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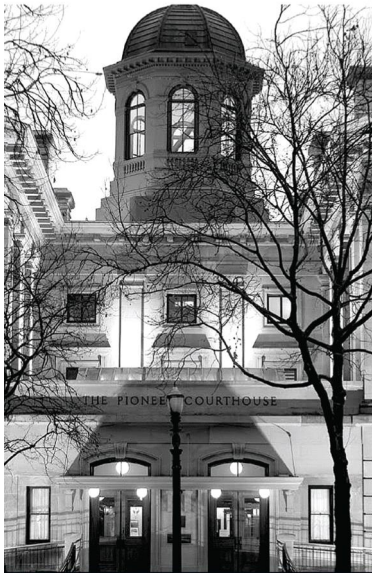
IN RE:

THE CITY OF SPOKANE

AND

FRANK STRAUB

---



DEPOSITION AND TRIAL



(800) 528-3335

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INTERVIEW OF

LIEUTENANT JUSTIN LUNDGREN

TAKEN ON  
MONDAY, FEBRUARY 22, 2016  
10:54 A.M.

SPOKANE COUNTY COURTHOUSE  
1116 WEST BROADWAY AVENUE, FIRST FLOOR  
SPOKANE, WASHINGTON 98199

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**APPEARANCES**

**THE INTERVIEWER:**

KRIS CAPPEL, ESQUIRE

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1 anybody in the city.

2 **LIEUTENANT LUNDGREN:** (Nods head.)

3 **MS. CAPPEL:** I also am not representing anybody  
4 that we're going to be talking about today. My role is  
5 strictly as a fact-finder. I'm quite certain that there  
6 will be reports that I'll be asked to prepare after the  
7 investigation is concluded.

8 I also am quite certain, given the publicity and  
9 interest in this investigation, that your statement will  
10 become a public record either through a public records  
11 request or through litigation that's been filed.

12 **LIEUTENANT LUNDGREN:** I understand.

13 **MS. CAPPEL:** So I want to make sure everybody I  
14 meet with knows that the issue of confidentiality is  
15 completely off the table.

16 **LIEUTENANT LUNDGREN:** Okay.

17 **MS. CAPPEL:** Do you have any questions of me  
18 before we get started?

19 **LIEUTENANT LUNDGREN:** No, I don't think so.

20 **MS. CAPPEL:** All right. How long have you been  
21 with the Spokane Police Department?

22 **LIEUTENANT LUNDGREN:** I was hired September 2nd of  
23 1997, so I'm in my 19th year.

24 **MS. CAPPEL:** Sorry, but you don't look old enough  
25 to have worked for the police department for 19 years.

1 What's your current rank?

2 **LIEUTENANT LUNDGREN:** I'm currently serving as a  
3 major, but that's an out-of-grade assignment. My civil  
4 service rank is a lieutenant.

5 **MS. CAPPEL:** And how long have you been serving in  
6 that out-of-grade position?

7 **LIEUTENANT LUNDGREN:** About five weeks.

8 **MS. CAPPEL:** Briefly, can you take me through the  
9 history of the positions you've held since being hired by  
10 the police department.

11 **LIEUTENANT LUNDGREN:** Sure. I worked as a patrol  
12 officer for about nine years, variety of different shifts,  
13 but working in a patrol function as an officer. And I was  
14 promoted to sergeant in -- would have been May of 2006, I  
15 believe.

16 As a sergeant I served as a patrol supervisor for  
17 a number of years, maybe four years. Then I spent three  
18 years in investigations.

19 **MS. CAPPEL:** As a sergeant?

20 **LIEUTENANT LUNDGREN:** As a sergeant. And in  
21 investigations I worked on everything from property crimes,  
22 domestic violence, fraud, sex crimes, child exploitation  
23 cases -- quite a variety of different assignments.

24 And then I was promoted to lieutenant, and that  
25 would have been in September of 2014. Is that right? No,

1 20 -- yeah -- it would have been 2013. Sorry.

2 **MS. CAPPEL:** And were you promoted by Straub or by  
3 the former chief?

4 **LIEUTENANT LUNDGREN:** By Straub --

5 **MS. CAPPEL:** Okay.

6 **LIEUTENANT LUNDGREN:** -- yes.

7 **MS. CAPPEL:** And that's the rank you've held until  
8 this out-of-class or out-of-grade position?

9 **LIEUTENANT LUNDGREN:** That's correct.

10 **MS. CAPPEL:** So what's primarily the difference  
11 between being a major and your rank as a lieutenant?

12 **LIEUTENANT LUNDGREN:** As a lieutenant I worked for  
13 a short while in patrol as a shift commander. And then I  
14 was asked to lead up our Internal Affairs Unit, so I was the  
15 Internal Affairs commander until five weeks ago.

16 My boss is on education leave for about five  
17 months and so I filled his role; and he oversees a number of  
18 other things such as records, the property facility, our  
19 Technical Response Unit that does our IT work, volunteer  
20 services, community outreach.

21 **MS. CAPPEL:** And is that Tim Schwering?

22 **LIEUTENANT LUNDGREN:** Correct.

23 **MS. CAPPEL:** He's your direct supervisor?

24 **LIEUTENANT LUNDGREN:** Yes. He was.

25 **MS. CAPPEL:** And you said he's out on five months

1 of educational leave?

2 **LIEUTENANT LUNDGREN:** Yes.

3 **MS. CAPPEL:** What's he doing?

4 **LIEUTENANT LUNDGREN:** He's at the Basic Law  
5 Enforcement Academy. He was non-commissioned. So he's  
6 getting his commission.

7 **MS. CAPPEL:** Okay. Chief Straub was hired in  
8 approximately October of 2013. Do you remember what your  
9 rank was when he was first hired?

10 **LIEUTENANT LUNDGREN:** I was a sergeant when he was  
11 first hired. So -- huh.

12 **MS. CAPPEL:** Am I wrong that was he hired in --

13 **LIEUTENANT LUNDGREN:** I would say 2012.

14 **MS. CAPPEL:** 2012? Okay.

15 **LIEUTENANT LUNDGREN:** Yeah. I would have been a  
16 lieutenant for three years this September.

17 **MS. CAPPEL:** Okay. So let me correct that. Straub  
18 was hired as the chief in October of 2012 --

19 **LIEUTENANT LUNDGREN:** Yes, that sounds correct.

20 **MS. CAPPEL:** -- not 2013.

21 When he was first hired, what was the nature and  
22 frequency of your interactions with Chief Straub?

23 **LIEUTENANT LUNDGREN:** When he was first hired, I  
24 had no real contact with him whatsoever.

25 **MS. CAPPEL:** Did that change?

1           **LIEUTENANT LUNDGREN:** After I was promoted and  
2 went to Internal Affairs, I had -- I had more often  
3 interaction with him, but it still wasn't as much as you  
4 might expect for an Internal Affairs Unit commander. Most  
5 of my interactions were with Tim Schwering.

6           **MS. CAPPEL:** And Tim, you mentioned, was not -- he  
7 was non-commissioned at --

8           **LIEUTENANT LUNDGREN:** Yeah --

9           **MS. CAPPEL:** -- the time?

10          **LIEUTENANT LUNDGREN:** -- that's right.

11          **MS. CAPPEL:** So what was his title?

12          **LIEUTENANT LUNDGREN:** He's a director of strategic  
13 initiatives.

14          **MS. CAPPEL:** Did he hold a title different than  
15 that when he was first hired?

16          **LIEUTENANT LUNDGREN:** When he was first hired, I  
17 believe that Chief Straub brought him on to work on either  
18 seizures or grants. It wasn't really clear to me. I wasn't  
19 in those conversations.

20                 I know that it was something different than that,  
21 and it evolved into a director's spot. I think it was going  
22 to be a deputy director position that had to do with either  
23 grants or seizures, but that never really materialized.

24          **MS. CAPPEL:** And you mentioned you weren't  
25 personally involved in that hiring.



1           **LIEUTENANT LUNDGREN:** No.

2           **MS. CAPPEL:** I am going to start -- the first  
3 thing I'm going to do is give you a copy, if you didn't  
4 bring yours, of the scope document (indicating) --

5           **LIEUTENANT LUNDGREN:** Okay.

6           **MS. CAPPEL:** -- and hopefully this will help us.  
7 It will be -- be our road map for the issues I'm going to  
8 talk to you about today.

9           The first one is the facts and circumstances of  
10 any complaints that were made about Chief Straub and when  
11 certain members of the administration learned of those  
12 complaints. And so I'm going to work backwards. I'm going  
13 to start with September of 2015.

14           **LIEUTENANT LUNDGREN:** Okay.

15           **MS. CAPPEL:** It's my understanding there was a  
16 meeting on September 8th between members of the Lieutenants  
17 and Captains Association and Theresa Sanders and Mayor  
18 Condon.

19           Did you attend that meeting?

20           **LIEUTENANT LUNDGREN:** I did.

21           **MS. CAPPEL:** And do you know what triggered the  
22 meeting?

23           **LIEUTENANT LUNDGREN:** The meeting was originally  
24 scheduled as a budget presentation, and then I believe the  
25 invitation also said something along the lines of "any other

1 items of interest," which I took to mean they were opening  
2 the door to discuss whatever we might want to discuss.

3 **MS. CAPPEL:** Did either the mayor or Theresa talk  
4 to you personally about what that meant --

5 **LIEUTENANT LUNDGREN:** No.

6 **MS. CAPPEL:** -- "any other issues of" --

7 **LIEUTENANT LUNDGREN:** No.

8 **MS. CAPPEL:** Did you have any sense of what they  
9 were looking for or what they wanted to discuss other than  
10 the budget issues?

11 **LIEUTENANT LUNDGREN:** I didn't. I didn't have any  
12 conversations with the mayor or the city administrator prior  
13 to that meeting whatsoever.

14 There were other members of the Lieutenants and  
15 Captains Association that believed that they were opening  
16 the door to talk about some of the internal issues that had  
17 been going on, but I don't have any -- I don't have any  
18 firsthand knowledge of that.

19 **MS. CAPPEL:** Okay. Do you remember who among the  
20 membership thought maybe this was the door opening?

21 **LIEUTENANT LUNDGREN:** I remember having a  
22 conversation with Captain Torok, and he thought that perhaps  
23 that was what they were bringing us down for. Because it was  
24 an hour-long meeting, and it seemed like it was kind of a  
25 long meeting for taking the mayor's time for a budget

1 presentation to, you know, one union.

2 **MS. CAPPEL:** Did you hold a position in the  
3 association at the time?

4 **LIEUTENANT LUNDGREN:** I did. I was the member at  
5 large.

6 **MS. CAPPEL:** And do you hold that same position  
7 now?

8 **LIEUTENANT LUNDGREN:** I do, but I'm not running --  
9 I've taken essentially a leave of absence as I'm in this  
10 out-of-grade position.

11 **MS. CAPPEL:** What is a member at large?

12 **LIEUTENANT LUNDGREN:** It's just a fifth executive  
13 --

14 **MS. CAPPEL:** Okay.

15 **LIEUTENANT LUNDGREN:** -- to round out the board.

16 **MS. CAPPEL:** Did the board meet before the meeting  
17 on the 8th of September?

18 **LIEUTENANT LUNDGREN:** Yes, we did.

19 **MS. CAPPEL:** With the idea of talking about what  
20 was going to happen at the September 8th meeting?

21 **LIEUTENANT LUNDGREN:** Yes.

22 **MS. CAPPEL:** And did everybody who signed that  
23 letter -- were they all present?

24 **LIEUTENANT LUNDGREN:** I don't have a list of who  
25 was present at that meeting, so I couldn't tell you with a

1 hundred percent certainty. I know that -- it seems like  
2 Captain Richards maybe was not at that meeting. And we're  
3 talking about the pre-meeting, not the September 8th  
4 meeting.

5 **MS. CAPPEL:** Right.

6 **LIEUTENANT LUNDGREN:** But I -- don't quote me on  
7 that.

8 **MS. CAPPEL:** Okay.

9 **LIEUTENANT LUNDGREN:** I can't say for a hundred  
10 percent certainty.

11 **MS. CAPPEL:** Are you able to discuss what the  
12 board talked about in the pre-meeting or is that considered  
13 confidential union discussions?

14 **LIEUTENANT LUNDGREN:** I didn't take any notes. I'm  
15 not a big note-taker. What you see here (indicating) I  
16 wrote today just to kind of get some dates and times  
17 straight in my mind and to make sure that I shared with you  
18 everything and kind of brought it back to the surface.

19 But the discussion, as I recall, was members were  
20 -- members were concerned that -- there were a number of  
21 different and varying issues with the chief, and there was  
22 some discussion as to whether or not we should bring that up  
23 during this meeting with the mayor and Theresa; and then if  
24 we did bring it up, what would be the result of that and --  
25 and what are the possible different paths that that might

1 take.

2 **MS. CAPPEL:** What was the discussion on the  
3 potential paths that might result from that conversation  
4 with the mayor?

5 **LIEUTENANT LUNDGREN:** Well, I think some people  
6 were concerned that if we went and told the mayor and  
7 Theresa what was going on -- obviously the chief had a  
8 history of transferring people and demoting people.

9 And so if you're completely honest with the mayor  
10 and Theresa and if nothing was to happen -- and I don't  
11 think that that was the opinion, that nothing would happen.  
12 But looking at every eventuality of what could happen, if  
13 the issue wasn't dealt with, then it could be dangerous for  
14 those who spoke out.

15 **MS. CAPPEL:** Okay.

16 **LIEUTENANT LUNDGREN:** And then also I think  
17 another thing that was discussed is that, you know, you  
18 really have the option of continuing to endure what's going  
19 on or bring it to the attention of people that can do  
20 something and having them, you know, hopefully deal with  
21 that problem.

22 So that went back and forth, and it was decided  
23 that people wanted to come forward and be honest and bring  
24 forth the issues, if they hadn't already.

25 **MS. CAPPEL:** Okay. Did something happen or was

1 there something more recent that had heightened people's  
2 concerns about Chief Straub?

3 **LIEUTENANT LUNDGREN:** Not -- not that I remember.  
4 There was -- probably one of the biggest issues was in  
5 March, that meeting in March. I wasn't at that meeting so  
6 everything I could tell you about it I've heard from other  
7 people, but it seemed like pretty highly inappropriate  
8 behavior on his part.

9 And people who were outside the room could hear  
10 yelling and screaming, and -- but between March and  
11 September, I -- I don't -- not to my recollection. I don't  
12 remember something setting this off. I think it was just an  
13 opportunity.

14 **MS. CAPPEL:** Okay. So going to that meeting on  
15 the 8th, do you recall where the meeting was held?

16 **LIEUTENANT LUNDGREN:** It was held in the mayor's  
17 conference room, seventh floor of the city hall.

18 **MS. CAPPEL:** And who from the city was present --  
19 or from the administration?

20 **LIEUTENANT LUNDGREN:** From the city  
21 administration?

22 **MS. CAPPEL:** (Nods head.)

23 **LIEUTENANT LUNDGREN:** The mayor and the city  
24 administrator, so David Condon and Theresa Sanders.

25 **MS. CAPPEL:** And do you remember who, among the

1 membership, attended the meeting?

2 **LIEUTENANT LUNDGREN:** I couldn't tell you exactly  
3 who was there. What was striking was there were maybe two  
4 or three members that weren't there. Everybody else was in  
5 attendance.

6 **MS. CAPPEL:** So well-attended for a budget  
7 discussion?

8 **LIEUTENANT LUNDGREN:** Yes. Very well.

9 **MS. CAPPEL:** Do you know if there were any minutes  
10 taken of that meeting on the 8th?

11 **LIEUTENANT LUNDGREN:** I don't believe there were.  
12 If there are, I'm not aware of them. We didn't take any  
13 minutes -- or I didn't take any minutes.

14 **MS. CAPPEL:** Did you notice anyone taking notes  
15 during the discussion on the 8th?

16 **LIEUTENANT LUNDGREN:** No. There were some hand-  
17 outs that -- for the budgetary thing that were provided by  
18 the mayor and I remember people looking at those, and I  
19 might even have scratched some budgetary notes on that, just  
20 some of the things he was talking about; but nobody was  
21 taking notes during the second part of the meeting that I  
22 saw.

23 **MS. CAPPEL:** And the discussion around the budget,  
24 was that just related to the police budget --

25 **LIEUTENANT LUNDGREN:** No.

1 **MS. CAPPEL:** -- or city budget?

2 **LIEUTENANT LUNDGREN:** It was the city budget in  
3 total.

4 **MS. CAPPEL:** And how much of the meeting was  
5 devoted to budget discussions compared to the other issues?

6 **LIEUTENANT LUNDGREN:** I would say we probably  
7 talked about the budget for maybe a half hour, and it was  
8 scheduled for an hour. And if I remember correctly, it went  
9 over maybe 15, 20 minutes. So we talked maybe 45, 50  
10 minutes about Chief Straub.

11 **MS. CAPPEL:** And do you recall how the subject of  
12 Chief Straub was introduced?

13 **LIEUTENANT LUNDGREN:** I believe that -- if I  
14 remember right, I believe it was Theresa Sanders who asked  
15 if we had anything for the mayor's office or if there was  
16 anything that we wanted to talk about; and Lieutenant Mark  
17 Griffiths, who was the association vice president, broached  
18 the subject.

19 **MS. CAPPEL:** Do you remember what he said?

20 **LIEUTENANT LUNDGREN:** Not exactly, no.

21 **MS. CAPPEL:** Generally what the topic was?

22 **LIEUTENANT LUNDGREN:** He just said that there were  
23 a number of issues with the chief and that -- I don't  
24 remember -- I don't remember exactly how he phrased it, but  
25 basically saying that the group would like to talk about the



1 chief and his leadership and left it at that; and then  
2 several people around the table made different comments of  
3 their own observations and experiences.

4 **MS. CAPPEL:** Do you remember who shared their  
5 personal experiences and what they shared with the mayor and  
6 Theresa?

7 **LIEUTENANT LUNDGREN:** Not in its entirety. I  
8 remember some bits and pieces from things that people  
9 shared.

10 **MS. CAPPEL:** Can you tell me what those were?

11 **LIEUTENANT LUNDGREN:** I remember someone brought  
12 up in a meeting one of our members had talked about taking a  
13 vacation or something along those lines, and that later the  
14 chief had spoken with a few other people and said that --  
15 something along the lines of, "If" -- if that fat fuck talks  
16 about vacation again, I'm going to -- I'm going to choke  
17 him," or something along -- along those lines.

18 I know that one of the issues had to do with a  
19 medical issue that one of our members had. I'm not going to  
20 go into any great detail, but on two, maybe three different  
21 occasions the chief publicly referenced this private matter  
22 in front of other people, a couple of times, it seemed, with  
23 the intention of humiliating that person.

24 **MS. CAPPEL:** Who was he sharing that private  
25 information with? Members of the command staff?

1           **LIEUTENANT LUNDGREN:** I was in -- I was in one of  
2 the meetings, and that would have been the lieutenants --  
3 the command -- we call it the senior staff version of in-  
4 service. So there were --

5           **MS. CAPPEL:** What does that mean --

6           **LIEUTENANT LUNDGREN:** -- lieutenants, captains,  
7 and above doing our in-service training that we do  
8 periodically.

9           **MS. CAPPEL:** Okay.

10          **LIEUTENANT LUNDGREN:** And then there were also  
11 members from the academy staff that weren't of rank that  
12 were in the room as well. And when I was there, I was privy  
13 to the situation so I knew who he was talking about.

14           He didn't mention the person by name, but my  
15 understanding is some of these other meetings he all but  
16 indicated who it was, so --

17          **MS. CAPPEL:** So that came up on the 8th with Mayor  
18 Condon and Theresa?

19          **LIEUTENANT LUNDGREN:** Right. I'll have to speak  
20 in general terms because I don't remember the specifics, but  
21 I know there are several people who had been transferred,  
22 sometimes multiple times in a short amount -- a short  
23 period, and that was brought up.

24           Some of the people in the room had been promoted,  
25 then demoted. Some people had been threatened with

1 demotion. There was a -- there was talk about a lack of  
2 communication between the command staff and the chief.

3 The chief would make a plan or change the way that  
4 something was going to be done without consulting the people  
5 involved. And then as the plan would go into action and  
6 there would be difficulties because the people who were  
7 supposed to be implementing the plan weren't aware of it,  
8 then he'd turn around and blame those people for the failure  
9 of however it worked out.

10 One specific example I think that was timely was  
11 the -- the plan that they were going to move out of the cop  
12 shops. So we have a number of kind of a public/private  
13 cooperation with volunteers in different cop shops, which  
14 are different than our precincts.

15 The volunteers go there, officers go there and  
16 write reports, the community can go there and they hold  
17 meetings sometimes, they can get resources, lost and stolen  
18 bikes can be taken there and picked up by officers at a  
19 later time. They serve a really important role.

20 And Chief Straub had made a decision as to how  
21 that partnership was going to work without consulting anyone  
22 and it had a bunch of ramifications, and it left some of the  
23 precinct captains trying to figure out -- holding the bag on  
24 how they were going to navigate this change.

25 And then I think the March -- was it March 31st,

1 the meeting with the shouting and yelling? I believe that  
2 was discussed.

3 **MS. CAPPEL:** It was? That came up?

4 **LIEUTENANT LUNDGREN:** Yes. And I know the  
5 language involved was something similar to -- you know, I  
6 think the chief said something to Monique along the lines  
7 of, you know, "You stuck it in my ass and broke it off," and  
8 there was -- you know, he used -- dropped the F word. He  
9 said "Fuck" at a lot of different points.

10 I know Mark Griffiths had said that he was going  
11 to get up out of the room because it was so unprofessional,  
12 he wanted to leave. And the chief -- I think he called it  
13 playing the chief card, of, "No, you will sit down or it  
14 will be insubordination, and you need to sit here and listen  
15 to what I have to say."

16 **MS. CAPPEL:** And what you just described came up  
17 in the September 8th meeting --

18 **LIEUTENANT LUNDGREN:** Yeah.

19 **MS. CAPPEL:** -- that level of detail?

20 **LIEUTENANT LUNDGREN:** As best as I -- it's hard to  
21 say because we had the pre-meeting, and then -- amongst the  
22 union. I'd only been on the board for just a matter of a  
23 few months, and the new board decided to take this issue up  
24 obviously because it was impacting our members.

25 And once people started comparing stories of their

1 experiences, it wasn't an isolated problem. But that level  
2 of detail had been relayed to me at some point. I believe  
3 it was relayed at that meeting in that level, but --

4 **MS. CAPPEL:** The meeting with the mayor and with  
5 Theresa?

6 **LIEUTENANT LUNDGREN:** Correct.

7 **MS. CAPPEL:** What did you observe their reaction  
8 to learning this information was?

9 **LIEUTENANT LUNDGREN:** Theresa really -- well, and  
10 the mayor as well -- seemed very concerned. And I remember  
11 Theresa saying something about not knowing -- not knowing  
12 about some of the things that were discussed.

13 But they certainly -- they certainly followed it  
14 up. They wanted additional information. They didn't end  
15 the meeting. They let it go long and continued to ask more  
16 and more detailed questions, asked about what could be done  
17 to solve the issue.

18 **MS. CAPPEL:** Were any solutions suggested by  
19 anyone on next steps?

20 **(The deposition was interrupted.)**

21 **LIEUTENANT LUNDGREN:** Yeah. I --

22 **MS. CAPPEL:** I'm sorry.

23 **LIEUTENANT LUNDGREN:** Theresa had asked me  
24 directly -- she'd gone around the room. A number of people  
25 had spoken, and then she was asking a series of questions.

1 And so for some reason she picked me out and asked me, you  
2 know, what I thought we could do to solve the problem.

3 And I remember telling her that, you know, it  
4 looks like we'll probably have to go a different direction.  
5 I don't know that this is something that can be solved, when  
6 the chief had demonstrated a propensity to not take feedback  
7 or criticism or even input very well.

8 So I didn't really think -- it seemed like an  
9 issue that was hard-wired into his personality, more than  
10 something that you could finesse or do some fine-tune  
11 adjustments and change the workplace into something that was  
12 pleasant for those involved.

13 **MS. CAPPEL:** Uh-huh. And were you as diplomatic  
14 then as you were just now in describing what you thought  
15 should happen?

16 **LIEUTENANT LUNDGREN:** Yes. Those were my exact  
17 words. And then she followed up, and I believe she asked,  
18 "So you think we should fire him?" And I said, "Well, yeah.  
19 If I can be so bold, I think that may be the only way that -  
20 - that this problem would be solved."

21 **MS. CAPPEL:** Did anyone else echo that same or  
22 similar sentiment?

23 **LIEUTENANT LUNDGREN:** I did see some people were -  
24 - were nodding heads, and you could tell the room -- it was  
25 pretty uncomfortable when that question was initially asked.

1 But, yeah, the people that came down there had something to  
2 say, and they had a vested interest in making sure it was  
3 communicated.

4 So once it was in -- you know, once it was  
5 presented, you could just tell by body language and nodding  
6 of heads and that sort of thing that people were in  
7 agreement. And I don't remember --

8 **MS. CAPPEL:** That the solution was that Chief  
9 Straub should be fired?

10 **LIEUTENANT LUNDGREN:** That -- yeah, that they  
11 would probably need to go in a different direction, that  
12 they need to replace him. And I don't -- I don't remember  
13 anybody saying anything to the contrary to that.

14 There were some of us that gave him credit for  
15 some of the initiatives and things that he had accomplished  
16 during the time that he was here, but nobody disagreed that  
17 the fracture that exists in the department and some of the  
18 things that were going on -- there just was no way to work  
19 through it in our opinion.

20 **MS. CAPPEL:** Did the mayor comment at all? Did he  
21 mention --

22 **LIEUTENANT LUNDGREN:** He --

23 **MS. CAPPEL:** -- what he thought about the  
24 situation?

25 **LIEUTENANT LUNDGREN:** At that particular time I

1 don't remember him saying anything directly, but he did  
2 participate in this meeting. He did have comments and  
3 things along the way, but I don't remember him saying  
4 anything specifically to that statement.

5 **MS. CAPPEL:** Did he or Theresa say what they  
6 planned to do going forward, how they were going to address  
7 what they had heard?

8 **LIEUTENANT LUNDGREN:** He did say -- the mayor did  
9 say that he would have to -- he'd have to evaluate what he'd  
10 been told; that he wasn't going to make a rash decision at  
11 this point, but that he -- he would be dealing with the  
12 issue in an expeditious manner.

13 **MS. CAPPEL:** Did he say how he was going to go  
14 about following up, any specific steps he planned to take?

15 **LIEUTENANT LUNDGREN:** Not that I remember, just  
16 that he was going to look into the issues. It led me to  
17 believe that he was going to speak to other people.

18 I don't know if he was going to speak to other  
19 people within the administration or if he was going to speak  
20 to other people in the department or follow up with the  
21 chief.

22 He wasn't really clear what steps those were. But  
23 he was going to do something and it wasn't going to take  
24 very long, and he was going to come to some sort of  
25 conclusion on how things should proceed.



1           **MS. CAPPEL:** During that September 8th meeting  
2 with the mayor and Theresa, did Monique Cotton come up as a  
3 subject?

4           **LIEUTENANT LUNDGREN:** Well, I know that, you know,  
5 she was present at the March 31st meeting, and the  
6 conversation that happened from the chief to her was there.

7           To what -- what part of -- or what in specific are  
8 you speaking of?

9           **MS. CAPPEL:** Other than talking about Monique in  
10 connection with the 3-31 meeting, was there any conversation  
11 about Monique's relationship with the chief or any  
12 difficulties she had had with the chief outside of that 3-31  
13 meeting?

14           **LIEUTENANT LUNDGREN:** I think -- I believe that  
15 they did -- we -- somebody did discuss her being abruptly  
16 transferred.

17           **MS. CAPPEL:** Do you remember who brought that up?

18           **LIEUTENANT LUNDGREN:** No.

19           **MS. CAPPEL:** Do you recall any discussion relating  
20 to Monique around the issue of sexual harassment or that she  
21 had made a claim that she was being sexually harassed by the  
22 chief?

23           **LIEUTENANT LUNDGREN:** Not that I remember. I  
24 remember the -- the behavior in the March 31st meeting was  
25 characterized as -- as inappropriate and harassing just by

1 its very nature, but nothing more broadly than that that I  
2 recall.

3 **MS. CAPPEL:** Any discussion that Monique had  
4 alleged that the chief tried to kiss her or slap her on the  
5 rear end or was making sexual overtures of any type?

6 **LIEUTENANT LUNDGREN:** I did -- I've heard that,  
7 and I don't remember if it was discussed at the meeting or  
8 not. I think I learned of that in the paper, if I remember  
9 correctly.

10 **MS. CAPPEL:** How about Carly Cortright? Did her  
11 name come up in any way, shape or form at the September 8th  
12 meeting?

13 **LIEUTENANT LUNDGREN:** It seems like Captain Arleth  
14 or Lieutenant Walker may have brought her up, but I didn't  
15 know anything about -- that was before I was in a position  
16 to ever have any contact with the chief, and so I don't  
17 really know anything about that situation at all.

18 **MS. CAPPEL:** And do you have any recollection of  
19 what Arleth or Walker mentioned about Carly in the meeting  
20 with the mayor?

21 **LIEUTENANT LUNDGREN:** No. I just know that when  
22 Lieutenant Walker and Captain Arleth were commanders under  
23 Straub when he originally came to town, they worked closely  
24 with Carly when she was in the -- business services I  
25 believe is what they called it at the time.

1 And it seems that they talked a little bit about  
2 their experiences with him early on and what that was like  
3 leading up to their eventual demotions and what -- you know,  
4 him saying that "I don't care about your families. I don't  
5 care about your marriages," you know.

6 He -- indicating that people needed to be a  
7 hundred percent devoted and 24 hours a day be ready to  
8 answer the call and respond. And it seemed like they may  
9 have mentioned the way that Carly was treated, but I didn't  
10 have anything -- that was news to me. I didn't really know  
11 anything about that.

12 **MS. CAPPEL:** And do you know Carly?

13 **LIEUTENANT LUNDGREN:** I do, yeah.

14 **MS. CAPPEL:** Has she shared with you any of her  
15 experiences working for Straub?

16 **LIEUTENANT LUNDGREN:** I had one very brief  
17 conversation with her. I believe she was going on a ride-  
18 along with Eric Olson, who was a lieutenant at the time. It  
19 was right after I'd been promoted.

20 And I remember her saying to me that the chief was  
21 very angry and tried to -- tried to make her a scapegoat  
22 because she was trying to be responsible with the money and  
23 the budget and that when she transferred to city hall, that  
24 it was like a breath of fresh air when she went to her new  
25 job because a lot of the pressure was off.

1 But she didn't really get into any specifics with  
2 me just other than to say she didn't really like the way she  
3 had been treated by Straub.

4 **MS. CAPPEL:** And so at the time of this  
5 conversation she was with Parks or Office of Neighborhood  
6 Services?

7 **LIEUTENANT LUNDGREN:** You know, I think she was at  
8 city hall working on the 311 project.

9 **MS. CAPPEL:** Okay.

10 **LIEUTENANT LUNDGREN:** So probably -- that might  
11 fall under neighborhood services. I'm not sure.

12 **MS. CAPPEL:** And how about Monique? Has Monique  
13 shared with you anything about her experiences working in  
14 the police department after she transferred to Parks?

15 **LIEUTENANT LUNDGREN:** She contacted me and asked  
16 me for a copy of any type of complaints or anything that she  
17 had in the system against her, which I provided her. And  
18 then she wanted a copy of the H.R. report regarding her, the  
19 complaint against her.

20 And we had all the documents on the SPD side, and  
21 I -- I know I've seen the H.R. report, but it wasn't -- it  
22 wasn't in our system. And so I gave her everything that we  
23 had, but she didn't discuss anything further.

24 **MS. CAPPEL:** Just a request for documents?

25 **LIEUTENANT LUNDGREN:** Yes.

1           **MS. CAPPEL:** Do you recall about when she made  
2 that request?

3           **LIEUTENANT LUNDGREN:** That was fairly recently.  
4 Shortly before she left Parks.

5           **MS. CAPPEL:** And it was only complaints that had  
6 been lodged against her?

7           **LIEUTENANT LUNDGREN:** Correct.

8           **MS. CAPPEL:** The only one I'm aware of was the one  
9 in 2014 where there were two parts to that complaint. Were  
10 there others?

11           **LIEUTENANT LUNDGREN:** No. There were two  
12 complaints. They were both from February 25th of '14. One  
13 was filed by Lieutenant Walker, the other by Captain Torok.  
14 And one had to do with damage to her city-owned vehicle.

15           The other one had to do with -- it had to do with  
16 her sending out a memo for shift-level lieutenants and  
17 captains that were dealing with the media; and then it had -  
18 - there was an allegation that she had altered that memo  
19 after she had sent it out. And so it was more, I guess at  
20 the core of it, an honesty type of complaint -- or  
21 dishonesty.

22           **MS. CAPPEL:** And that those complaints originated  
23 initially as IA complaints?

24           **LIEUTENANT LUNDGREN:** Yes. We use a system called  
25 Blue Team to enter all of our administrative reports. So in

1 February those two reports -- or those two cases were sent  
2 in Blue Team to IA.

3 Both of them mentioned that because Monique was an  
4 -- essentially like an assistant chief level, a director-  
5 level employee, that they wanted to have the -- essentially  
6 the association tender those complaints on their behalf  
7 because they didn't want to have any retribution from the  
8 chief.

9 **MS. CAPPEL:** Were those requests made to you?

10 **LIEUTENANT LUNDGREN:** They were written into the  
11 complaint.

12 **MS. CAPPEL:** Okay.

13 **LIEUTENANT LUNDGREN:** So in looking at the  
14 complaint, you have a captain and a lieutenant who were  
15 senior to me, and I was the most senior person in Internal  
16 Affairs. My boss was a civilian who is a peer of the person  
17 who is being complained on.

18 There was some discussion as to how those  
19 complaints would be investigated. You know, clearly they  
20 were concerned about potential retribution, so it wasn't  
21 appropriate to have someone junior to them investigate it as  
22 well, you know, especially where, you know, I report to the  
23 chief -- well, to the director, who reports to the chief.

24 So ultimately either the chief or Tim Schwering  
25 determined that it would be -- you know, these complaints

1 would be investigated by human resources, by city H.R., and  
2 take them out of our shop, take them out from under the  
3 purview of the chief. And so that's ultimately what was  
4 done.

5 **MS. CAPPEL:** And that was at Tim's direction?

6 **LIEUTENANT LUNDGREN:** Either -- either Tim or the  
7 chief. I talked to Tim about it. I told him my concerns. I  
8 know that one of the things that we had talked about is  
9 potentially going down to city H.R. He and the chief talked  
10 separately when I wasn't there, and then I was told how it  
11 was going to be handled.

12 **MS. CAPPEL:** Did the chief ever talk to you  
13 personally about his views of either the merits of the  
14 complaints or the fact that it was being shipped to city  
15 H.R.?

16 **LIEUTENANT LUNDGREN:** No.

17 **MS. CAPPEL:** Did the IA -- did those complaints  
18 ever come up as a subject between you and the chief?

19 **LIEUTENANT LUNDGREN:** Not that I ever remember,  
20 no.

21 **MS. CAPPEL:** Okay. Going back to the September  
22 8th meeting -- I'm going to close that out --

23 **LIEUTENANT LUNDGREN:** Okay.

24 **MS. CAPPEL:** -- do you recall anyone in that  
25 meeting advocating on behalf of Chief Straub, meaning going

1 against the tide, so to speak?

2           **LIEUTENANT LUNDGREN:** No. What I do remember is  
3 there were a few of us that did speak to the good -- the  
4 good work that had been done on some of -- some of the  
5 outreach programs, getting collaborative reform here and  
6 going, that staffing actually had increased under his watch,  
7 that there was -- there were some good things, especially  
8 externally, that were going on that he was given credit for.  
9 But nobody spoke -- nobody spoke to his defense other than  
10 that.

11           **MS. CAPPEL:** I'm going to show you a letter that's  
12 dated September 18th, 2015 (indicating). And can you just  
13 tell me if you recognize the letter?

14           **LIEUTENANT LUNDGREN:** Yes.

15           **MS. CAPPEL:** And did you have any part in drafting  
16 that?

17           **LIEUTENANT LUNDGREN:** I did. I did. I -- I wrote  
18 the letter with the assistance of Mark Griffiths, and I  
19 believe that Eric Olsen assisted as well.

20           **MS. CAPPEL:** Whose idea was it to draft the  
21 letter?

22           **LIEUTENANT LUNDGREN:** We had -- so our plan was to  
23 make sure that -- one way or another that some of the things  
24 that were going on in the workplace didn't continue. And so  
25 we had shared with Theresa and the mayor on the meeting on



1 the 8th.

2 Then the following week or, I guess, nine days  
3 later on September 17th we had a labor-management meeting,  
4 which is when the executive staff of the department meets  
5 with the Lieutenants and Captains and we discuss anything  
6 that has to do with the relationship between those two  
7 groups.

8 **MS. CAPPEL:** Uh-huh.

9 **LIEUTENANT LUNDGREN:** And so we provided a  
10 synopsis verbally to them --

11 **MS. CAPPEL:** To the executive team?

12 **LIEUTENANT LUNDGREN:** -- yes -- of what we had  
13 told the mayor and Theresa in our meeting. And so the idea  
14 behind this letter (indicating) was to make sure that the  
15 city attorney's office was also aware.

16 So, now, Chief Straub was out of town so he wasn't  
17 at the labor-management meeting, but everybody else in our  
18 executive team was aware of what was going on in our  
19 perception and kind of the group characterization of what  
20 had occurred.

21 Theresa and the mayor were aware. So we wanted to  
22 make sure that Nancy Isserlis and everyone down at city  
23 legal was also aware so nobody's getting blindsided; they  
24 all have the same information. And what we had decided was  
25 that if -- you know, in the event that nothing does happen,

1 we would have everybody notified and we have our documents  
2 in order.

3 And we had told -- I remember telling Assistant  
4 Chief Dobrow at the time, and I know that Mark had told  
5 Theresa Sanders as well, that we just -- we don't want it to  
6 happen anymore and we're not going to tolerate it happening  
7 again.

8 So next time, you know, we'll take some sort of  
9 action. And it wasn't -- it wasn't a threat, just drawing -  
10 - you know, putting -- putting people on notice that we  
11 needed a change in what was going on.

12 **MS. CAPPEL:** When you say "we" wanted to make sure  
13 the city attorney's office had notification as well --

14 **LIEUTENANT LUNDGREN:** Uh-huh.

15 **MS. CAPPEL:** -- who is the "we"?

16 **LIEUTENANT LUNDGREN:** That's the Lieutenants and  
17 Captains Association in total, but certainly the executive  
18 board, the elected people, with the exception -- I think  
19 Dave McCabe wasn't available or our president; but otherwise  
20 the other four people on the board all signed on to This  
21 (indicating).

22 **MS. CAPPEL:** Letter?

23 **LIEUTENANT LUNDGREN:** Yes.

24 **MS. CAPPEL:** Did Theresa Sanders or Mayor Condon  
25 give you any directions in terms of drafting this letter and

1 providing it to the city attorney's office?

2 **LIEUTENANT LUNDGREN:** No.

3 **MS. CAPPEL:** Did they have any role whatsoever in  
4 the association's decision to handle it this way --

5 **LIEUTENANT LUNDGREN:** No.

6 **MS. CAPPEL:** -- that you're aware of?

7 **LIEUTENANT LUNDGREN:** No.

8 **MS. CAPPEL:** And the letter that we're talking  
9 about, the September 18th letter, it is -- under the "Re" it  
10 says "Confidential attorney-client privileged material."

11 **LIEUTENANT LUNDGREN:** Yes.

12 **MS. CAPPEL:** Whose decision was it to describe the  
13 document that way?

14 **LIEUTENANT LUNDGREN:** We became aware that the  
15 executive team was also going to be drafting a letter. And  
16 so I communicated with Tim Schwering about -- about the two  
17 letters, and we went and wrote our own letters as to our own  
18 experiences. They had seen -- they had a lot more exposure  
19 to Chief Straub than we did, and so they had seen as much,  
20 if not more and worse, behavior.

21 So the idea was that we don't like being the  
22 attention of media focus. It makes the officers who are  
23 responding to calls -- makes their job more difficult when  
24 we have this -- this constant pounding of media, negative  
25 media attention.

1 So we did not want to publicize this situation in  
2 any way, shape or form. We just wanted everybody to be in -  
3 - to have the best information and to know --

4 **MS. CAPPEL:** Within the city?

5 **LIEUTENANT LUNDGREN:** -- within the city --

6 **MS. CAPPEL:** Uh-huh.

7 **LIEUTENANT LUNDGREN:** -- and hopefully to keep it  
8 there for as long as possible.

9 **MS. CAPPEL:** So who came up with the idea that, if  
10 you describe it as a confidential attorney-client privileged  
11 document, that that might help keep it internal?

12 **LIEUTENANT LUNDGREN:** I don't remember exactly  
13 whose idea that was, but that was the intention of titling  
14 it that way.

15 **MS. CAPPEL:** All right. You mentioned you were  
16 aware that the executive team was going to draft their own  
17 letter.

18 **LIEUTENANT LUNDGREN:** Correct.

19 **MS. CAPPEL:** How did you become aware of that?

20 **LIEUTENANT LUNDGREN:** Tim Schwering told me that  
21 they were going to.

22 **MS. CAPPEL:** Did you share drafts of the  
23 association's letter with the executive team before it was  
24 finalized?

25 **LIEUTENANT LUNDGREN:** I don't remember -- I don't

1 remember sharing before it was finalized. I think once --  
2 once we had the wording the way we wanted it, I think I did  
3 provide a copy to Director Schwering.

4 **MS. CAPPEL:** Do you recall if it was signed, the  
5 version that you provided to him?

6 **LIEUTENANT LUNDGREN:** I don't know if I gave him a  
7 copy or let him read what we had written, and I couldn't  
8 tell you if it was signed or not at that point. I doubt  
9 that Captain Richards had signed it yet because he was the  
10 last person to sign it.

11 The other three of us signed it relatively  
12 quickly, but I -- I think that it took a little while to get  
13 Captain Richards. He wasn't -- he wasn't present for the  
14 drafting of it, so --

15 **MS. CAPPEL:** And it looks like Dave McCabe was out  
16 of town?

17 **LIEUTENANT LUNDGREN:** Yes.

18 **MS. CAPPEL:** Was he being -- was he in the loop,  
19 the communication loop? Did he know this was happening?

20 **LIEUTENANT LUNDGREN:** Yeah. He had some -- some  
21 medical issues going on, so he was in the loop as much as he  
22 could.

23 **MS. CAPPEL:** Okay. Did the executive team share a  
24 draft of their letter with you or other members of the  
25 association, as far as you know, before it was finalized?

1           **LIEUTENANT LUNDGREN:** I did see the -- a copy of  
2 their letter, yes.

3           **MS. CAPPEL:** In draft form -- or do you know?

4           **LIEUTENANT LUNDGREN:** No. It was after it was  
5 done.

6           **MS. CAPPEL:** Did what the executive team wrote  
7 have any influence on your input into the association's  
8 letter?

9           **LIEUTENANT LUNDGREN:** I -- no, not specifically. I  
10 know that the "Attorney-client privileged communication"  
11 header was something that we discussed amongst us, but I  
12 don't remember whose idea that was.

13           No, we -- what we wrote in our letter is a  
14 synopsis of the things that were discussed in general terms  
15 at the meeting with Theresa Sanders and the mayor. What  
16 they wrote were the things that they observed themselves in  
17 their interactions with the chief.

18           So I think we were supporting each other because  
19 we knew that it could get -- you know, it could get ugly if  
20 things were to go sideways. So we were one united front  
21 because we both were seeing the same issues, but these  
22 (indicating) were the association's issues and those  
23 (indicating) were the issues of the executive team.

24           **MS. CAPPEL:** How was the association letter  
25 ultimately distributed to the city attorney's office, if you

1 know?

2 **LIEUTENANT LUNDGREN:** It was taken -- it was hand-  
3 delivered. In fact, I think Director Schwering hand-  
4 delivered it.

5 **MS. CAPPEL:** Do you know to whom in the city  
6 attorney's office?

7 **LIEUTENANT LUNDGREN:** I don't for sure.

8 **MS. CAPPEL:** But your recollection is that Tim had  
9 both letters --

10 **LIEUTENANT LUNDGREN:** Uh-huh.

11 **MS. CAPPEL:** -- and hand-delivered both letters?

12 **LIEUTENANT LUNDGREN:** Yes.

13 **MS. CAPPEL:** Did anyone from the city attorney's  
14 office contact you to discuss the letter?

15 **LIEUTENANT LUNDGREN:** Yes. We were contacted by  
16 Nancy Isserlis very quickly. So labor-management meeting  
17 was September 17th. September 18th is when we wrote the  
18 letter.

19 The executive team wrote their letter after  
20 hearing our concerns. We wrote our letter memorializing the  
21 conversation that took place in the September 8th meeting  
22 with the mayor and Theresa.

23 And then September 19th, which is a Saturday, we  
24 met -- it was Lieutenant Griffiths, Captain Eric Olsen,  
25 myself, and Nancy Isserlis -- met at Starbucks, Division and

1 Buckeye, and discussed this.

2 **MS. CAPPEL:** Just the four of you?

3 **LIEUTENANT LUNDGREN:** Correct.

4 **MS. CAPPEL:** And what do you recall about those  
5 discussions?

6 **LIEUTENANT LUNDGREN:** I will say that Captain  
7 Richards was invited but was unable to attend. Well, it was  
8 more -- kind of more of a detailed conversation to follow up  
9 what we'd already discussed with Theresa and the mayor.

10 We went through some of the same specific things  
11 that other -- that some of our members had brought up, their  
12 experiences and why, you know, we felt that the workplace  
13 environment that he was creating wasn't acceptable. So then  
14 she, too, was asking what -- you know, what the city might  
15 do to deal with that.

16 And so, you know, I think we proffered to have an  
17 investigation into what occurred. And, you know, one of the  
18 things that I stressed to Nancy is that I didn't want to see  
19 a huge news story. We didn't want to have -- again, have a  
20 big -- a big to-do about the situation and have it be  
21 something that was going to be front-page news for weeks on  
22 end.

23 So we recommended having an investigation done  
24 externally to see where that investigation led and then to,  
25 you know, release -- at the end of that, release the results



1 and figure out where they needed to go.

2 **MS. CAPPEL:** But you recommended external --  
3 bringing in someone from the outside?

4 **LIEUTENANT LUNDGREN:** Yes.

5 **MS. CAPPEL:** Okay.

6 **LIEUTENANT LUNDGREN:** Because he was the chief.

7 And -- and, you know, I also -- I was of the opinion that if  
8 -- when confronted with the allegations, if he wanted to  
9 separate from service -- and sometimes people in positions  
10 like that that are high profile, chiefs, would rather do  
11 that than have a long, drawn-out investigation because it's  
12 difficult on their career.

13 You know, we wouldn't object to that, but, you  
14 know, we want to know what happened. If he's going to stay,  
15 we wanted some sort of process to get through this and for  
16 these allegations to be looked into.

17 **MS. CAPPEL:** What was Nancy's response to that?

18 **LIEUTENANT LUNDGREN:** She seemed agreeable to  
19 that.

20 **MS. CAPPEL:** She thought an investigation was a  
21 good idea?

22 **LIEUTENANT LUNDGREN:** Uh-huh.

23 **MS. CAPPEL:** Do you remember if Nancy was taking  
24 notes in this meeting?

25 **LIEUTENANT LUNDGREN:** I don't believe that she

1 was.

2 **MS. CAPPEL:** Do you remember anyone taking notes -  
3 -

4 **LIEUTENANT LUNDGREN:** No --

5 **MS. CAPPEL:** -- in this meeting?

6 **LIEUTENANT LUNDGREN:** -- I don't recall anyone  
7 taking notes, but I wasn't -- I know I didn't take any  
8 notes.

9 **MS. CAPPEL:** How did the meeting with Nancy  
10 conclude?

11 **LIEUTENANT LUNDGREN:** She thanked us for bringing  
12 this to her attention, said that she would definitely look  
13 into the issue and that she was going to have to speak with  
14 the mayor and Theresa; and they were going to have to figure  
15 out a course of action.

16 But she'd said that it was going to be something  
17 that wasn't going to be allowed to just be idle; it was  
18 going to be moving forward.

19 **MS. CAPPEL:** Did anyone else from the city  
20 attorney's office contact you about the letters or the  
21 issues with Straub that you're raising in the letter besides  
22 Nancy?

23 **LIEUTENANT LUNDGREN:** No.

24 **MS. CAPPEL:** Did you have any further  
25 conversations with Nancy on Straub issues?

1 **LIEUTENANT LUNDGREN:** No, not to my knowledge.

2 **MS. CAPPEL:** How about any discussions with Mayor  
3 Condon or Theresa Sanders after the date of the letter  
4 (indicating), September 18th, about how they were going to  
5 move forward?

6 **LIEUTENANT LUNDGREN:** No.

7 **MS. CAPPEL:** Let me go back to the meeting you  
8 mentioned on the 17th of September. Was that a labor-  
9 management meeting?

10 **LIEUTENANT LUNDGREN:** Okay.

11 **MS. CAPPEL:** Did I give you a copy of those  
12 letters? I think attached -- are there notes -- not that  
13 one. I'll give you this copy (indicating).

14 These are some handwritten notes dated September  
15 17th. Do you recognize the handwriting?

16 **LIEUTENANT LUNDGREN:** Okay. So at the labor-  
17 management meeting I think Tim -- Tim had brought in someone  
18 to take notes. And so I believe Michelle Reiner started  
19 with trying to take notes, and -- and then later I think  
20 Cathy Armstrong joined the meeting and took some notes. I  
21 do remember that.

22 **MS. CAPPEL:** Did you take any notes of the  
23 September 17th labor meeting?

24 **LIEUTENANT LUNDGREN:** You know, I may have. I  
25 don't -- I typically take notes at labor-management. But

1 now, remembering that someone was brought in to take notes,  
2 I don't remember if I did or didn't.

3 **MS. CAPPEL:** If you --

4 **LIEUTENANT LUNDGREN:** I could have --

5 **MS. CAPPEL:** -- did take them, would you still  
6 have them?

7 **LIEUTENANT LUNDGREN:** I will definitely look for  
8 them. I --

9 **MS. CAPPEL:** Okay. What's Michelle -- Reiner's?

10 **LIEUTENANT LUNDGREN:** Yes.

11 **MS. CAPPEL:** -- position?

12 **LIEUTENANT LUNDGREN:** She's the secretary in  
13 Internal Affairs.

14 **MS. CAPPEL:** And how about Cathy Armstrong?

15 **LIEUTENANT LUNDGREN:** Cathy at that time -- I  
16 think she was a program manager at that point. She worked -  
17 -

18 **MS. CAPPEL:** In the police department?

19 **LIEUTENANT LUNDGREN:** Yeah. She worked directly  
20 for Tim. And I think, now that I'm looking at this  
21 (indicating), I remember that she was -- she was going to be  
22 the one to come in and take notes; but she had some sort of  
23 conflict in her schedule, so Michelle was asked to come in  
24 and do that.

25 **MS. CAPPEL:** And this meeting, the labor-

1 management meeting, was it a regularly scheduled labor-  
2 management meeting?

3 **LIEUTENANT LUNDGREN:** Yes.

4 **MS. CAPPEL:** And what was the purpose of the  
5 meeting?

6 **LIEUTENANT LUNDGREN:** It's just a standing meeting  
7 that you can discuss between labor and management any issues  
8 that are on the -- more having to do with workplace union  
9 issues than leadership items, I guess.

10 **MS. CAPPEL:** And how often are they scheduled?

11 **LIEUTENANT LUNDGREN:** Once a month.

12 **MS. CAPPEL:** Do you recall what the primary  
13 subject or subjects were in this September 17th meeting?

14 **LIEUTENANT LUNDGREN:** You know, they keep -- they  
15 ask for topics. So both sides, you know, can submit topics  
16 for discussion. And then I think -- it looks like this  
17 (indicating) is one that would have included the Guild as  
18 well as Lieutenants and Captains.

19 So both sides, the Guild and Lieutenants and  
20 Captains, would have submitted things that they wanted to  
21 talk about. And I don't -- I don't -- I don't remember  
22 exactly --

23 **MS. CAPPEL:** Who would --

24 **LIEUTENANT LUNDGREN:** I would --

25 **MS. CAPPEL:** Who would they give it to who?

1           **LIEUTENANT LUNDGREN:** To the chief's secretary,  
2 Angie Napolitano.

3           **MS. CAPPEL:** Does the chief -- or did the chief  
4 usually attend those meetings if he was in town?

5           **LIEUTENANT LUNDGREN:** Yes. Everybody from the  
6 exec staff: The chief, assistant chief, Tim Schwering,  
7 Sarah Lynds.

8           **MS. CAPPEL:** Okay. Can I see those notes?

9           **LIEUTENANT LUNDGREN:** Sure (indicating).

10          **MS. CAPPEL:** Offhand do you recall what the  
11 primary topics were at the September 17th meeting?

12          **LIEUTENANT LUNDGREN:** We talked about the -- the  
13 mayor -- the meeting with the mayor and Theresa on the 8th  
14 was the -- you know, was the biggest topic that I can  
15 remember.

16          **MS. CAPPEL:** Okay.

17          **LIEUTENANT LUNDGREN:** With the Guild there, I'm  
18 sure that there were other things that were talked about as  
19 well. I just can't tell you what those are.

20          **MS. CAPPEL:** Whose ever notes these are, one of  
21 the comments looks like "MG is speaking." Would that be  
22 Mark Griffiths?

23          **LIEUTENANT LUNDGREN:** Yes.

24          **MS. CAPPEL:** Is it Griffin or Griffiths?

25          **LIEUTENANT LUNDGREN:** Griffiths.

1 **MS. CAPPEL:** Okay. Griffiths, G-r-i-f-f-i-t-h-s.

2 **THE REPORTER:** Thank you.

3 **MS. CAPPEL:** It says "Not looking towards vote of  
4 no confidence right now." Do you remember that coming up?

5 **LIEUTENANT LUNDGREN:** Yes.

6 **MS. CAPPEL:** What is that reference?

7 **LIEUTENANT LUNDGREN:** So, again, we wanted the  
8 agency to be able to move forward, and we didn't want to  
9 draw attention to ourselves or to this issue. And we felt  
10 that if we were to have a vote of no confidence in the  
11 chief, that that would be counterproductive to those causes.

12 So I think it was fair to say that people didn't  
13 have confidence in the chief, but we didn't -- we weren't  
14 interested in going forward and publicizing that.

15 **MS. CAPPEL:** Okay. JL. I should be able to  
16 figure that out. Who would that --

17 **LIEUTENANT LUNDGREN:** That would be me --

18 **MS. CAPPEL:** Oh.

19 **LIEUTENANT LUNDGREN:** -- most likely.

20 **MS. CAPPEL:** Of course. And RD. Rick Dobrow?

21 **LIEUTENANT LUNDGREN:** Yes.

22 **MS. CAPPEL:** SS. Would that be Selby Smith?

23 **LIEUTENANT LUNDGREN:** Yes. I'd forgotten he was  
24 there as well. **MS. CAPPEL:** JG?

25 **LIEUTENANT LUNDGREN:** John Griffin. He's the --

1 he, at that time, was the vice president of the Spokane  
2 Police Guild.

3 **MS. CAPPEL:** Okay. So can I have that copy back?  
4 I need to keep track of them.

5 **LIEUTENANT LUNDGREN:** (Complied.)

6 **MS. CAPPEL:** How did you learn that Chief Straub  
7 had resigned?

8 **LIEUTENANT LUNDGREN:** That's a good question. I  
9 know it was abrupt. I don't remember how I first heard, if  
10 it was on the news or if it was an internal e-mail. I don't  
11 remember. No one --

12 **MS. CAPPEL:** But it wasn't from Mayor Condon or  
13 Theresa?

14 **LIEUTENANT LUNDGREN:** No.

15 **MS. CAPPEL:** Or anyone else in his administration?

16 **LIEUTENANT LUNDGREN:** No.

17 **MS. CAPPEL:** Were you invited or happened to be at  
18 the press conference where it was announced?

19 **LIEUTENANT LUNDGREN:** No.

20 **MS. CAPPEL:** Do you typically attend city council  
21 meetings for any reason?

22 **LIEUTENANT LUNDGREN:** I do now. I'm at the pre-  
23 brief -- or the pre-meetings. On Mondays they have the  
24 advance agenda and the current agenda. The actual meetings  
25 in the evenings, no. At that time I didn't attend any city



1 council functions whatsoever.

2 **MS. CAPPEL:** So prior to September 8th of 2015 had  
3 you personally ever gone to anyone outside the department to  
4 express concerns about Chief Straub?

5 **LIEUTENANT LUNDGREN:** No.

6 **MS. CAPPEL:** All right. Some of the issues that  
7 are addressed in the association letter, without going  
8 through each of them, did you have personal experiences with  
9 Chief Straub that falls under the issues that are  
10 highlighted in the letter?

11 **LIEUTENANT LUNDGREN:** The letter, in general  
12 terms, was to kind of encapsulate everybody's issues that  
13 they had. I had very limited personal interaction with  
14 Chief Straub. What I can say is I had a little bit more  
15 face time with him in IA than I did in other positions.

16 And one -- one example of something that happened  
17 with me from a management perspective was I found out about  
18 three or four months after a department member had been  
19 arrested for a driving infraction for reckless driving. And  
20 in Internal Affairs if any of our members are arrested,  
21 that's something that would be brought to our attention  
22 immediately.

23 **MS. CAPPEL:** Uh-huh.

24 **LIEUTENANT LUNDGREN:** And the person that was  
25 involved had a friendship with the chief, and I found out

1 just by happenstance from -- I believe it was Captain Torok  
2 that had discovered it, had heard about it from somewhere or  
3 saw something in the paper. I don't remember exactly.

4 But I was a little bit displeased that I'd been  
5 completely cut out of the loop on that and we deviated from  
6 the policy of how we deal with things. And so in an effort  
7 to make that right, I wanted to initiate a complaint like we  
8 would under any other circumstance. And so I talked to Tim  
9 about it and told him that's what my intention was.

10 And so he went and talked with the chief, which is  
11 pretty typical how things went. He was the intermediary  
12 between me and the chief, between IA and the chief. And  
13 from what I understand, he wasn't very happy with me for  
14 wanting to take that position. But that's what we did.

15 **MS. CAPPEL:** So you initiated a complaint?

16 **LIEUTENANT LUNDGREN:** I did, yes.

17 **MS. CAPPEL:** And did it go through the normal  
18 processes?

19 **LIEUTENANT LUNDGREN:** It did, yeah. The  
20 unfortunate thing for the involved employee was that the  
21 complaint itself really didn't have a lot of merit. The  
22 arrest was not -- wasn't very egregious.

23 So when it was all said and done, it wasn't -- it  
24 wasn't the big deal that it was made out to be. Because  
25 now, with the delay and everything, then the media became

1 interested in it and it became a mess.

2 So -- but it did -- it went through the normal  
3 process. It went to an administrative review panel of  
4 captains and lieutenants, which is typically what we do with  
5 the more serious allegations, and then ultimately to the  
6 chief.

7 **MS. CAPPEL:** Okay. Were there any ramifications  
8 of you moving forward with that complaint in terms of your  
9 relationship with Straub?

10 **LIEUTENANT LUNDGREN:** No.

11 **MS. CAPPEL:** Did he ever talk to you about it or  
12 give any indication to you personally that he was upset with  
13 you?

14 **LIEUTENANT LUNDGREN:** No. No. Another -- another  
15 time that he and I butted heads was shortly after I came to  
16 IA, which would have been in February of -- I guess it would  
17 have been February of '14.

18 There was already an investigation that was under  
19 way when I came back that I learned of as soon as I was  
20 assigned there involving a police detective who had ordered  
21 -- had been ordering steroids and got caught in a -- I  
22 believe it was a DEA sting out of Portland.

23 Because he was a consumer, it wasn't -- it wasn't  
24 something that the DEA was going to do an indictment on. The  
25 U.S. attorney in Portland wasn't interested in the

1 consumers. They were going after the distributors and  
2 importers and everything else. So during that  
3 investigation, there -- at the conclusion -- I'll just fast-  
4 forward.

5 At the conclusion of the investigation, the  
6 accused officer retired in lieu of facing whatever  
7 disciplinary consequence was going to happen. He at the  
8 time, and still is, married to another police officer who  
9 works for our agency. The steroids were being mailed to  
10 their personal home address.

11 And from what we understood from our research into  
12 steroid use, some of the products would have had to have  
13 been refrigerated and they were things that are used in an  
14 injectable form, so there were things that would have been -  
15 - would have been potentially well known by both people  
16 inside a household. It would have been hard to not know  
17 this was going on.

18 And then both officer -- the detective and his  
19 wife, who was a sergeant at the time, were involved in  
20 competitive body-building to some extent. So we interviewed  
21 the detective's wife in this matter just to find out what  
22 she might know about the case. And during that --

23 **MS. CAPPEL:** As a witness?

24 **LIEUTENANT LUNDGREN:** As a witness.

25 **MS. CAPPEL:** So she wasn't a subject of an IA --

1           **LIEUTENANT LUNDGREN:** No, she was not the subject  
2 of the IA. We asked her what she knew about -- what she  
3 knew about her husband's use of steroids, but more  
4 particularly, you know, more specifically, what she knew or  
5 if she ever saw packages coming to the house, anything  
6 around the house that would have been indicative of steroid  
7 use by her husband.

8           And the reason we did that as well was the chief  
9 had brought the local FBI into the investigation because  
10 there was thought at some level that there may be a law  
11 enforcement steroid ring where people were potentially  
12 supplying each other with steroids, and that didn't turn out  
13 to be the case.

14           Apparently it's very -- it's quite easy to go  
15 online and individually people can order their own steroids.  
16 There's no need for someone to distribute steroids, so --  
17 but nonetheless, at the conclusion of the investigation,  
18 because of the -- some of the things that occurred during --  
19 occurred during her interview, she ended up being demoted.

20           So she alleged that the investigation was -- was  
21 biased against her and her husband. Her husband's African-  
22 American; she's a female officer.

23           And so instead of taking responsibility for what  
24 occurred, she -- she said that it was -- it was because of  
25 bias that she had been demoted. So she wrote this letter

1 that I will give you a copy of here (indicating) and  
2 submitted it to the chief.

3 **MS. CAPPEL:** Is this (indicating) my copy?

4 **LIEUTENANT LUNDGREN:** Sure. So in response to  
5 that letter, the chief wrote his own letter back to her.

6 It said:

7 "I have received and reviewed the attached letter  
8 from you. I take allegations of discrimination and  
9 retaliation seriously.

10 However, I reviewed the complete investigatory  
11 file and have no reason to believe that either the  
12 investigation or our findings and recommendations were  
13 motivated by discriminatory or retaliatory motives. I  
14 consider this particular matter closed.

15 I agree that it is not acceptable for you or any  
16 other member of this department to be subjected to  
17 discrimination or retaliation.

18 Should you become aware of any future improper  
19 conduct by any member of this department, I expect that you  
20 will promptly report it." And that's dated March the 3rd of  
21 2015.

22 **MS. CAPPEL:** '15 or '14?

23 **LIEUTENANT LUNDGREN:** '15.

24 **MS. CAPPEL:** And her letter is dated February of  
25 2014?

1           **LIEUTENANT LUNDGREN:** Yeah. She made a mistake in  
2 that. It should be '15.

3           **MS. CAPPEL:** Okay.

4           **LIEUTENANT LUNDGREN:** So I wasn't satisfied with -  
5 - with the chief's response in that I would have liked to  
6 have seen someone look into her allegations to provide some  
7 sort of name-clearing for us because, as you'll read in her  
8 letter, though no one specifically is named, there's a lot  
9 of very serious allegations that are brought forth.

10           So I, on behalf of Internal Affairs Unit -- that  
11 consisted of myself and two sergeants at the time -- I wrote  
12 my own letter to the chief requesting that he conduct an --  
13 again, an outside investigation into this, bring somebody in  
14 to look at the matter and to say one way or the other.

15           I met with him and gave him this letter  
16 (indicating), and he did not -- he didn't appreciate the  
17 suggestion. He wasn't -- he wasn't rude or abrupt about it,  
18 but he said that, you know, having outside investigations  
19 further erodes the authority of his office and that he  
20 responded to her complaint and that's where -- that's where  
21 it needed to end.

22           He said he'd take my letter under advisement, and  
23 then I never heard anything more about it. But I heard  
24 later from -- from Tim Schwering that he was not happy.

25           **MS. CAPPEL:** About your April 1st letter?

1 **LIEUTENANT LUNDGREN:** Right.

2 **MS. CAPPEL:** Did anything in your work  
3 relationship or areas of responsibility change after you  
4 wrote the April 1st, 2015 letter?

5 **LIEUTENANT LUNDGREN:** No.

6 **MS. CAPPEL:** Okay. Thank you. So I want to go  
7 back to one thing before I move on to a new issue regarding  
8 Monique and Carly's experiences with the chief. This is the  
9 IA investigation that was transferred to city H.R. to  
10 respond to the complaint about Monique.

11 **LIEUTENANT LUNDGREN:** Yes.

12 **MS. CAPPEL:** Do you know or have any understanding  
13 of what Heather Lowe's role in the H.R. investigation was?

14 **LIEUTENANT LUNDGREN:** I don't know who took what  
15 roles. I believe that she at the time was the head of city  
16 H.R., but I don't -- I don't know how -- their division of  
17 labor or who would normally investigate something like that.

18 **MS. CAPPEL:** And do you recall having any  
19 conversations with Heather either as the investigation was  
20 pending or continuing or after the investigation had closed?

21 **LIEUTENANT LUNDGREN:** No, I didn't speak to her.

22 **MS. CAPPEL:** Are you aware of anyone from SPD that  
23 met with Heather about H.R.'s investigation?

24 **LIEUTENANT LUNDGREN:** No. I don't -- I don't  
25 remember -- yeah. I didn't have anything to do with that,



1 so I'm not sure if anybody did or didn't.

2 **MS. CAPPEL:** Okay. So fast-forward to Monique.  
3 Did you have the opportunity to observe Monique and Chief  
4 Straub interact in the workplace?

5 **LIEUTENANT LUNDGREN:** In a very limited fashion. I  
6 would see them together sometimes at the Compstat meeting  
7 that happened every week, but not -- not on a regular basis.

8 I didn't interact with the chief on a regular  
9 basis, so -- to have them both in the same room together,  
10 maybe at some other meetings like senior staff or something  
11 along those lines where they would both be there.

12 **MS. CAPPEL:** Based on your observations, limited  
13 as they may have been --

14 **LIEUTENANT LUNDGREN:** Uh-huh.

15 **MS. CAPPEL:** -- how would you describe their work  
16 relationship?

17 **LIEUTENANT LUNDGREN:** You know, it -- it seemed to  
18 change. When she was -- when she first came on board, she  
19 was hired, I believe, as a temp seasonal to assist in the  
20 PIO program under Jen DeRuwe.

21 **MS. CAPPEL:** Under who? Under Jen?

22 **LIEUTENANT LUNDGREN:** Yes. And then within a  
23 short amount of time she was elevated to a director status,  
24 and it was -- it was pretty clear that she had -- she was  
25 given a lot of authority to run with -- with the media

1 stories and to -- to call and interact with high-level  
2 members of the department and get information and request  
3 things and even, to some degree, direct people, which I know  
4 was kind of off-putting for some people in the agency  
5 because she was, I think -- I don't know that she was even  
6 30 years old yet, didn't have any law enforcement  
7 background.

8           And so I think that level of authority was fairly  
9 -- not fairly -- it was unprecedented for our agency for  
10 someone that age to come in and not have any law enforcement  
11 background and have that level of authority.

12           And then just in general terms, it was clear later  
13 on, much -- you know, several months later, that they  
14 weren't -- her and the chief weren't as close as they once  
15 were. But I couldn't tell you anything more than just the  
16 general observations. I never was around them enough to be  
17 able to give you specifics.

18           **MS. CAPPEL:** But you observed that something had  
19 changed about their relationship?

20           **LIEUTENANT LUNDGREN:** Right.

21           **MS. CAPPEL:** And it went from what looked to be  
22 where he was very supportive of her and gave her a lot of  
23 authority --

24           **LIEUTENANT LUNDGREN:** Yes.

25           **MS. CAPPEL:** -- to something else?

1 **LIEUTENANT LUNDGREN:** Correct.

2 **MS. CAPPEL:** What was the something else?

3 **LIEUTENANT LUNDGREN:** It just -- see, I -- it  
4 would be nice to be able to have notes. I'm just not a  
5 note-taker that takes notes on everything.

6 But I know that -- I remember at least once  
7 speaking with the chief, and it was before -- fairly close  
8 to the time that Monique was transferred, and I don't even  
9 remember what the chief was talking about, but he just --  
10 the way in which he talked about Monique, it wasn't grossly  
11 improper.

12 It just -- it didn't ring of someone who was a fan  
13 of hers. It was more like she was an irritant to him than  
14 had been in the past, where he had been very complimentary,  
15 very supportive. Definitely in contrast to the way that the  
16 relationship had been in the past.

17 **MS. CAPPEL:** Had you seen any indication that they  
18 were involved personally or had a personal relationship  
19 outside of work?

20 **LIEUTENANT LUNDGREN:** I've heard that, but, no,  
21 I've never -- I've never seen anything to indicate that.

22 **MS. CAPPEL:** Any observations that Chief Straub  
23 touched Monique in inappropriate ways?

24 **LIEUTENANT LUNDGREN:** Again, I've heard that. I've  
25 never seen that.

1           **MS. CAPPEL:** Are you aware of anyone who claims to  
2 have seen it?

3           **LIEUTENANT LUNDGREN:** I don't -- no. I don't -- I  
4 don't believe so. I -- I think there was someone who  
5 mentioned -- it might have been Captain Torok mentioning  
6 that he had -- he had heard part of a conversation.

7           It wasn't -- it wasn't a physical touch, but he  
8 had heard part of a conversation between the chief and  
9 Monique where Monique had said something along the lines of,  
10 "Well, if I worked at IBM, you wouldn't talk to me that  
11 way," or something along those lines. But without the whole  
12 context of the conversation, didn't --

13           **MS. CAPPEL:** Do you recall ever hearing Chief  
14 Straub make derogatory comments about Monique, anything  
15 specific?

16           **LIEUTENANT LUNDGREN:** No.

17           **MS. CAPPEL:** Okay. Have any of the female staff  
18 in the Spokane Police Department told you that Chief Straub  
19 made them uncomfortable for any reason?

20           **LIEUTENANT LUNDGREN:** When I -- this is a little  
21 bit different situation, but Cathy Armstrong, who worked  
22 with Tim Schwering and I --

23           **MS. CAPPEL:** Uh-huh. Is she no longer with the  
24 department?

25           **LIEUTENANT LUNDGREN:** She's still with --

1           **MS. CAPPEL:** Okay.

2           **LIEUTENANT LUNDGREN:** -- yeah, she's still with  
3 the department, but at that time she was working with Tim  
4 and I. And I remember that she was -- she's charged with a  
5 variety of different things.

6           One of the things that she had to do was gather  
7 some data, and then the chief was going to be relying on  
8 this data for some -- for some purpose. Well, with law  
9 enforcement data, I mean, there's the raw data and then you  
10 have to go back and --

11           **MS. CAPPEL:** And (inaudible)?

12           **LIEUTENANT LUNDGREN:** -- yeah -- and scrub it to  
13 make sure that you're not double-counting things or things  
14 aren't mischaracterized or categorized.

15           And so she was able to provide some data and  
16 another group provided the same data, and they didn't have  
17 the same numbers. It's a relatively minor thing and it's  
18 explainable and you just have to go and analyze, but the  
19 chief was furious.

20           And I remember that her and Tim were both at the  
21 same conference I think over in Seattle, and so they were on  
22 a call with him and they're both on the line, on speaker  
23 phone or something along those lines.

24           And he said something along the lines that -- to  
25 Tim, who is, you know, Cathy's supervisor, you know, if

1 something like this were -- were to happen again, that "this  
2 will cost you your job," which is a gross overreaction to --

3 **MS. CAPPEL:** Saying Tim would lose his job?

4 **LIEUTENANT LUNDGREN:** Yeah, over a minor -- you  
5 know, a minor discrepancy in Cathy's data. And Cathy is  
6 like one of the more dependable people I've ever worked  
7 with, very detail conscientious.

8 And to hear her boss get his job threatened  
9 because of something that she did, she felt horrible; and  
10 then I know she never really felt comfortable being around  
11 him after that.

12 **MS. CAPPEL:** Okay. Any other females in the  
13 department that you're aware of had concerns about Chief  
14 Straub, were afraid of him, threatened, felt he engaged in  
15 inappropriate behavior?

16 **LIEUTENANT LUNDGREN:** Not -- no, not that I can  
17 think of.

18 **MS. CAPPEL:** Did Chief Straub ever use what would  
19 be considered sexually -- use language that was sexually  
20 charged or about -- you know, about sex or --

21 **LIEUTENANT LUNDGREN:** I've heard that he did, but  
22 not in his conversations with me.

23 **MS. CAPPEL:** So you personally never heard it?

24 **LIEUTENANT LUNDGREN:** That's correct.

25 **MS. CAPPEL:** In your presence has he ever

1 commented on women's physical looks or anything of the like?

2 **LIEUTENANT LUNDGREN:** No.

3 **MS. CAPPEL:** Breasts, rear end, anything like  
4 that?

5 **LIEUTENANT LUNDGREN:** No.

6 **MS. CAPPEL:** Has he ever used the term  
7 "masturbation" in any conversation that you've been present?

8 **LIEUTENANT LUNDGREN:** No, I really don't remember  
9 that. You know, there's been some meetings -- I had very  
10 few conversations with him, just me and him. I've been in  
11 meetings where he was at, and I -- he has a tendency towards  
12 crass language, but I don't remember him ever saying  
13 anything that vulgar when I was around.

14 **MS. CAPPEL:** Okay. At some point did you learn  
15 that Monique was going to transfer out of the police  
16 department?

17 **LIEUTENANT LUNDGREN:** I believe I learned that  
18 from the e-mail that said as much, and it was already  
19 basically done.

20 **MS. CAPPEL:** Okay. Did you have any idea that it  
21 was in the works before you got the e-mail?

22 **LIEUTENANT LUNDGREN:** No, not that I recall.

23 **MS. CAPPEL:** Did Chief Straub talk at all about  
24 the circumstances that led to that transfer?

25 **LIEUTENANT LUNDGREN:** Not as I understand them

1 now. I'm trying to remember how he characterized that move  
2 because he explained it somehow. And I -- I don't remember  
3 how he tried to cover that, but it didn't have anything to  
4 do with any workplace issues, I can tell you that.

5 **MS. CAPPEL:** And has Monique talked to you at all  
6 about the circumstances of her transfer?

7 **LIEUTENANT LUNDGREN:** No.

8 **MS. CAPPEL:** Did Chief Straub discuss the  
9 circumstances of Carly Cortright's transfer out of the  
10 department?

11 **LIEUTENANT LUNDGREN:** No.

12 **MS. CAPPEL:** I may have asked you this already --  
13 if I did, I'm sorry -- but has Carly talked to you at all  
14 about the transfer?

15 **LIEUTENANT LUNDGREN:** No, other than just the one  
16 conversation I had back shortly after I got promoted where  
17 she characterized their relationship as not very good and  
18 that he was blaming her for him overspending, and she would  
19 try to -- he would get very angry when she'd try and rein  
20 him in.

21 **MS. CAPPEL:** There's been some suggestion that  
22 Monique was transferred to city hall for a short period  
23 either in late 2014, maybe early 2015.

24 Are you aware of any time that Monique was  
25 transferred to city hall?



1           **LIEUTENANT LUNDGREN:** I believe -- it seems like  
2 she was co-located. I don't think she was transferred. I  
3 could be wrong. It seems like the city information  
4 department -- she had an -- an office there at city hall and  
5 then she had one at the police department as well.

6           **MS. CAPPEL:** Do you have any information about why  
7 she was splitting --

8           **LIEUTENANT LUNDGREN:** No.

9           **MS. CAPPEL:** -- her time?

10          **LIEUTENANT LUNDGREN:** And I couldn't even tell you  
11 -- she could have been transferred to city hall for all I  
12 know. But it seems like the way I remember it was she was  
13 part of the time working with city information and part of  
14 the time with the police.

15          **MS. CAPPEL:** One of the things you mentioned a  
16 little while ago is that the degree of authority that she  
17 was given in light of her no law enforcement experience, new  
18 to the city, fairly young --

19          **LIEUTENANT LUNDGREN:** Uh-huh.

20          **MS. CAPPEL:** How was that received in the  
21 department?

22          **LIEUTENANT LUNDGREN:** You know, I think that some  
23 people had reservations about -- about that. I think that  
24 it didn't go over particularly well with people who had been  
25 there a long time, particularly people who were of higher

1 ranks, who had a lot of experience in law enforcement, a lot  
2 of institutional knowledge, a lot of knowledge on the  
3 community.

4           You know, that being said, I think people realized  
5 that she was good at dealing with the media, and information  
6 wise there certainly was an improvement in the way that we  
7 were doing business as opposed to before.

8           But when you look at it from the management side,  
9 and not -- not even law enforcement but just supervisory  
10 skills, management skills, leading people, there really was  
11 no experience doing that that I'm aware of; and so I think  
12 it caused -- caused some issues with -- with some people.

13           **MS. CAPPEL:** Uh-huh. Did you ever sense that or  
14 get the feeling that Monique was creating a lot of conflict  
15 within --

16           **LIEUTENANT LUNDGREN:** That she was --

17           **MS. CAPPEL:** Yeah, that she was doing something  
18 that was causing a lot of conflict in -- particularly at the  
19 leadership level?

20           **LIEUTENANT LUNDGREN:** Okay. So I have a limited  
21 window into that. What I would say that I noticed was she  
22 would opine -- because she had a seat at the table in a lot  
23 of meetings and she would offer her ideas and suggestions  
24 frequently on things that didn't have anything to do with  
25 media, and that wasn't well received by people.

1 I don't think it was intentional necessarily. I  
2 think she -- she was kind of feeling out her position. But  
3 it certainly caused issues, I think.

4 **MS. CAPPEL:** Okay. So I want to go to the last  
5 issue on the scope document, which is the city's responses  
6 to some public records requests.

7 **LIEUTENANT LUNDGREN:** Okay.

8 **MS. CAPPEL:** And the ones that I'm going to focus  
9 on are the ones that were submitted by The Spokesman in  
10 August. And I'll give you three that a particular reporter  
11 had submitted, and his name's Nick Deshais (indicating).

12 **LIEUTENANT LUNDGREN:** Uh-huh.

13 **MS. CAPPEL:** Just take a look at them and tell me  
14 if you remember getting notification of these requests. And  
15 I understand that a lot of notifications come across.

16 **LIEUTENANT LUNDGREN:** (Reading.) So I remember  
17 receiving public records requests that related to Monique. I  
18 can't tell you with a hundred percent certainty -- this  
19 first one, August 18 --

20 **MS. CAPPEL:** Uh-huh.

21 **LIEUTENANT LUNDGREN:** -- from Nick Deshais, that  
22 looks familiar. I do believe that was one of the ones I  
23 saw. The one that's dated August 20th, I can't remember if  
24 I saw this or not.

25 It doesn't really relate to me because it's

1 talking about conversations between Nancy Isserlis and  
2 either Frank Straub, Monique Cotton, Mark Griffiths, Eric  
3 Olsen, Selby Smith or Dave Richards, so I don't know that I  
4 would have been sent that.

5 **MS. CAPPEL:** Okay. And then the 21?

6 **LIEUTENANT LUNDGREN:** I -- yeah, I could have  
7 received this one. It's -- it's hard to -- to say with any  
8 certainty. I know that we received multiple requests, and  
9 maybe even some that aren't in here.

10 **MS. CAPPEL:** Do you recall looking for documents  
11 that related to Monique and Chief Straub?

12 **LIEUTENANT LUNDGREN:** Yeah, I do.

13 **MS. CAPPEL:** And where do you normally look and  
14 where did you look this time?

15 **LIEUTENANT LUNDGREN:** So for e-mails on our  
16 server, our city IT automatically does the search for those.  
17 I had the -- obviously the letter that our Lieutenants and  
18 Captains had written. That was released to the media prior  
19 to the requests coming in, so that was already -- and the  
20 city had it.

21 And then normally with most of these public  
22 records requests we're looking at police reports, we're  
23 looking at Internal Affairs files and those sorts of things.

24 With this particular -- with these particular  
25 requests I was, you know, so far out of the periphery that,

1 you know, I really didn't have anything that's responsive to  
2 these requests anyways.

3 **MS. CAPPEL:** And if you do find responsive records  
4 when these notifications come through, what do you do with  
5 those documents? Where --

6 **LIEUTENANT LUNDGREN:** We would give them to the  
7 city clerk's office. They're the central kind of point of  
8 contact for all the public records. So Terri Pfister and  
9 Lori Farmsworth handle that for the city and get those  
10 documents out.

11 **MS. CAPPEL:** Do you usually e-mail them or hard  
12 copies, walk them over, a little bit of everything?

13 **LIEUTENANT LUNDGREN:** So almost everything that  
14 I've ever -- in fact, I'm trying to think if there's ever  
15 been an exception.

16 Normally when public records requests come in to  
17 Internal Affairs, where I have spent most of my time doing  
18 any public records request work, I will work with Michelle  
19 Reiner, who will go through and redact and -- make any  
20 redactions that are necessary, and then she would provide  
21 that to the city clerk's office.

22 **MS. CAPPEL:** And do you know how she does that,  
23 whether it's by e-mail or inter-office --

24 **LIEUTENANT LUNDGREN:** I -- I believe -- I don't  
25 know if she exclusively does it this way, but typically it's

1 by e-mail, electronic copies by e-mail, but -- and I'm cc'd  
2 on those. So I see when she sends it off, you know, "This -  
3 - this completes our responsive records for this request."  
4 But I can't tell you --

5 **MS. CAPPEL:** But she sends it to the city clerk,  
6 not to the person who made the request?

7 **LIEUTENANT LUNDGREN:** Correct.

8 **MS. CAPPEL:** And does Michelle, to your knowledge,  
9 keep either a copy of what she sends or a log of some sort?

10 **LIEUTENANT LUNDGREN:** Well, the e-mail system  
11 obviously is -- is a record of -- of fulfilling the request  
12 and receiving it. I don't know if she keeps an external  
13 log.

14 I would suspect so because most of the time there  
15 is redaction; and as the face sheet of anything that we send  
16 out that's redacted, there's a long list of different  
17 exemptions and the definitions because the program she uses  
18 for the redaction will cite the specific exemption that's  
19 being invoked for the redactions.

20 And so I would imagine that she's keeping a copy  
21 of the -- probably the whole document in another location,  
22 but I don't get that far into the weeds. I just make sure  
23 that we're complying.

24 **MS. CAPPEL:** But your understanding is that at  
25 least for IA documents, Michelle would do the redacting?

1           **LIEUTENANT LUNDGREN:** That's right.

2           **MS. CAPPEL:** And she does the exemption log?

3           **LIEUTENANT LUNDGREN:** Yeah. And sometimes there  
4 are pieces that are in -- in our -- in Internal Affairs and  
5 some pieces that may be, say, in Records; and then Records  
6 would redact the accompanying reports if there's other  
7 reports that need to be done.

8           **MS. CAPPEL:** Okay. Do you recall if you had any  
9 responsive documents to the requests for the Straub-Cotton  
10 documents?

11           **LIEUTENANT LUNDGREN:** For Straub and Cotton? No,  
12 I -- no, I did not.

13           **MS. CAPPEL:** Is there any circumstance that you  
14 will send -- you or Michelle, that you know of, will send  
15 documents to the city attorney's office instead of to the  
16 city clerk's office?

17           **LIEUTENANT LUNDGREN:** I'm not a public records  
18 expert. I'll preface it by saying that.

19           **MS. CAPPEL:** Okay.

20           **LIEUTENANT LUNDGREN:** I do know that the public  
21 records law in Washington is continually changing. And with  
22 Sargent v. Seattle and some of the -- some of the -- with IA  
23 cases it doesn't really apply to personnel matters.

24           But I have personally met with Mary Miramatsu, our  
25 city legal advisor that's attached to the police department,

1 on how and to what degree things need to be redacted or if  
2 they can't be redacted when it's unclear.

3 And so it wouldn't be completely outside of the  
4 bounds of reason that someone would send something to the  
5 city attorney's office on a personnel matter for the same  
6 reasons, to say, well, what's exemptible and what needs to  
7 be released.

8 **MS. CAPPEL:** Okay. Do you recall being contacted  
9 by anyone from the city attorney's office regarding public  
10 records requests for Straub-Cotton related records?

11 **LIEUTENANT LUNDGREN:** By -- by -- in person or on  
12 the phone? I --

13 **MS. CAPPEL:** Yeah, any way: Phone --

14 **LIEUTENANT LUNDGREN:** I don't. E-mail -- I get so  
15 many e-mails and, like I said, these public records requests  
16 -- there's probably some that have landed in my box today,  
17 and it's every day or every couple days.

18 So it is possible that somebody could have  
19 forwarded me an e-mail with that title, but nobody picked up  
20 the phone and called me or anything more noteworthy than an  
21 e-mail.

22 **MS. CAPPEL:** Has anyone from the city attorney's  
23 office or the mayor's administration put any pressure on you  
24 to withhold documents --

25 **LIEUTENANT LUNDGREN:** No.



1 **MS. CAPPEL:** -- from public records request?

2 **LIEUTENANT LUNDGREN:** Nope.

3 **MS. CAPPEL:** Ever?

4 **LIEUTENANT LUNDGREN:** No. Much to the contrary:

5 Working with Mary Miramatsu, she's very, very conservative  
6 in the way that she does business, very above board, never  
7 known her to -- and that's who I primarily work with.

8 **MS. CAPPEL:** Okay. Was your cell phone extracted  
9 -- was there an extraction done on your cell phone, your  
10 work cell phone?

11 **LIEUTENANT LUNDGREN:** No.

12 **MS. CAPPEL:** Okay. I think I've covered my seven-  
13 page list.

14 Justin, do you have any questions of me before we  
15 part ways?

16 **LIEUTENANT LUNDGREN:** I don't think so.

17 **MS. CAPPEL:** Anyone else you think I should speak  
18 to that wasn't on that list of folks that I submitted?

19 **LIEUTENANT LUNDGREN:** Wow. Well, like I said, I  
20 don't know much about the issue with -- with Carly. I don't  
21 know anything about that, so I couldn't tell you who to  
22 contact.

23 **MS. CAPPEL:** Okay.

24 **LIEUTENANT LUNDGREN:** Monique's issue as well I  
25 don't know a lot about. But I think you have a pretty

1 comprehensive list as far as the chief and his interactions  
2 with the people inside the department, which is what I think  
3 I know the most about, at least third-hand.

4 **MS. CAPPEL:** Any sense that the problems and  
5 concerns about Chief Straub go down to like the line  
6 officers? None of the folks that I've requested to speak  
7 with are patrol or detectives.

8 **LIEUTENANT LUNDGREN:** Not to my knowledge at all,  
9 no.

10 **MS. CAPPEL:** All right.

11 **LIEUTENANT LUNDGREN:** Other than -- I think you  
12 have Jen DeRuwe on the list.

13 **MS. CAPPEL:** I do.

14 **LIEUTENANT LUNDGREN:** I think she might have some  
15 information, having worked in the public information part  
16 and being kind of closer with -- with Monique. But the  
17 chief just does not have a lot of interaction with line-  
18 level people on a normal basis.

19 **MS. CAPPEL:** DeRuwe is D-e-R-u-w-e, and Jen is J-  
20 e-n.

21 **LIEUTENANT LUNDGREN:** It might be two N's.

22 **THE REPORTER:** Thank you.

23 **MS. CAPPEL:** Well, thank you very much. Appreciate  
24 it. If I need to contact you again, may I if I've  
25 overlooked something?

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**LIEUTENANT LUNDGREN:** Yeah, absolutely.

**MS. CAPPEL:** Great. All right. Then we're done.

**LIEUTENANT LUNDGREN:** All right.

**(WHEREUPON, the interview of LIEUTENANT JUSTIN LUNDGREN was concluded at 12:40 p.m.)**

1 CERTIFICATE

2  
3 I, Maryann Matthews, do hereby certify that  
4 I reported all proceedings adduced in the foregoing matter  
5 and that the foregoing transcript pages constitutes a  
6 full, true and accurate record of said proceedings to the  
7 best of my ability.

8  
9 I further certify that I am neither related  
10 to counsel or any party to the proceedings nor have any  
11 interest in the outcome of the proceedings.

12  
13 IN WITNESS HEREOF, I have hereunto set my  
14 hand this 15th day of March, 2016.

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DECLARATION

Interview of: Justin Lundgren Date: 2/22/16

Regarding: City of Spokane and Frank Straub

Transcriber: Matthews

\_\_\_\_\_

I declare under penalty of perjury the following to be true:

I have read my deposition and the same is true and accurate save and except for any corrections as made by me on the Correction Page herein.

Signed at \_\_\_\_\_, \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Signature \_\_\_\_\_

Justin Lundgren

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