

D. P. VAN BLARICOM, INC.

MPA, FBI-NA, CLS, CHIEF OF POLICE (RET.)

POLICE PRACTICES EXPERT

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SUMMARY of QUALIFICATIONS

- A. Retained as a police practices expert by both plaintiffs and defendants in over **1,900+** lawsuits alleging police liability throughout the United States: AK, AL, AZ, CA, CO, DC, DE, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TX, UT, VA, WA, WI and WY.
- B. Testified in several hundred depositions, federal court trials, state court trials and arbitrations.
- C. Prevailing parties' police practices expert in appellate decisions from the United States 1st, 6th, 7th, 8th, 9th and 10th Circuits; State Supreme Courts of AK, AZ, CO, ID, MT, MS, OR and WA; Appeals Courts of AZ, CA, CO, FL, GA, NM and WA – **total of 68**.
- D. Recognized as an expert on the following issues and **all of the cited appellate court decisions were decided in favor of my client:**
1. **POLICE ADMINISTRATION, POLICY, PRACTICES, PROCEDURES and STANDARDS of CARE** (9th Cir. Gulliford v. Pierce County 1998, 6th Cir. Carter v. City of Detroit 2005, 9th Cir. Hall v. Hughes 2007, 7th Cir. Montano v. City of Chicago 2008, 9th Cir. Tensley v. City of Spokane 2008, 9th Cir. Howell v. Yavapai County Attorney 2008, 9th Cir. DeLew v. Adamson 2008, 9th Cir. Tennison v. City & County of San Francisco 2009, 9th Cir. Rosenbaum v. Washoe County 2011, 9th Cir. Hartrim v. City of Las Vegas 2015, 9th Cir. Bradford v. City of Yakima 2015);
 2. **POLICE INTERNAL INVESTIGATION and DISCIPLINE;**
 3. **POLICE USE of FORCE – Including 400+ Officer-Involved Shootings and 70+ TASER Deployments** (quoted in *Deadly Force: What We Know* 1992, 9th Cir. Davis v. City of Ellensburg 1989, 9th Cir. Reed v. Hoy 1989, 9th Cir. Davis v. Mason County 1991, a consultant to federal prosecution task force in United States v. Koon, et al. 1993, Rodney King v. City of Los Angeles 1994, 1st Cir. Roy v. City of Lewiston 1994, ID S.Ct. Kessler v. Payette County and State of ID 1997, WA App. Lee v. City of Spokane 2000, 9th Cir. & US S.Ct. Haugen v. City of Puyallup 2003/2004, 9th Cir. Wilkins v. City of Oakland 2003, 9th Cir. Marsall v. City of Portland 2004, 8th Cir. Craighead v. City of St. Paul 2005, 9th Cir. Davis v. City of Las Vegas 2007, 9th Cir./US S.Ct./9th Cir. Lehman v. City of Reno 2007/2009, 9th Cir. Kiles v. City of North Las Vegas 2008, 9th Cir. Tubar v. City of Kent 2008, AZ App. Celaya v. City of Phoenix 2008, 10th Cir. Rhoads v. Big Horn County 2009, Bryan v. City of Las Vegas 2009, 6th Cir. Jefferson v. City of Flint 2010, 6th Cir. Bletz v. Ionia County 2011, AK S.Ct. Russell v. City of Kotzebue 2011, 9th Cir. Glenn v. Washington County 2011, 6th Cir. Haley v. City of Elsmere 2011, 9th Cir. Kita v. City of Seattle 2012, 9th Cir. & US S.Ct. denied cert. Rutherford v. City of Seattle 2013, 6th Cir. Jones v. Sandusky County 2013, 6th Cir. Peatross v. City of Memphis, 2016);

4. **CONTROL of POLICE VEHICULAR PURSUIT and EMERGENCY DRIVING – Including 250+ Accidents** (my policy was recommended by the Public Risk and Insurance Management Association of Washington, D.C. as being among the 4 best in the United States 1984, quoted by 2 CA App. Payne v. City of Perris 1993 and Berman v. City of Daly City 1993, OR S.Ct. Lowrimore v. Marion County 1990, MS S.Ct. Mosby v. Jeffries 1998, CO S.Ct. Tidwell v. City & County of Denver 2003, WA App. Brooks v. City of Washougal 2007, CO App. Meyer v. City of Evans 2008 and GA App. McCobb v. Clayton County 2011);
 5. **SPECIAL DUTIES to PROTECT and 911 RESPONSES** (WA S.Ct. Bailey v. Town of Forks 1987, 9th Cir. Wood v. Ostrander 1988, WA S.Ct. Roy v. City of Everett 1992, AZ S.Ct. Hutcherson v. City of Phoenix 1998, MT S.Ct. Nelson v. Driscoll 1999, 9th Cir. Kennedy v. City of Ridgefield 2005, 9th Cir. Tamas v. WA DSHS 2010, AK S.Ct. City of Hooper Bay v. Judy 2015);
 6. **DOMESTIC VIOLENCE** (quoted by the National Law Enforcement Policy Center in their model policy 1991, 9th Cir. Beier v. City of Lewiston 2004, WA App. Osborne v. Seymour 2011, WA S.Ct. Washburn v. City of Federal Way 2013);
 7. **POLICE RESPONSE to the MENTALLY ILL** (listed in the FBI Academy's Subject Bibliography, 9th Cir. Gibson v. Washoe County 2002, US MD PA Schorr v. Borough of Lemoyne 2003, 9th Cir. Herrera v. City of Las Vegas 2004);
 8. **EXCITED DELIRIUM and RESTRAINT ASPHYXIA – Including 50+ Deaths** (10th Cir. Cruz v. City of Laramie 2001, AZ App. Oscielowski v. City of Benson 2003, 9th Cir. Arce v. City of North Las Vegas 2008, 10th Cir. Weigle v. State of WY 2008, NM App. Bustos v. City of Clovis 2015);
 9. **AMERICANS with DISABILITIES ACT** (10th Cir. Davoll v. City of Denver 1996, 9th Cir. Cripe v. City of San Jose 2001, US PA Schorr v. Borough of Lemoyne 2003);
 10. **DISCRIMINATORY ENFORCEMENT or EMPLOYMENT PRACTICES** (6th Cir. Muniz-Muniz v. US Border Patrol 2013).
- D. Served 29 years in municipal policing with the last 11 as Chief of Police (until retirement and election to the City Council) in Bellevue, Washington - the State's then fourth largest and fastest growing city.
- E. Directed development of a progressive police department and created several model programs, including: control of vehicular pursuits, alternatives to deadly force, fully integrated emergency response team operations, domestic violence reduction, affirmative action employment of minorities and women, comprehensive crime prevention, lateral recruitment of experienced officers, police canine operations, multi-city narcotics unit and others. Additionally, co-authored the Washington State Standards on Internal Discipline of Law Enforcement agencies.
- F. Served on many professional commissions and committees, including: Washington Criminal Justice Education & Training Center Steering Committee, Bellevue Community College Local Advisory Council and Chairman Law Enforcement Program Advisory Board, Washington Attorney General's Committee on Security and Privacy, consultant to U.S. Department of Justice Community Relations Service, consultant to the National Consultation on Safety and Force, intern with 94th Congress, Governor's appointee to Community Task Force for Corrections Development, Washington State Council on Crime & Delinquency's Adult Criminal Policy Committee and Ad Hoc Committee on Board of Prison Terms/Paroles, Youth Eastside Services

Board of Trustees, Eastside Community Mental Health Center Advisory Board, King County Executive's appointee to E911 Task Force, U.S. Attorney's Law Enforcement Coordinating Committee, Governor's appointee to Select Committee for Police/Fire Pension Review, IACP's Education & Training Committee, IACP's Organized Crime Committee, Assessor Team Leader for 1 of 5 Pilot Projects of the Commission on Accreditation for Law Enforcement Agencies, Governor's appointee to the Emergency Commission on Prison Overcrowding, IACP book reviewer, Suburban Cities Association's Jail Advisory Committee, Governor's Advisory Group on Personal Harassment, Portland, Oregon Chief's Committee on Police Use of Force. Assisted the appointing authorities at various times in selecting Chiefs of Police for Cities of Longview, Everett, Bellingham, Richland, Bremerton, Kirkland, Redmond, Clyde Hill, Kent (1991), Bellevue (1996) a Sheriff of King County and the Security Administrator of Seattle City Light (all in the State of Washington), King County Regional Justice Center Citizens Site Advisory Committee, Solutions To Tragedies of Police Pursuits Advisory Board, Superintendent of Public Instruction's Washington State Safe Schools Advisory Committee, King County Civil Rights Commission, Bellevue College Criminal Justice Program Advisory Board, Voices Insisting on Pursuit Safety.

G. Hold a Secret security clearance from the U. S. Government.

H. Maintain an extensive and current library of standards, policies, procedures, references, and information on other experts, with subscription services to update professional/legal developments in my areas of expertise.

EDUCATION and CERTIFICATION

University of Washington - Bachelor of Arts degree with magna cum laude honors 1973

Seattle University - Master of Public Administration degree 1976

Graduate of the FBI's National Academy and Law Enforcement Executive Development programs

University of Washington – Certificate in Forensics 2000

Americans for Effective Law Enforcement – Certified Litigation Specialist (Police Practices) 2003/2008/2011/2015

CONTINUING TRAINING

Police Civil Liability AELE 1987, Deadly Force and the Police Officer NWU 1987, Police Liability for Policies and Practices AELE 1988, PR-24 Side Handle Baton BPD 1988, Police Civil Liability AELE 1989, Sexual Harassment and the Consequences FS 1989, Wrongful Discharge RIMS 1989, Police Practices and Use of Expert Witnesses AELE 1989, Expert Witnesses, Litigation Consultants and Attorneys NFS 1989, Police Discipline and Labor Problems AELE 1990, Assessment Center Selection Process HRA 1991, Rodney King Incident and Policing SWLEI 1992, Role of Expert Witnesses in the 1990's SEAK 1992, Critical Liability Issues AELE 1992, Pursuit Driving and Managing Use of Force ILM 1992, AFIS Live ID HP 1993, Police/Medical Investigation of Death IACP 1993, Medical Records Review for the Legal Professional PES 1994, Developing Policies, Procedures and Rules NLEPC 1994, Civil Rights Trial Advocacy ATLA 1994, Family Violence and Police Policy SLEI 1995, Investigation of Excessive Force Incidents IACP 1995, Police Civil Liability and Defense of Misconduct Complaints AELE 1996, Use of Force and Pursuit Driving Policies SLEI 1996, Critical Incident Dispatching NWU 1996, Police Officer Survival Tactics NWU 1997, Police Civil

Liability AELE 1998, Criminal Justice WSBA 1999, Critical Incident Trauma and Legal Survival CP 1999, Traffic Stops and Racial Profiling PI 2001, Racial Profiling NWU 2001, Police Liability LES 2002, Cap-Stun ZARC 2002, Masters in Trial ABOTA 2002, Discipline and Internal Investigations AELE 2003, Critical Incident Response Management and Liability AELE 2003, Police Civil Liability AELE 2003, Police-Involved Shooting Reconstruction NWU 2004, Police Liability AELE 2005, Shooting Reconstruction AAFS 2005, Police Misconduct Litigation SULS 2005, Use of Force TASER 2006, Lethal and Less-Lethal Force AELE 2006, TASER AAFS 2006, Excited Delirium SPD 2007, Winning Extreme Encounters from Street to Court FSRC 2007, Sudden Death, Excited Delirium & In-Custody Death IPICD 2007, Discipline & Internal Investigation AELE 2008, Police Liability LES 2009, Legal, Psychological and Biomechanical Aspects of Officer-Involved Lethal and Less-Lethal Force AELE 2009, Use of Force / Domestic Violence / Community Policing / Emotional Intelligence IACP-PCN 2009, Gunshot Residue / Gunshot Wounds AAFS 2010, Active Shooter / Bloodborne Pathogens / Applied Ethics / Ethnic and Sexual Harassment IACP-PCN 2010, Arrest-Related Excited Delirium Sudden Death IPICD 2010, Discipline and Internal Investigations AELE 2010, ECD Forensic Analyst IPICD 2010, Police Liability LES 2011, Police Pursuit Policy Instructor IADLEST/ALERT 2011, Police De-Escalation Strategies for Veterans in Crisis FBINA 2012, Federal Training Resources IADLEST 2012, Brady v. Maryland and Giglio v. USA FLETC 2012, Pursuit Policy Course IADLEST/NHTSA 2012, How to be a Good Expert Witness NIJ 2012, Dealing with Persons with Mental Illness NWUCPS 2012, Active Shooter: Issues and Updates NTOA 2013, Management, Oversight and Monitoring of Use of Force (emphasis on TASER) AELE 2013, Less-Lethal: Current Trends and Initiatives NTOA 2013, Negotiations: Understanding the Incident Assessment Process NTOA 2013, Connecting: CIT and SWAT Crisis Negotiation CIT 2013, Searches Incident to Arrest and Cell Phones FLETC 2014, Use of Force (Legal Aspects) FLETC 2014, Developing Legally Defensible Policies for Effective and Constitutional Policing / Use of Force / Internal Affairs and Investigating Misconduct DLG / Force of Weapons Parts 1 and 2 2014, Shooting Reconstruction: The 4 Elements of Trajectory RTI 2014, Meaning and History of the U. S. Constitution HC 2014, Lethal and Less-Lethal Force AELE 2014, Death Investigation UND/NIJ 2015, 21st Century Policing IACP 2015, Discipline and Internal Investigation AELE 2015, Agitated Chaotic Events and Arrest-Related Deaths IPICD 2015, Recognizing Agonal Breathing Instructor IPICD 2015, Total Appendage Restraint Instructor IPICD 2015, Brady v. Maryland Disclosure JC 2016.

TEACHING and TRAINING EXPERIENCE

Washington State Vocational Education Certificate for teaching Police Supervision, taught law enforcement courses at the Bellevue Police Academy, Washington Criminal Justice Education and Training Center, Bellevue Community College, Seattle University, Northwestern University's Traffic Institute and International City Management Association's Training Institute. Lectured on police-related issues before the University of Washington School of Law and Graduate School of Public Affairs, Simon Fraser University, American Civil Liberties Union, Washington State Bar, Seattle-King County Bar, Washington State Court Administrators, Washington Association of Legal Secretaries, American G. I. Forum, United States Justice Department Community Relations Service, National Institute of Law Enforcement and Criminal Justice, U. S. Attorney General's Task Force on Family Violence, Montana Department of Social and Rehabilitation Services, Washington Advisory Committee to the U.S. Commission on Civil Rights, American Society of Criminology, debated California Highway Patrol Commissioner on police pursuit before National Association of Police Planners and International Association of Police Planning and Research Officers in 1990, Labor

Relations Information System, City of Bellevue's Management Certificate Training Program, lectured for Association of Trial Lawyers of America's Civil Rights Section and the National College of Advocacy on excessive force from the expert's perspective in 1994 and domestic violence litigation liability arising from failure of prevention and response in 1995, lectured on loss prevention civil liability to Nordstrom Washington/Alaska Region in 1997, demonstrated expert witness testimony to the American Board of Trial Advocates in 2002. Additionally, served on the Law Enforcement Education Advisory Committee to the Washington State Board for Community College Education in developing their statewide curriculum, achieved the first college accreditation of a Basic Law Enforcement Academy in the State of Washington, testified before the California State Senate on police vehicular pursuit in 2005, testified before the City of Oakland Citizens' Police Review Board on police vehicular pursuit policy in 2007, lectured at the Henry C. Lee Institute of Forensic Science on Investigation of Officer-Involved Shootings in 2010, lectured at the Crisis Intervention Team International Conference on Prevention of Police-Involved Deaths of the Mentally Ill in 2013.

PUBLICATIONS

"Recruitment and Retention of Minority Race Persons as Police Officers" in September 1976 issue of The Police Chief magazine, "An Overview of Police Service Today" in the April 18th and May 2nd, 1978 issues of Law Enforcement News, "Kids Meet Cops Through Basketball Trading Card Program" in the July 9th, 1979 issue of Law Enforcement News, "A Police Chief's View of Deadly Force" in the National Institute of Law Enforcement & Criminal Justice January 1979 booklet on Police Use of Deadly Force, "Career Development: The Next Step to Police Professionalism" in the November 1979 issue of The Police Chief magazine, "Crime Prevention Cuts Insurance Cost" in the August 1980 issue of Center City Report, "A Sensible Alternative to Those High-Speed Chases" in the November 25, 1980 issue of The Seattle Times, "Chiefs Should Chase Sane Pursuit Driving Guidelines" in the December 22, 1980 issue of Law Enforcement News, "Commercial Crime Prevention Can Earn Discounts" in the February 1981 issue of the FBI Law Enforcement Bulletin, "Enforcing Malicious Harassment Laws" in the January 1983 edition of Washington Council on Crime and Delinquency News, "Reducing Crime, Traffic Accidents - Bellevue Shows It Can Be Done" in the May 10, 1983 issue of The Seattle Times and the June 27, 1983 issue of Law Enforcement News, "Carrying A Gun - It Depends On You" in the February 3, 1985 issue of the Journal-American, "When To Use Deadly Force" in the Winter 1985 issue of the Washington Law Enforcement Executive Journal, "Domestic Violence - A New Approach to an Old Problem" in the June 1985 issue of The Police Chief magazine, "It's Time for Police To Re-Examine Their Role In Society" in the October 1, 1989 issue of The Seattle Times, "Shaking The Pillars of Police Tradition" in the October 31, 1989 issue of Law Enforcement News, "Training-The First Hundred Years" in Law Enforcement In Washington State: The First Hundred Years 1889-1989, "K-9 Use of Force: A Biting Example of Questionable Policy" in the July/August 1992 issue of Law Enforcement News, "Police Pursuit: Uncontrolled Deadly Force" in the February 28, 1993 issue of Law Enforcement News, Bulletin Alert on a "Hair-raising Comb" in the June 1994 issue of the FBI Law Enforcement Bulletin, "Excessive Force - The Expert's Perspective" in the Association of Trial Lawyers of America July 1994 Annual Convention Reference Materials Volume I, "Domestic Violence Litigation: Liability Arising from Failure of Prevention and Response" in the Association of Trial Lawyers of America July 1995 Annual Convention Reference Materials Volume I, "Shades of Blue: What White Police Officers Can - and Must - Learn from Minority Officers" in the January/February 1996 of the Police Executive Research Forum's Subject to Debate, "Doing Something About Excessive Force" in the January 15, 1998 issue

of Law Enforcement News (republished by San Diego State University 2003), “The Consistent Law Enforcement Expert” in the November/December 1998 issue of The Forensic Examiner, “To Pursue or Not to Pursue: THAT is the Question” in the November 1998 issue of Police, “Handling the Mentally Ill” in the March 2000 issue of Police, “Building a Bridge” in the September 30, 2000 (25th Anniversary) issue of Law Enforcement News, “The Media: Enemies of Allies?” in the April 2001 issue of The Police Chief, “Control of Police Vehicular Pursuit” in the 2004 (1) issue of the Law Enforcement Executive Forum, “Preventing Officer-Involved Deaths of the Mentally Ill” in the Third Quarter 2004 issue of The Law Enforcement Trainer, “Suicide-by-Cop” in the September-October 2006 issue of American Cop, “Police Response to Excited Delirium” in the January 2008 issue of the IADLEST Newsletter (republished by Americans for Effective Law Enforcement 2008), “Policing in the 1950’s” in the January-February 2009 issue of National Academy Associate, “Investigation of Officer-Involved Shootings” in the 19th Annual Markle Symposium program guide September 27-28, 2010 program, **Co-Author (with Dr. Cyril Wecht, Dr. Henry Lee and Chief Mel Tucker) of INVESTIGATION and PREVENTION of OFFICER-INVOLVED DEATHS © 2011 CRC Press**, “Implementing Change” in Fall 2012 issue of Seattle University Magazine, “Letter of The Month” in December 2015 issue of Leatherneck, “Bellevue Sniper” in Summer 2016 issue Off the Cuff.

NATIONAL TELEVISION and RADIO APPEARANCES

NBC Nightly News special report on the dangers of police vehicular pursuit.

NBC Today Show:

1. Personal protection against criminal attack;
2. Misuse of pepper spray to punish;
3. Police use of force (opposite Rev. Al Sharpton);
4. Officer-involved shooting.

NBC “*You Be The Judge*” on the dangers of police vehicular pursuit.

NPR “*Cops and the Mentally Ill*”.

CKNW World Today:

1. TASER;
2. Restraint asphyxia.

KOGO Clear Channel on police vehicular pursuit.

KHOU-TV (CBS) on police vehicular pursuit.

QUOTED in MAJOR NEWSPAPERS

USA Today, Wall Street Journal, The New York Times, The Baltimore Sun, Los Angeles Times, San Francisco Chronicle, The Seattle Times, The Oregonian, Toronto Sun, The Virgin Island Daily News (“Deadly Force” won ABA’s 2004 Silver Gavel Award), The Tennessean, Christian Science Monitor, Milwaukee Journal Sentinel, Vancouver (B.C.) Sun, Ottawa Citizen, Louisville Courier-Journal, Chicago Tribune.

PROFESSIONAL MEMBERSHIPS

American Academy of Forensic Sciences (AAFS), International Association of Chiefs of Police (IACP) - Life Member, Police Executive Research Forum (PERF), Americans for Effective Law Enforcement (AELE), Association of Certified Litigation Specialists (ACLS), FBI National Academy Associates, Washington Association of Sheriffs & Police Chiefs (WASPC) - Life Member, International Association of Directors of Law Enforcement Standards and Training (IADLEST), National Tactical Officers Association (NTOA), Association of Professional Law Enforcement Emergency Vehicle Response Trainers International (ALERT), CIT (Crisis Intervention Team) International.

AWARDS

USMC Expert Rifleman, FBI "Possible Club" (of the 19,130 police officers who attended the FBI National Academy during the 50 years from when it started to the year of my retirement, I was 1 of only 165/.0086% who fired a perfect score on the PPC or TRC), Appreciation from the Drug Enforcement Administration, Outstanding Community Service from Bellevue Jaycees, Human Rights (Implementing Law and Order with Justice) from Baha'i Communities of Bellevue and Eastside, Youth Service from the Chief Seattle Council of the Boy Scouts of America, Program Innovation from the King County Domestic Violence Coalition, Support and Service from Bellevue Cadet Squadron Auxiliary USAF, Law Enforcement Appreciation from the Puget Sound Chapter of the American Society for Industrial Security (presented by the Governor of the State of Washington), Outstanding Volunteer Service from the Salvation Army, Outstanding Service as a Public Official Citizenship Award from the Bellevue Kiwanis Club, Appreciation from the United States Secret Service, **Award for Public Service from The U.S. Department of Justice**, Recognition for 30 Years of Public Service from the City of Bellevue, Recognition and Commendation Resolution by the Municipality of Metropolitan Seattle, Appreciation for Service from the Woodland Park Zoo Bond Oversight Committee, Appreciation for Service from the King County Executive, Appreciation for Personal Contribution to Developing Bellevue Convention Center from the City of Bellevue, Outstanding Support of the Arts (jointly with wife) from the City of Bellevue Arts Commission, Commendation for Outstanding Service from the City of Bellevue.

CURRENT PHOTOGRAPH

D.P Van Blaricom – November 28, 2012

