no question that I thought he was angry at me.

BAIR: Okay. And when you were looking in one of your mirrors at him and he was continuing to stare at you as he was walking across the crosswalk, did he shake the club? Did he, did he point it towards you and make any kind of gesture towards you at that point, or did, or, or what?

WHITLATCH: I don't, I don't recall anything else.

BAIR: Okay. All right. Okay. So at that point you said that you felt he was, that was directed at you, it was angry, you feel he may have been trying to hit your car...

WHITLATCH: Turned on my video.

BAIR: You turned on your video. And what was your intention at this point?



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WHITLATCH: Well, I was Acting Sergeant that day and, you know, you're not supposed to get involved in things, but then I'm like I can't really ignore this. I mean I don't know...

BAIR: And why couldn't you ignore it?

WHITLATCH: Well, he...if somebody is going to be angry and lash out by swinging at a police car, I don't know what they could...if they're gonna do something to a citizen or if he's having some kind of mental issues, if he's gonna damage property with it later, if he's angry and, you know, he's gonna walk across the street and break a window now...there's a—

BAIR: So you have multiple reasons of why you may want to make contact with Mr. Wingate.

WHITLATCH: Right.

BAIR: Okay.

WHITLATCH: There's a pretty big threshold to do something to a cop. I mean if you're gonna swing a golf club at a cop, you're pretty escalated, in terms of anger and outrage, and you're pretty out of control. If you're doing it to a cop, I mean...

BAIR: Okay. So your intention was to stop him.

WHITLATCH: And find out what his problem was, what's going on is...so.

BAIR: Okay. So what was your lawful purpose if you had to categorize it into a lawful purpose, of either—let me finish, please—of either a Social Contact, a Terry Stop, Probable Cause or Community Caretaking?

WHITLATCH: Terry Stop.

BAIR: Okay.

WHITLATCH: But I felt I could arrest him for what he did to me, but generally, I mean he didn't hit my car, so a lot of times we have the mindset that we can't be victims...

BAIR: Um-hmm.

WHITLATCH: ...and so I just was making a Terry Stop to make sure and further investigate it.

BAIR: Okay. So, and I don't wanna put words in your mouth, so please correct me if I'm wrong, would you say your main intention was to investigate a crime rather than community caretaking...or could you have a multiple?



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WHITLATCH: I had multiple. I had both. Really, technically, I could've arrested him for, you know, for what he did to *me*, toward me...

BAIR: Um-hmm.

WHITLATCH: ...but like I said, generally they don't follow up with that kinda stuff unfortunately, but also, for the community caretaking purposes. So when I stopped him I wanted to find out what was going on with him, you know. And I also wanted to determine *was* it intentional to me. Was it, you know, was this directed at me like it seemed, or was he just mentally ill...

BAIR: Okay.

WHITLATCH: ...having an episode, was he gonna be a danger to other people.

BAIR: Okay. So let me ask you. Would you have arrested—thinking back on it now—would you have arrested Mr. Wingate strictly for the actions he did without looking into it further?

WHITLATCH: Probably not.

BAIR: Okay. All right. So let's get to the contact with Mr. Wingate, okay? One of the things that you said that Mr. Wingate was not following your commands. You've seen the video. You ordered him to drop the golf club multiple times. You stated you wanted him to drop the golf club because you viewed it as a weapon and you wanted to investigate further and did not feel comfortable with him doing that with a golf club in his hand. Why do you think he was not following your commands?

WHITLATCH: Well, I think he didn't want a woman telling him what to do, to be honest with you.

BAIR: Okay, and so you believe it was gender-related.

WHITLATCH: I do, yeah.

BAIR: Okay. And did you see Officers Coles and Archer approach Mr. Wingate?

WHITLATCH: Yes.

BAIR: Did you feel that their approach was different than your approach with Mr. Wingate?

WHITLATCH: No.

BAIR: Okay. And then you also arrested Mr. Wingate for Obstruction.

WHITLATCH: Yes.



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BAIR: And can you give me an idea of what that means? Obstruction...how did he obstruct you?

WHITLATCH: Well, he'd just swung a golf club at me which is in itself essentially...

(Loud clicking sound...)

BAIR: Sorry, my chair was doing something.

WHITLATCH: ...an aggressive act.

BAIR: Um-hmm.

WHITLATCH: And a golf club is well known to be used a weapon. In this particular case, he club actually was...I don't know, ground down. I didn't know it at the time, but part of the club was all ground down so it actually had almost like the edge of a dull knife on the end of it.

BAIR: Um-hmm.

WHITLATCH: And based on his aggressive action at Eleven and Pike, and then his aggressive behavior upon me contacting him from the very get-go, and then him not following my directions to drop the weapon which in, in this particular case, clearly his...he's, he's a threat to me.

BAIR: Um-hmm.

WHITLATCH: He's argumentative, he is waving his arms around, he still has his club in his hand, he won't drop it, he'd just swung it at my car a block away, so I'm telling him to drop it and he's not dropping it, so he's obstructing me because I'm trying to conduct an investigation and he won't put down this weapon.

BAIR: To allow you to conduct the investigation.

WHITLATCH: That's right. And I can't even approach him because it's not safe to approach him holding this golf club.

BAIR: Okay. So I'm gonna read you the definition of Obstructing a Public Officer and I'm gonna ask you if, if he, if he obstructed you based on this definition, okay? So a person is guilty of Obstructing a Public Officer if with the knowledge that the person obstructed *is* a public officer. And you were in uniform and in a patrol car that day, correct?

WHITLATCH: Yes.

BAIR: Okay, so that should not be any confusion.

WHITLATCH: No confusion.



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BAIR: Okay. Do you believe that Mr. Wingate intentionally and physically interfered with you?

WHITLATCH: Yes.

BAIR: How did he physically interfere with you?

WHITLATCH: Well, he refused to physically put down the golf club.

BAIR: Okay. Or did he intentionally hinder or delay you by disobeying an order to stop, given by, by an officer?

WHITLATCH: Well, I didn't tell him to stop, so I guess that was why.

BAIR: And that might be, that might not be applicable to this particular obstruction. These are...

WHITLATCH: You know...

BAIR: ...a variety of different...they're all *or*, it's not *and*. Okay?

WHITLATCH: I, I don't, he did want to leave and I told him no, but that he did comply with that.

BAIR: Okay. Did he intentionally refuse to cease an activity or behavior that created a risk or injury to a person when ordered by you, the public officer?

WHITLATCH: Yeah, yeah, absolutely.

BAIR: And what was that?

WHITLATCH: Well, he, the risk was...

BAIR: Again, I apologize.

WHITLATCH: ...assaulting me...

BAIR: This is repeating.

WHITLATCH: ...with the golf club.

BAIR: I'm sorry, the risk was what?

WHITLATCH: Him assaulting me with the golf club.



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- BAIR: Was he doing anything with that golf club at the time he was talking to you on 12th and Pike?
- WHITLATCH: Well, he was changing it behind—he was changing it from hand to hand, and then he was turning away and he was...he was telling me to call other people and...
- BAIR: And I know this is subjective and totally your idea or your opinion, but why do you believe he was changing it from hand to hand?
- WHITLATCH: I'm really not sure.
- BAIR: Was he doing it in a threatening manner?
- WHITLATCH: No.
- BAIR: Okay. So by refusing to cease an activity or behavior that created a risk of injury, the, the bottom line is is you're saying he did not cease to continue to hold the golf club and put it down as you asked.
- WHITLATCH: That's right.
- BAIR: Okay. He wasn't trying to destroy any evidence?
- WHITLATCH: No.
- BAIR: Okay. And you weren't asking him to leave the scene. As you stated, you told him to remain put, and he complied.
- WHITLATCH: Yes.
- BAIR: Okay. All right. That's the Obstruction aspect of it. You already said that you don't believe he followed your commands because of your gender. Well, I'll get back to that. Have you arrested people for Obstruction before?
- WHITLATCH: Yes.
- BAIR: Do you have any idea how many arrests for Obstruction?
- WHITLATCH: Not very many. I save that one for special occasions. They have to be pretty, pretty bad because the City, the City Attorney's Office, yeah, has some specific filing requirements for them.
- BAIR: Okay. So would you say that arresting somebody for Obstruction is not common for you to do?



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WHITLATCH: Not at all.

BAIR: Okay. When you have arrested—and again, you’ve had 18 years on?

WHITLATCH: Yeah.

BAIR: Okay. When you have arrested somebody for Obstruction, have they always gone to jail?

WHITLATCH: I don’t know.

BAIR: Okay. Do you have any independent memory of arresting somebody and determining that they weren’t going to be booked into jail, but rather, interviewed and released?

WHITLATCH: I don’t remember anything like that.

BAIR: Okay. Do you believe, do ever recall being on the fence of I’m gonna arrest this person for Obstruction, I’m not sure if he should be booked into jail or if I could I&R him from the precinct, I&R, interview and release from the precinct, do you recall having that inner conversation or even screening that with a sergeant before of being on the fence of what is the best disposition?

WHITLATCH: For just an Obstruction arrest?

BAIR: For an Obstruction arrest.

WHITLATCH: No.

BAIR: Okay.

WHITLATCH: I, I think if I’m arresting somebody for Obstruction, they’ve dragged it to a certain point that I, I’m almost 100% sure I probably have always booked somebody under an Obstruction arrest...

BAIR: Okay.

WHITLATCH: ...'cause I mean they pushed the envelope pretty far. You have to really work hard to get me to arrest you for Obstruction.

BAIR: Okay, so then it would be safe to say that once you’ve gotten to the point of arresting somebody for Obstruction, you believe at that point you gave them opportunities to comply.

WHITLATCH: Many opportunities.



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BAIR: And specifically for Mr. Wingate.

WHITLATCH: Yes.

BAIR: Okay.

WHITLATCH: In his case, particularly.

BAIR: Okay. So it took, as you stated in the past and on this particular incident to get to the point of Obstruction is kind of the last resort arrest, or the last resort. You don't use it willy, willy-nilly.

WHITLATCH: No, not at all.

BAIR: It is not that common.

WHITLATCH: No.

BAIR: Okay. And it would be safe to say that since you decided to arrest somebody for Obstruction, you can't recall an incident, although there may be one, you can't recall an incident where you were on the fence of whether or not they should be I&R'd because you believe having arrested them for Obstruction, you've already given them every opportunity at this point, now you're committed to go the full way.

WHITLATCH: Yes.

BAIR: Does that make sense? Is that accurate, what you're saying?

WHITLATCH: That that is exactly what I'm trying to say.

BAIR: Okay. I just wanna make sure that I'm...

WHITLATCH: Yeah.

BAIR: ...saying the same thing. Okay, great. All right. All right. Are you aware that sometimes the community and the media often portray the charge or the arrest of Obstruction as something officers do simply because...have you ever heard of the phrase he was arrested for "pissing-off" a police officer? Let's start with this, have you been aware of the phrase, somebody got arrested for "pissing-off" a police officer?

WHITLATCH: No, there's another phrase.

BAIR: PoPo? Isn't it PoPo?



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WHITLATCH: No, it's Contempt of Cop.

BAIR: Contempt of Cop. The same thing. I'm, I'm talking about the same thing.

WHITLATCH: Yeah.

BAIR: Are you aware of that phrase?

WHITLATCH: Yes.

BAIR: Okay. Are you aware that a lot of times civilians and other people believe Obstruction is just another way for officers to arrest people that don't have anything, and they're doing it for Contempt of Cop, that people believe that?

WHITLATCH: Well, I can't really speak to that, but...

BAIR: But you've heard it.

WHITLATCH: ...I can't believe what they...I don't know what they believe, but I suppose that's possible, of course.

BAIR: Okay. Putting it out there, did you arrest Mr. Wingate because he pissed you off?

WHITLATCH: No.

BAIR: Okay. Had to ask. And now we'll get into the fact that you stated you believed he did not cooperate with you because of your gender.

WHITLATCH: Yes.

BAIR: Do you believe that your race had anything to do with Mr. Wingate not cooperating with you?

WHITLATCH: I don't know.

BAIR: Okay. I asked you this in the last interview, was his race of being black or African American a consideration as to why you decided to arrest and eventually book Mr. Wingate?

WHITLATCH: Absolutely not.

BAIR: Okay. Why do you feel he complied with Officer Archer and Officer Coles?

WHITLATCH: I think because they're males.



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BAIR: And can you please tell me what their race is?

WHITLATCH: They're both white.

BAIR: Okay. All right. So the reason we're asking about your viewpoint on why you think Mr. Wingate was not complying with you is—and you, again stated because of your gender—you had some Facebook posts—

STUCKEY: Objection. Is that...that is a separate thing away from this that was actually, once again, covered with her chain of command and her supervisors, and I don't think it has any relation or bearing of what we're talking about today.

BAIR: Okay, noted. Officer Whitlatch, you posted some Facebook posts a while back and we're asking this to get your state of mind when you had interaction with Mr. Wingate, because you posted some, some posts here. Can you please tell me what event spurred these postings?

WHITLATCH: Dorian had posted an article.

BAIR: And Dorian is another officer?

WHITLATCH: Yes.

BAIR: Okay. And do you recall what the article was about?

WHITLATCH: I...it was about race-baiting, probably. I don't really remember. Do you have the article?

BAIR: I don't have the article.

WHITLATCH: I think most of the posts that you have, everything is pretty much taken out of context, but...

BAIR: Okay.

WHITLATCH: Like I don't think you have—

BAIR: And I'll give you an opportunity to...

WHITLATCH: Oh, okay.

BAIR: ...to explain that. So you're saying it was an article that Officer Oriero...is that how you say his last name?



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WHITLATCH: I think, I always call him Oriero.

BAIR: Okay. O-R-I-E-R-O. Officer—we'll just call him Dorian then.

WHITLATCH: Uh-huh.-huh.

BAIR: Dorian posted an article and you believe it was related to race-baiting?

WHITLATCH: Yeah, it was about race-baiting, I believe.

BAIR: Can you give, can you give any kind of context to it?

WHITLATCH: I really don't remember the article at all.

BAIR: Okay, then we'll look at your post. I just provided you your post. You, you posted in there—and that's Dorian's...so here's a man holding a sign... and these are all—so you posted in there if you believe that blacks are not accusing white Americans for their problems, then you are missing the point of the riots in Ferguson and the chronic black racism that far exceeds any white racism in this country. Can you explain what you meant by chronic black racism?

WHITLATCH: Well, I'm white, and I wouldn't be here if I was black.

BAIR: And why do you believe that?

WHITLATCH: Because he's accusing me...

BAIR: I'm sorry, who is *he*?

WHITLATCH: Wingate...

BAIR: Okay.

WHITLATCH: ...that the only reason I arrested him is because he's black.

BAIR: Now I need to pause you for just a second. *Did* he actually accuse you of, of that?

WHITLATCH: So, no, not at the time. He never said a word about it. I don't even think he thought about it, but afterwards he certainly got that put into his head. And I don't know if he's, if he's ever said it, but all of his, the media is saying it, and the attorneys are saying it, and it's not true at all. And if I was black, it wouldn't, this would—I wouldn't be here today.

BAIR: Okay.



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WHITLATCH: So that's why I'm tired of the chronic black racism. There's lots of instances that are like that.

BAIR: Okay. So would it be more accurate then, to say that *it* is being alleged by unknown...we're not sure if Mr. Wingate at this time is actually saying this or not, but that—?

WHITLATCH: Well, that's what his lawsuit says.

BAIR: Okay. Okay, so you are being accused of stopping him because he's black.

WHITLATCH: That's right.

BAIR: That's accurate. Okay. And you believe that you would not be here in this interview or in any kind of scrutiny if you, yourself, were black?

WHITLATCH: Well, that's right. And I certainly wouldn't have this civil lawsuit going.

BAIR: Okay.

STUCKEY: I would just, I'd like to object once again...

BAIR: Sure.

STUCKEY: ...before we continue, and I know we're gonna continue with the question, but this Facebook that was posted that we're reading was directed a Mr. Brian Davis, apparently, not a Mr. Wingate or anybody else. This is a conversation with two people who are not involved with this arrest, other than Officer Whitlatch.

BAIR: Okay.

STUCKEY: The person she's talking to was not involved in the arrest. It was a conversation they were having separate from this.

BAIR: Okay. And also, just for clarification, was this post before or after your arrest of Mr. Wingate?

WHITLATCH: Well after.

BAIR: This post was well after your post with Mr.—or excuse me—with your arrest of Mr. Wingate?

WHITLATCH: Yes.



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BAIR: Okay. And I know you don't remember the article but you, you do recall that it had something to do with race-baiting. Can you tell me if...

WHITLATCH: I—

BAIR: ...race-baiting...I don't even know what that means.

WHITLATCH: It means basically, and it's not just black people who are doing this, but there's white people that other, like in Dorian's thing here...

BAIR: Sure.

WHITLATCH: ...it referenced Al Sharpton and Jesse Jackson. They go into communities and they are playing favorites with race and they're blaming white people for doing things against black people and it has nothing to do with that, at all.

BAIR: So...

WHITLATCH: And so they create these big...they just try to stir up this race issue in communities, which leads to violence and hatred and, and it has nothing to do with the facts or, or *any* of those things.

BAIR: So would it be accurate to say that race-baiting is more or less that there is some ultimate issue that was brought forth, but unfortunately the issue is not officially addressed, and instead, it is deflected on making it a race issue to create more of...

WHITLATCH: An uproar.

BAIR: ...and uproar in the communities?

WHITLATCH: Perpetuate somebody else's agenda.

BAIR: So is that that sounds pretty accurate as to what race-baiting is?

WHITLATCH: I think so.

BAIR: Okay.

WHITLATCH: As close as I can get.

BAIR: Okay. All right. So you also mentioned, and again, I have the post, I do not have the article, but you mentioned I'm tired of people's paranoia that white people are out to get them. Can you explain why you believe black people are paranoid of white people?



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Actually, it said *people's* paranoia, so people's paranoia that white people are out to get them. Do, do you still feel that?

WHITLATCH: Well, I don't know if you've noticed, but in the media lately and all over the country, and you may have heard yourself, people saying the only reason you're doing this is because I'm black. And of course, the response is well, maybe that's because you just robbed a store, maybe, you know, you're being stopped because you, a traffic stop or something like that. And so that's what I'm referring to is that there's this assumption and it happens to me, personally, I see it's happening in the media constantly that they think it's, they're being attacked or pulled over or stopped or whatever it may be, because of their race, when, in fact, it has more to do with their actions.

BAIR: Okay. So I'm not gonna go through each and every little segment on that post, but that is a question is that, and, and I, you just pretty much answered it, but I'll ask it for clarity, have you been told when you've stopped somebody that the only reason why you're stopping them is because they're black?

WHITLATCH: Dozens, countless times.

BAIR: Countless times.

WHITLATCH: Countless times.

BAIR: And can you tell me, you don't have to be specific as far as incidents, but can you tell me what are your reasons for stopping these individuals?

WHITLATCH: Well, traffic, I stop people for DUI, just on the street for reasonable suspicion stops, suspicious behavior, drinking in public at Cal Anderson, and it's you only do this 'cause I'm black.

BAIR: Okay. So do you believe when you stop people or contact people, and these people are people of color or minorities and the throw back at you, the only reason why is because I'm X? Are you saying that for those stops that those were lawful stops...

WHITLATCH: Absolutely.

BAIR: ...for, for police duties? Is that correct?

WHITLATCH: Oh, absolutely.

BAIR: Okay.

WHITLATCH: Of course they're lawful stops. And, you know, frankly, I expect it. If I stop somebody and they're black, I am surprised if they *don't* make that comment.



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- BAIR: Okay. Well, that will lead us right into the next question, which is do you approach police work differently when contacting a black subject?
- WHITLATCH: What do you mean by approach police work?
- BAIR: Do you, so when you do your police work, whether it be contact somebody on a traffic stop or contact people at Cal Anderson for drinking or what have you, and you're aware of their race, regardless of the fact that you had a lawful, I'm gonna go with the fact that you have a lawful reason to stop them, and you're now aware of what their race is, and it's not white, let's, we'll just go with black because that's what Mr. Wingate is, do you take a different approach in your contact with them? Are you more concerned? Do you have more heightened awareness of things because of perceptions that are out there or do you handle it the same way that you would handle it if you contacted a white individual?
- WHITLATCH: Exactly the same way.
- BAIR: Okay.
- WHITLATCH: I'm just wondering. My, whomever is listening...
- BAIR: Um-hmm.
- WHITLATCH: ...I'm gay.
- BAIR: Um-hmm.
- WHITLATCH: And I'm a woman, and I have my own minority...I'm, I'm a minority in a lot of ways and so I'm very sympathetic to minority issues. And, you know, I spend a lot of time in other cultures, and I started my career in the South Precinct, I've lived in China for a year, so I, I have no issues with race or people of color at *all*.
- BAIR: Great. You made a comment that you were surprised when a black subject that you contacted for a lawful purpose does not actually make the comment, the only reason why you stopped me is 'cause I'm black. Do you think that has any impact on how you're going to deal with that individual or interact with that individual?
- WHITLATCH: Well, it did when they started the policy where you have to write a Bias report. It just created more paperwork, but other than that, it doesn't affect me.
- BAIR: Okay. Do you believe Mr. Wingate displayed any conduct showing that he was a black racist?
- WHITLATCH: Nope. In fact, he didn't say anything about me stopping him because he's black. I don't think that was an issue for him at all until he was contacted later.



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Taken by: Sergeant Krista Bair

BAIR: Okay. I'm just reviewing my questions, please. I want you to have the opportunity to explain this statement a little bit better because I think you are stating it now, but a little bit further explanation, I think, is warranted. In your post you talk about, you know, you're, you're tired of hearing people be upset and stating things like, such as the only reason why you stopped me is 'cause I'm black, or poor me, the black man, when other races and gender suffer more, etcetera, etcetera. You just made the statement that you're very sympathetic with minorities and people of other cultures, so can you please explain how you can be sympathetic and make statements that you are tired of individuals saying these things?

WHITLATCH: Well, first of all, there's a lot of people that come to this country that have absolutely nothing that work their asses off to succeed, and they save, they live under terrible conditions, they'll, you know, lots of people in one room, but they don't say, you know, hey, you're only doing this because I'm Hispanic, or you're stopping me because I'm gay, or because I'm Asian. They come to this country, they work really hard, they try to follow the rules, they try to learn the language, they, they have a lot of ethics and integrity and they have accountability for their actions and they wanna get ahead by working hard and doing the right thing. It's the people that *don't* wanna do anything and try to get away with things or get off of things or scare people by saying hey, you know, you're only doing this 'cause I'm black. And there's a lot of people that are discriminated against, myself included, for being gay and for being a woman...I don't know if you know, we still don't get paid the same as men, I mean I could go on and on and on. We've never had a woman president. We, we still don't have a female NFL referee, there's all kinds of firsts that are occurring for women that, and it's 2015, but you don't have women screaming you know, the only reason you're not doing this is because, I'm not getting this promotion is because I'm a woman. It's not chronic. It's not constant. And that's what I believe. And I believe you should be responsible for yourself, take accountability. It's not that it doesn't exist. It *does* exist, and I can sympathize with that, but it's one thing to take it way overboard and not to be accountable for what you're doing and who you are and your actions, and that's kinda where I come from about it.

BAIR: Okay. So you're acknowledging that there are issues of where people are stopped from other officers or from other departments or from other things, or women are not getting paid the same, and there's all sorts of discrimination that goes on, but your bottom line is saying you *are* sympathetic with minorities and with other, with other people with struggles and challenges and etcetera, etcetera, but your issue is with those people that truly are being stopped for a lawful purpose and who are throwing that out at you.

WHITLATCH: Yes.

BAIR: Those are the people that you are having an issue with...

WHITLATCH: That's right.

BAIR: ...not, not, you're not painting the entire minority with a broad brush...

WHITLATCH: No, no, no, no...



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BAIR: ...obviously.

WHITLATCH: No, because we all know racism exists.

BAIR: Um-hmm.

WHITLATCH: We all know sexism exists.

BAIR: Um-hmm.

WHITLATCH: We all know these things exist. It's not like they don't exist. We know they do, but when you try to take advantage of it, advantage of it for your own personal gain when it doesn't exist, that's where I have a problem. I'm, I'm 100% behind the guy who is being treated unfairly, but if you're not and you say you are, then I'm totally against you.

BAIR: I'm sorry, if you're not what?

WHITLATCH: If you're, if you're just using it for your own personal benefit...

BAIR: Right.

WHITLATCH: ...when it doesn't, when it really doesn't even exist, then I don't, I don't agree with that. I strongly, vehemently disagree with that. And I feel like there's a great deal of that and I'm confronted with it frequently in law—we *all* are. All of us hear this. And that's why in this Facebook post, I told this guy, Brian Davis, that if he really wanted to know what's going on, he ought to go check out the Bias reports that officers are writing and see who they're writing them for. What, what group of people is it, what are they saying, and get the facts and determine for yourself is, is there really something racist going on. And, you know, I know he wouldn't do that. He just assumes that somebody is being racist.

BAIR: All right. I don't believe I have any other questions. Feel free to ask your follow-ups.

STUCKEY: Well, I'd like to also take the opportunity right now before I ask Officer Whitlatch the questions that we've had, we've been hearing them for quite a bit, and I've tried to take notes. So if I miss something I apologize, because I'm not allowed to speak when the questions are asked to get clarification, which probably let things go on a little further. That's not for you, Sergeant Bair, but for those who will be reviewing this later. Officer Whitlatch, we were referring to a Facebook post that you, this was essentially a conversation you were having with Mr. Davis.

WHITLATCH: Yeah, um-hmm.

STUCKEY: Has this, anything in any of this Facebook post pertain to any kind of, anything that Mr. Wingate or anything you've ever done (unintelligible) as a police officer?



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WHITLATCH: No.

STUCKEY: You had mentioned earlier that you, when we were talking about what kind of police officer you are, that you would let opinions, these kinds of opinions, the ones that you have, affect how you do anything on the job?

WHITLATCH: No.

STUCKEY: And how can you be sure of that?

WHITLATCH: Well, I still do my job. If you look at my statistics... in fact, I think you'll find that I do my job better than most people in my precinct. For example, I still do my job...I, what I wanna say, what I'm trying to say is that I, I have more arrests than my entire squad combined every year. And I go to more calls than anybody in my squad. And I have a strong work ethic and strong sense of morals, and I believe that despite this political stuff that's going on and people trying to avoid work, that I, I don't wanna do that. And so I think that demonstrates that I do my job regardless of what I think about the politics and I try to do it as best as I can.

STUCKEY: And we, if you can talk a little bit about, and we don't have the video with us, but when we watched the video in our previous interview there was a point where Mr. Wingate cooperated.

WHITLATCH: Right.

STUCKEY: When, when did he start cooperating?

WHITLATCH: He immediately calmed down and cooperated when the male officers arrived.

STUCKEY: Can you describe what that cooperation was?

WHITLATCH: Well, first of all he stopped yelling. He walked right up to them. He was very polite. He handed them the golf club immediately. He complied with everything they said and he talked civilly to them.

STUCKEY: The golf club. Did they ask him for the golf club? Do you recall that?

WHITLATCH: I don't recall. I'd have to look at...

STUCKEY: Okay.

WHITLATCH: ...Chris' report, but I, what I do remember was him holding it out. I don't know if he, they had asked him to or not, but he was walking over holding it out to give it to—in fact, I think he set it against the wall of the business. I don't know if they told him to do that or not.



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Transcribed by: J. Wicklund
Taken by: Sergeant Krista Bair

STUCKEY: For the record, they did not. He placed it down without them asking, and that video will, you can review that, it'll show that. Now what do you think the time was from the time that you interacted with Mr. Wingate to the time that he cooperated with the male officers, how long was that?

WHITLATCH: Gosh, four minutes?

STUCKEY: Okay. Have you—?

WHITLATCH: Five minutes?

STUCKEY: I know you've been re-assigned to home, and are not privy to our training. How long have you been re-assigned to home?

WHITLATCH: I have been at home for 24 weeks.

STUCKEY: For 24 weeks. Okay. In that 24 weeks, have you been allowed to obtain any training what so ever that has anything to do with Bias or the wonderful word that we use here in Seattle now, de-escalation?

WHITLATCH: No, not since I've been assigned to home.

STUCKEY: So you don't know what de-escalation is?

WHITLATCH: Well, I have an idea, but I don't know what Seattle's policy is on it.

STUCKEY: Okay, but given the fact that you don't, you have not had the training and don't know the policy, what do you think de-escalation is?

WHITLATCH: I think de-escalation is... from an officer's perspective...

STUCKEY: Yep.

WHITLATCH: ...trying to take, trying to get the person that you're dealing with, if they're in an elevated emotional state, to come down from an elevated emotional state, or if there's some kind of violence, to get that to...

STUCKEY: And why would you de-escalate?

WHITLATCH: Well, we *all* want de-escalation so it's safer for everybody that's involved.

STUCKEY: So, so that you wouldn't have to use force?



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WHITLATCH: That's right, yeah.

STUCKEY: Okay. Well, would it surprise you if I said that is actually pretty much the definition of de-escalation, and that from the time that you spoke with Mr. Wingate to the fact that he was in handcuffs, that's what we call de-escalation. Would you say that—?

WHITLATCH: I thought so.

STUCKEY: Would you say that you tried to emphasize, emphasize, empathize... *empathize* with Mr. Wingate?

WHITLATCH: Yeah, I tried, I did, I, I, I said please, first of all, I don't... a few, quite a few times. I addressed his concern that I was gonna take his thing. I said I wasn't gonna take it.

STUCKEY: Did you, were you, did you feel like you were open-minded?

WHITLATCH: Yeah.

STUCKEY: Did you perhaps paraphrase, you know, trying to get him to understand what you were doing?

WHITLATCH: Yeah...yeah.

STUCKEY: All right. And then you went towards the next solution being that you had male officers actually place him in custody.

WHITLATCH: Well, I didn't have—yeah, I, what *e/else* could I do? He was... if I went up to him and, if I walked up to him it would've been a fight.

STUCKEY: So, so you rightfully allowed someone else to take it over so that you didn't have to use force coming at him?

WHITLATCH: Yeah, if I had approached him there would've been a fight, and there's just no question.

STUCKEY: Thank you for that and thank you for your service. That was excellent. That's exactly what you're supposed to do. Now I do have a couple other questions. To your best of your knowledge, has Mr. Wingate ever been asked if he had any bias towards women?

WHITLATCH: I don't know.

STUCKEY: Do, is that a question that you think you might wanna ask?

WHITLATCH: Well, I...I, I...



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STUCKEY: If you had a mediation...

WHITLATCH: ...if I could...

STUCKEY: If you had a mediation—?

WHITLATCH: I could ask him, but I wouldn't expect a truthful answer.

STUCKEY: From Mr. Wingate?

WHITLATCH: Yeah.

STUCKEY: Okay.

WHITLATCH: Who is gonna say yeah, I hate women, or I don't like women and the only reason...I mean at least, especially given the civil suit now? I mean he's...just his actions...I, I, you know, I don't know what he's thinking, but his actions, to me, indicated that his issue was with my gender, not with me.

STUCKEY: Yes. Well, you, you talked about being a police officer for how many years?

WHITLATCH: Eighteen, plus.

STUCKEY: Eighteen years?

WHITLATCH: Yeah.

STUCKEY: Eighteen and you've made numerous arrests and that you've arrested all kinds of people, I assume.

WHITLATCH: Yeah, hundreds of people.

STUCKEY: Have you ever, in your experiences have you had anyone, any specific group treat you a certain way?

WHITLATCH: What do you mean?

STUCKEY: Okay. Well, do you find it easier to, is your communication skills with younger people are better or do you feel like you have a more difficult time with say older people?

WHITLATCH: It, it depends. I can relate with people my age and younger people usually better, but I, I generally don't ...generally...I'm not really sure what the, how to answer that question.



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STUCKEY: And I asked a difficult question and I apologize. I'm making it as clear as I can, but Mr. Wingate, being an older gentleman, do you think that maybe had a factor in how he treated you?

WHITLATCH: It could be. I mean he's a lot older than me and, you know, depending on where he's from he may have some issues with women about, that are related to his age. I mean he probably grew up in a time where a wife stayed home and did the laundry and cooked the dinner, and the man, the male made the decisions. And well, I'm certain, he certainly was around when police officers, there were no female police officers because there wasn't any female police officers, even on this Department until what, 1973 or something like that?

STUCKEY: Um-hmm.

WHITLATCH: So yeah, when it comes to women being in certain positions, and some a few who are older, there's certainly a possibility that he could have issues with it.

STUCKEY: And just, and this will be my last question, and this is in regards to the Facebook post.

WHITLATCH: Um-hmm.

STUCKEY: This entire conversation that you had with Mr. Davis, this was begun by you or begun by...what started it?

WHITLATCH: Dorian posted this article that had something to do with race-baiting and the President and Ferguson, Ferguson, and I think after I read it I kinda narrowed that down.

STUCKEY: And gave your opinion to—

WHITLATCH: He said something, and I don't even know if that's in here, 'cause this is not complete.

STUCKEY: Um-hmm.

WHITLATCH: He said something way before my little rant here that bothered me about that, and it kinda, I don't know what it was now 'cause he didn't provide it, but that's what, what brought that on.

STUCKEY: And you, did your chain of command speak to you about this Facebook post?

WHITLATCH: Yes.

STUCKEY: And who, can you tell me who that was?

WHITLATCH: I believe it came up with Captain Davis.



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STUCKEY: Oh, he was the East Precinct captain?

WHITLATCH: Yeah.

STUCKEY: And what is Captain Davis' race?

WHITLATCH: He's black.

STUCKEY: Okay, so he spoke to you about this. When you left that meeting with Captain Davis, who happens to be African American, did you feel as if you were counseled and this issue was settled?

WHITLATCH: Oh, yeah. I thought the Wingate issue was settled, which I was also part of the discussion.

STUCKEY: I have no other questions.

BAIR: Two things. One, getting back to Mr. Wingate. You, you're believing that Mr. Wingate wasn't cooperating with you because of your gender and perhaps that was a generational issue. Did he ever say that he, did he ever bring that up that he didn't wanna cooperate with you, he wanted a man on the scene or anything like that?

WHITLATCH: He said he wanted—call somebody else.

BAIR: Okay.

WHITLATCH: And the call somebody else is...I pretty much assumed he wanted a male officer.

BAIR: Regardless, he wanted somebody else other than you.

WHITLATCH: Um-hmm.

BAIR: Okay. So that was that question. And then finally, we haven't even touched on this, and I...why did you follow up with the City Attorney's office regarding the arrest of Mr. Wingate?

WHITLATCH: Well, periodically I follow up with arrests and I just happened to follow up with his.

BAIR: Okay. Was there any specific reason as to why you followed up with it?

WHITLATCH: Well, Obstruction arrests, like I said, the City Attorney's office, they don't generally prosecute on those cases and so I wanted them to know that this one I felt was significant, in terms of an Obstruction arrest.

BAIR: You felt strongly about it?



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WHITLATCH: Yeah, and I wanted to know if they were gonna prosecute him or not. And I wanted to let them know my experience and wanted, I wanted to know what they were gonna do.

BAIR: And do you remember what they said?

WHITLATCH: He said that he had spent two nights in jail and so they had considered, they felt that they didn't want to—they felt that was enough punishment, essentially. And I was really surprised that he had spent *any* night in jail because I figured he would've gone down to King County Jail, been checked in and then immediately PR'd. He didn't have any history, he was elderly, I don't, I don't really know why that happened. I thought that was highly unusual.

BAIR: 'Cause the arrest was made at like 1:00...

WHITLATCH: Yeah.

BAIR: ...around 1:00 in the afternoon or so.

WHITLATCH: It, it, it was highly unusual, and when he said there were two, he had spent two nights in jail, I'm like well, yeah, that's kind of...that seems really outrageous, actually, so...

BAIR: Well—

WHITLATCH: I'm, I, I told them, I said well, I'm cool then with not doing the Obstruction because, you know, two nights in jail is kind of a big deal for a guy who has never been in jail.

BAIR: Okay. So okay, that...you said you were cool with not doing Obstruction. The, the—

WHITLATCH: The prosecution of it.

BAIR: Okay, the prosecution of it. Okay.

WHITLATCH: 'Cause they were, they were saying we weren't gonna do it because of this, because of that, and I said...

BAIR: You're—

WHITLATCH: ...okay, I'm not, you know...

BAIR: Okay.

WHITLATCH: ...I'm good with your decision.



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BAIR: But when you *called* you were calling because you wanted to make sure that they were gonna *charge* him with Obstruction.

WHITLATCH: Well, I wanted them to know my experience...

BAIR: Uh-huh.

WHITLATCH: ...and I wanted to know if, what, if they were going to charge him.

BAIR: Okay.

WHITLATCH: And I wanted them to charge him because it was...

BAIR: As you said...

WHITLATCH: ...significant.

BAIR: ...uncommon for you to, to do.

WHITLATCH: Yeah.

BAIR: Right.

WHITLATCH: Yeah.

BAIR: So what do you think, if they charged him, what do you, what do you think would've happened if he got charged? I mean...

WHITLATCH: Well...

BAIR: ...you, you were cool with them being okay dropping the charge because he already spent two nights in jail, but you were pretty...

WHITLATCH: Well, what happens is...

BAIR: ...vehement on having him charged.

WHITLATCH: ...when somebody is, when somebody gets arrested for Obstruction and then they do nothing, it almost like encourages the person next time to do it, it's okay to do it again because you're not gonna get in trouble.

BAIR: Um-hmm.



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- WHITLATCH: I mean you arrested but so what, now you're released. There's no ramifications. And so when somebody, when I arrest somebody for Obstruction, it has to, there's a really high threshold for me to do that, and so in this particular case it was really, he was really, as I said in my email, overboard. And so I called and I said hey, I wanna know if you guys, what you guys are gonna do and I want you, you know, I want to know if you're gonna follow through with this Obstruction arrest because I want him to know that it's not okay.
- BAIR: Um-hmm.
- WHITLATCH: And then when he said he spent two nights in jail, I said okay, well, that pretty much probably sent the message home. It's not okay, 'cause you go to jail and in this case, he spent two nights in jail, which is...
- BAIR: 'Cause they ultimately didn't charge him with Obstruction.
- WHITLATCH: Well, they didn't charge him with *anything*, I *think*. They, so here's another thing. Okay, let me just put *this* on the table, he, a judge put him on Probation or—
- BAIR: Dispositional Continuance.
- WHITLATCH: ...Dispositional Continuance...
- BAIR: Um-hmm.
- WHITLATCH: ...for 25 months...
- BAIR: Um-hmm.
- WHITLATCH: ...as long as he didn't do anything.
- BAIR: Um-hmm.
- WHITLATCH: Well, two months later, guess who, Judge Bonner, calls him in and eliminates that, overrides the other judge. Now, and so and then guess who goes out and takes the golf club to him and hands it over to him again. I mean that's really insulting. I mean this guy did this to me, swung a golf club at my car and then he's arrested for Obstruction, and then our Assistant Chief goes over and takes the golf club back to him and makes a media production of it, and then they don't charge him? And then the judge changes his sentence from his Dispositional Continuance from 24 months to, to nothing now, whatever it was? What race were these? The judge was black and the Chief is black, so I mean to me...how does that look? It, it doesn't support the officer, that's for sure. I, I mean how can you have a Chief take the weapon *back* to a guy who swung it at an officer? I really have a hard time accepting that.
- BAIR: Okay. I have nothing else.



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STUCKEY: I don't have anything.

BAIR: Do you have anything else?

WHITLATCH: No.

BAIR: To maintain confidentiality of this investigation, you are advised not to disclose the information discussed during your interview except with your representative or attorney. Do you understand?

WHITLATCH: Yes.

BAIR: And this completes the interview. The time is 10:47 and it is still July 16th.