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NAACP, ACLU call for federal investigation of sheriff's office

RICK BANNAN
rick@thereflector.com

A number of organizations including the local NAACP and American Civil Liberties chapters have had enough with what they say is discrimination in policing in Clark County as they asked for a federal investigation as a response to a disproportionate number of fatal police shootings in recent years.

In a virtual announcement on Nov. 10, the NAACP of Vancouver, the American Civil Liberties Unions of Washington and Oregon, and other groups announced a formal request for the Clark County Sheriff's Office, the Van-

couver Police Department, and the departments' joint drug task force to be investigated by the U.S. Department of Justice.

NAACP of Vancouver President Jasmine Tolbert said the request came "after years of racial profiling, discriminatory policing, excessive force, and a disturbing favoritism to known white supremacist extremist groups," pointing to recent uses of excessive and deadly force on persons of color in the agencies' jurisdictions.

While communities of color, those experiencing homelessness

and individuals in mental health crises are discriminated against, Tolbert said, the agencies in question have shown favor to "known white supremacist" groups.

"This disparate policing causes lasting harm for residents and undermines public safety for the community at large," Tolbert said. "All residents of Vancouver and Clark County deserve equal and professional treatment by police officers."

She pointed to publicized accounts of law enforcement's use of force in the county in recent

years which has eroded the already strained relationship the communities discriminated against have with law enforcement.

ACLU of Washington Police Practices and Immigration Counsel Enoka Herat listed the names of eight individuals killed by the Vancouver police or Clark County deputies in the past two-and-a-half years, the most recent being Kfin Karuo who was fatally shot in northeast Vancouver on Oct. 17 after a police pursuit. She said the eight people who were killed equals one of the largest concentrations of fatal police shootings since Initiative

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Chuck Atkins

Ridgefield Middle School teacher's aide charged with sexual relationship with student

RICK BANNAN
rick@thereflector.com

A Ridgefield teacher's aide faces charges stemming from alleged sexual communication with a 13-year-old student, court records say.

On Nov. 4, Mason Barry, 18, made a first appearance in Clark County Superior Court on two charges of communication with a minor for immoral purposes.

According to a probable cause affidavit for Barry's arrest, in February the grandfather of the victim discovered an "inappropriate relationship" between the victim and Barry on her phone.

Initially the victim had a non-sexual conversation with Barry though Barry asked to keep their conversations on Snapchat, "because he didn't want to get in trouble," the affidavit stated.

A few days after connecting on social media the conversation turned sexual in nature.

The victim was pressured into sending explicit photos to Barry, the affidavit stated. The victim was not comfortable with sending the photos and felt pressured to move the relationship to that level.

The day after police were informed, Barry was interviewed outside of his residence, the affidavit stated. During the interview he admitted to having sexual conversations with the victim and admitted to asking for and receiving explicit photos from the victim.

"I realized I made a mistake," Barry was quoted in the affidavit.

The affidavit stated Barry made a written statement confirming the alleged encounters.

Barry was scheduled for an arraignment on Tuesday, Nov. 16.

Groups host hunt for veterans at wildlife refuge in Ridgefield

RICK BANNAN
rick@thereflector.com

The sound of gunfire periodically echoed across the Ridgefield National Wildlife Refuge on Veterans Day, followed sometimes by a duck falling from the sky after a successful hit. At one blind, a dog quietly whimpered after already retrieving a few birds on the morning of Nov. 11.

Luke, an 8-year-old retriever, proudly held one of his quarry, which is one of 25 species of duck that people in the region can hunt, according to experienced hunter and 20-year Army veteran Branden Trager.

Trager and fellow veteran Josh James set up in one of the waterfowl blinds placed across the refuge as part of an annual hunt for military veterans on the refuge grounds.

The fourth annual Veterans Day Waterfowl Hunt went off successfully even after a particularly wet start to the day. The hunt is put on by the U.S. Fish and Wildlife Service, Trager and James' group The Fallen Outdoors, and the Washington Waterfowl Association.

After a COVID-19 pandemic-induced hiatus last year, the event returned on a smaller scale with 10 veterans who were just getting into waterfowl hunting.

Trager, a founding member and current president of The Fallen Outdoors, said his group became involved after Dion Hess, a



The Fallen Outdoors president Branden Trager, left, and member Josh James sit in a blind at the Ridgefield National Wildlife Refuge during a Veterans Day hunt on Nov. 11.

local who organizes fishing trips for veterans out of Ridgefield, suggested it. Trager's organization formed in order to take active duty service people and veterans out on hunting trips

Compared to other hunting opportunities, waterfowl is advantageous due to a long season and a wide range of places to hunt, James said.

"For waterfowl, new birds move. You're not hunting an animal that lives in that area. Today, we're probably hunting birds that

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Luke, an 8-year-old retriever, holds one of three birds shot by Branden Trager and Josh James at the Ridgefield National Wildlife Refuge during a Veterans Day hunt on Nov. 11.

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Hunt

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came out of Canada or Alaska," James said on Nov. 11.

Trager and James were able to be interviewed by The Reflector from the blind. Had it been a big game hunt, participants would have had to stay as close to silent as possible. They said being able to have conversations while in the blind helps the veterans make connections with those they were hunting with.

Novice hunters were paired with experienced ones to help determine whether the bird could be hunted in Washington, James said. The state's laws in general are different than any of the several states he has hunted in, James said. He specifically mentioned the ban on electric decoys that Washington and Oregon has imposed.

"It's great to have those very experienced guys to share the knowledge," James said.

Trager grew up hunting with

his family in Missouri, but in the 12 years since relocating to the Pacific Northwest, he has hunted waterfowl regularly. James has hunted waterfowl for 10 years.

The Fallen Outdoors' mission focuses on helping military members and veterans who move across the nation so they do not end up in a rut which wouldn't allow them to experience the region around them, James said.

"Every opener, even if we don't talk for six months, we know on opening day of duck season, we're all going to meet in this parking lot in eastern Washington and we're going to hunt the next two days together," Trager said. "You create your tribe."

Both hunters said conservation is at the forefront of their minds, noting the sales of hunting licenses and supplies help pay to support wildlife habitats.

"You would never see a hunter spill oil ... because that's it, the habitat's gone," Trager said.

Ridgefield National Wildlife



PHOTO BY RICK BANNAN

The Fallen Outdoors guide

Josh James sits in a blind at the Ridgefield National Wildlife Refuge during a Veterans Day hunt on Nov. 11.

Refuge Complex Project Leader Juliette Fernandez said hunting is one of the "big six" uses of the Fish and Wildlife Service's lands. Fernandez said the refuge's dedicated blinds make a meaningful experience between the guide and the veteran.



PHOTO BY RICK BANNAN

Decoys, including a mechanically-operated one, sit in a pond at the Ridgefield National Wildlife Refuge during a Veterans Day hunt on Nov. 11.

"Pairing up with (The Fallen Outdoors and the Washington Waterfowl Association) to do a veterans program ... is just such a neat opportunity for us to be involved in," she said. "A lot of (the veterans) have the skillset, they know how to shoot, and

they get to do it in an environment that is peaceful and serene."

"What better pairing is there than to work with veterans who served to protect these public lands," Fernandez said. "It's only appropriate to give back."

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Sheriff

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940 passed in late 2018. The initiative dealt with de-escalation tactics and mental health training for law enforcement. Herat said five of the eight

killed were people of color, which included three Black men and two Pacific islanders. Both groups only account for about 3% of Clark County's population. In nearly all cases, law enforcement justified the shootings by saying the suspect failed to comply, she said, though there was no corroborating evidence from other witnesses, "just the word of officers."

Outside of police shootings, Herat said based on Vancouver police's own data, people of color were more likely to experience police use of force or be subjected to traffic stops.

Touching on disparate treatment, Herat said people of color who attended a vigil for Kevin Peterson Jr. were assaulted by members of the Proud Boys, Patriot Prayer and other counter protesters. Peterson was fatally shot by Clark County sheriff's deputies during a drug bust in October.

"Police stood by and did nothing," Herat said about the harassment at the vigil.

She said Vancouver police created operations plans for demonstrations put on by Patriot Prayer.

Speaking from the experience of having her brother, Carlos Hunter, tased and shot 16 times by police during a March 2019 traffic stop, his sister, Nickeia, talked about what she said was a skewed narrative which is indicative of the discrimination.

"(Police) used the media to paint Carlos as a villain, a drug dealer, a thug," Hunter said, adding the only gang he was involved with was made up of juveniles in detention vowing to make it past sentences handed down due to "youthful mistakes and poor choices."

"That is the only gang he belonged to beside that of his current gang — his children, one of whom he was going to pick up that day," Hunter said, adding her brother had not received a felony in 18 years.

Herat said most of the evidence to the groups' claims of discrimination came from the departments' own data.

"Leaving their departments on their own has not solved the problem. We are not seeing change come from within," Herat said.

Despite recent legislation that Herat said resulted in a precipitous decline in police killings across Washington state, "in Clark County someone was killed a month ago."

"Federal intervention is required to bring about the change Clark County residents demand and deserve," Herat said.

The organizations called on the Department of Justice for

a civil rights pattern and practice investigation to examine the use of excessive force and discriminatory policing, Herat said. Their investigation would be more holistic than looking at individual incidents, which she said could help identify systemic problems within the agencies.

Herat said if the DOJ found that one or both of the departments engaged in the discriminatory practices, it has the authority to bring a lawsuit against either. The departments or governing jurisdictions could also enter into a consent decree to submit to court and DOJ monitoring, similar to what happened in Seattle, she said.

Following the announcement of the request, Clark County Sheriff Chuck Atkins released a written response, noting his office has been accredited through the international Commission on Accreditation for Law Enforcement Agencies (CALEA) for more than 30 years. The standards for accreditation include the use of the best practices nationally, with several dealing directly with policing bias and administrative review of those practices.

"As sheriff, I have always been committed and believe in the process," Atkins stated. "The Clark County Sheriff's Office is dedicated to the citizens of Clark County and transparency of the organization."

Vancouver police also responded in a statement that said the professional law enforcement organization is committed to continuous improvement to lawfully and equitably protect the safety of all the community members they serve.

"We appreciate the long-standing relationships we have with our community partners including the NAACP of SW Washington, LULAC, and the Chief's Diversity Advisory Team, and are committed to continuing to build and strengthen these connections and create opportunities for the police and the community to work together on initiatives to improve police and community relations, increase transparency and reduce police use of force incidents," Vancouver Police Chief James McElvain said in the statement.

The department noted it has been engaged in its Community Task Force on Policing over the past year as it works to address and implement dozens of recommendations from a recent use of force report.

"The Vancouver Police Department is fully prepared to cooperate with any inquiry or investigation that may stem from this letter," the statement read.

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