

# **CITY OF SPOKANE ETHICS COMMISSION**

## **ETHICS COMPLAINT FORM**

Please review the City of Spokane's Code of Ethics – Chapter 1.04A SMC – before completing this complaint form. When you have completed this form, submit it to:

City of Spokane Ethics Commission  
Attention: Salvatore J. Faggiano  
Office of the City Attorney  
5<sup>th</sup> Floor Municipal Building  
W. 808 Spokane Falls Blvd.  
Spokane, WA 99201

or at: [cityattorneyinfo@spokanecity.org](mailto:cityattorneyinfo@spokanecity.org)

**\*\*Please be advised that the completed complaint form is a public record pursuant to the Washington State Public Records Act, Chapter 42.56 RCW and will be filed with the City Clerk's Office, posted on the Ethics Commission's website and provided to the person who is the subject of the complaint as well as any other individual making request for a copy of the complaint. The Ethics Commission's review of the complaint will occur in a meeting open to the public. \*\***

Pursuant to the City of Spokane's Code of Ethics, I am filing a complaint regarding conduct which I believe constitutes a violation of the City's Code of Ethics.

**Name, position, and department of person(s) I believe to have violated the Code of Ethics:**

Name: Dale A. Nagy

Position/Title: Deputy Prosecutor

**Nature of Code of Ethics violation:**

What specific provision of SMC 1.04A.030 do you believe has been violated?

Prosecutorial misconduct

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Describe in as much detail as possible the alleged Code of Ethics violation conduct. Attach additional sheets of paper, if necessary. Please include all documentation you believe demonstrates a violation. Your description should include the date, location and frequency of the alleged violation.

Dale A. Nagy is the Deputy Prosecutor in Spokane County, Spokane, Washington and was the prosecutor in case # 2110132932 and as stated in the defendants motion for a new trial filed January 11 2023 Mr. Hough was asked by the State multiple questions regarding whether or not he saw a weapon and what his statements were after the incident (Transcript for State v Hough Richard Hough page 53 lines 19-25 and page 54 lines 1-4 all included in the defendants motion for a new trial document that I will upload with this letter) and repeatedly misled the jury when stating 5 separate times during closing arguments, when rebuttal and/or defense response is not allowed as Dale Nagy knew even though evidence uploaded by the lead detective included the interviews of Mr. Hough and news reporters the following day of the incident stating he seen a weapon, the State claimed no such thing in fact argued Mr. Hough never stated this until almost 2 years later. Dale Nagy prevented the jury from knowing that Mr. Hough had made the claim of seeing a weapon no later than 24 hours from incident and by doing so makes this Prosecutorial Misconduct costing a decision of Guilty when this may not have been the case had the opportunity been presented to offer this information. Mr. Hough has claimed seeing a weapon even the day of the incident. I read in the transcripts where it seemed very clear that Nagy was really pushing bias concerning the fact that he was a man and she was a woman not allowing testimony that could have shown the danger Mr. Hough was in.

**Names and positions of the persons who may have witnessed the event:**

defense attorneys Annie Wasilewski and Colin Charbonneau

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**Evidence or documentation**

Please list any evidence or documentation that would support your allegation of a Code of Ethics violation. Indicate whether you can personally provide that information.

Motion for a new trial submitted January 11, 2023 for case number 2110132932 State v Hough

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I was not able to sit in during the trial I read the filed motion above and decided to file this in the hopes a fair trial could be had since Mr. Hough was denied that.

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## Complainant Declaration

I declare under penalty of perjury of the laws of the State of Washington that to the best of my knowledge, information, and belief formed after reasonable reflection, the information in the complaint is true and correct.

Birdie Hough	4-7-2023
_____	_____
Complainant's Signature	Date

Date and Place (e.g. City, State)

4-7-2023 my home Welpinit, Washington  
\_\_\_\_\_

Name (please print): Birdie Hough  
\_\_\_\_\_

Address: Mailing address P.O. Box 221 Ford, Washington 99013  
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Phone Number(s): 509-218-8753  
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E-Mail Address: mitzy257@yahoo.com  
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