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The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KAREN MARIE RISPOLI

Plaintiff,

NO. 04-1500 RSL

vs.

KING COUNTY, DEPARTMENT OF
TRANSPORTATION, METRO DIVISION,
and DEPARTMENT OF YOUTH SERVICES,

Defendants.

DECLARATION OF KAREN
RISPOLI IN RESPONSE TO
DEFENDANTS' MOTION FOR
PROTECTIVE ORDER
LIMITING DISCOVERY

I, Karen Rispoli, declare as follows:

1. I am over 18 and competent to be a witness in this matter. I am making this declaration based on facts within my personal knowledge.

2. Contrary to what Ms. Eakes has stated with respect to the relevance of the discovery I am seeking about allegations of sexual abuse at DYS, my experiences at Metro and statements made to me by Metro managers tell me that there is a direct connection between my experience at DYS and Metro and all of the problems I witnessed at Department

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MOTION FOR PROTECTIVE ORDER LIMITING DISCOVERY
(C04-1500RSL) - 1

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 ORIGINAL

1 of Youth Services (DYS) and testified about, including my concerns about youth not being
2 logged out according to procedure.

3 3. I take issue with Ms. Eake's offensive statement that I am making a "sweeping
4 effort to cast about in the hope that something, somewhere can be found to justify the filing of
5 this lawsuit." My testimony about what I saw at DYS has had a terrible impact on my life
6 over the past ten years at DYS and Metro, and I have a right to know why this has happened
7 to me and who was involved.

8 4. I have never been interviewed by the Federal Bureau of Investigation or any
9 other law enforcement agency about what I observed at DYS.

10 5. My testimony about what I observed at DYS, and what I heard Metro say
11 about my work at and allegations against DYS, has remained consistent and unchanged
12 throughout the years.

13 6. In 1996, I filed a lawsuit against DYS and was deposed in November and
14 December 1997. On December 8, 1997, I testified in my deposition that while I was at
15 Department of Youth Services in 1995, I observed girls in juvenile detention sitting on the lap
16 of a male Juvenile Supervision Officer, August LaStrappe. I specifically recall reporting
17 August LaStrappe and also Roy Vance, who threatened to shoot me, while I was at DYS. All
18 of my troubles at DYS started after I reported Mr. LaStrappe's behavior.

19 7. Also on December 8, 1997, I testified that I saw youth being removed from
20 juvenile detention without me knowing where they were going, and without them being
21 logged in and out according to procedure. I also testified that I was told by girls that they had
22 to take their clothes off while gone from detention, and that these girls needed underwear or
23 other clothing when they returned. This testimony is attached as Exhibit A, excerpts from my

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(K.R. 1001001-2)

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1 December 8, 1997 deposition. I have read this testimony and hereby reaffirm that I witnessed
2 and testified about these events.

3 8. At the Ralph Bunch trial, I mainly testified about the racial divide I saw at
4 DYS, but I also testified that I had seen youth being removed from detention without being
5 logged in and out according to procedure.

6 9. Before I testified at the Bunch trial, the prosecutor tried to prevent from
7 testifying by saying that I had signed a non-disparagement agreement with DYS, but Judge
8 Sharon Armstrong gave me permission. I have never disparaged DYS, but have only
9 reported truthfully what I saw there.

10 10. After being terminated from DYS, I began working as a bus driver for Metro.
11 From the beginning of my employment at Metro in 1995 until 2000, my employment record
12 as a transit operator was clean. I had not received any Performance Reports (other than two
13 for early operation), preventable accidents, late reports, or misses.

14 11. In June 1999, I reported to my base chief Bill Burdick that Leon Preston, who
15 worked with Human Resources at DYS and was involved in my termination, had boarded my
16 bus and made threatening remarks. I reported this right after it happened, and submitted the
17 Action Memo, which is attached as Exhibit B to this declaration, naming Leon Preston.

18 12. My report of Leon Preston was after I reported my bus being shot at and after I
19 reported a passenger who repeatedly harassed me, stating he was a county official and knew
20 all about me.

21 13. About two months after I reported Leon Preston, my base chief Bill Burdick
22 told me that he had looked into this, that my name had appeared on a witness list, and that
23 "this went way up" in the County.

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1. DECLARATION OF KAREN RISPOLI IN RESPONSE TO DEFENDANTS'
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1 14. I have testified against Leon Preston, as well as against DYS director Bob
2 William, DYS supervisor and union official David Winger, and union official Kathy Oglesby.
3 Ms. Ogelsby now works in the King County Executive Office as Labor Liaison.

4 15. In May 2000, Metro manager Jim O'Rourke stated to me that a King County
5 prosecuting attorney had reported that I was a psychological liar, that he had heard negative
6 things about me at DYS, and that I had made false allegations against DYS. I was shocked
7 because I had never met Mr. O'Rourke before that.

8 16. Also in May or June 2000, my union vice-president Glen Travis told me that
9 my testimony against Kathleen Oglesby, who now works as the Labor Liaison in the King
10 County Executive Office under Ron Sims, had brought down a union and cost King County
11 millions of dollars. I was shocked because I had never met Mr. Travis before that.

12 17. Glen Travis also told me at this time that I had "piggybacked" on other the
13 lawsuits of other DYS employees, which is false as I was greatly harmed by losing my job at
14 DYS, as described below, and testified truthfully about what I had observed at DYS, knowing
15 that I was risking my employment at Metro.

16 18. In March or April 2000, I was told by acting base chief Suzanne Minerich that
17 Metro wanted me out of there, and that it would be easier for me if I resigned from my
18 position as a transit operator. I was shocked because I had never met Ms. Minerich before
19 that.

20 19. Jim O'Rourke never made it clear what allegations against DYS I had
21 supposedly falsified, and never answered my question about which prosecutor had said I was
22 a psychological liar.

1 20. Prior to settling my lawsuit against DYS in December 1997, I was never
2 informed by my attorneys at the Law Offices of Judith Lonnquist that there was anyone else
3 who reported concerns about sexual abuse at DYS. In fact, my former attorney, Joyce
4 Thomas, specifically told me that there was no one else at DYS that could substantiate my
5 allegations. I never knew that my attorneys had interviewed Earnestine Blue and that she was
6 reporting similar concerns about sexual abuse at DYS.

7 21. After becoming my attorney in February 2005, my attorney, Dwight Van
8 Winkle, told me that he wanted to call Joyce Thomas. I resisted because Ms. Thomas now
9 represents my union and I talked with her about my concerns at Metro before and after she
10 joined the union's law firm. The union has done nothing to help me.

11 22. Mr. Van Winkle also told me that he wanted to get my case file from my
12 lawsuit against DYS from Judith Lonnquist. I resisted at first, because I was apprehensive
13 about Judith Lonnquist and did not want to revisit my very painful experience at DYS. Mr.
14 Van Winkle finally convinced me that it was very important for him to see my prior case file
15 in order to understand my experience at DYS, and I consented to him calling Ms. Lonnquist
16 in late February or early March 2005.

17 23. Approximately two months ago, Mr. Van Winkle told me that he had
18 discovered notes from an interview with Earnestine Blue that paralleled the allegations I
19 reported at DYS. I had never seen these notes, and was outraged to learn eight years later
20 that my attorneys had had this information all along that corroborated what I had observed
21 and could have changed the course of my life over the past eight years.

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1 24. I have read the declaration of my attorney Dwight Van Winkle in which he
2 describes when and how we learned about the Earnestine Blue notes, and what he did after
3 learning about the notes. His description of our meetings with Mary Ruth Mann and
4 Earnestine Blue is consistent with my recollection of these events. Upon discovering
5 Earnestine Blue's statements, Mr. Van Winkle and I met with Ms. Mann on or about June 2,
6 2005 at her office. This was the first of two meetings since her deposition by King County
7 Prosecuting Attorneys on May 26, 2005. I did not speak to Ms. Mann prior to her deposition
8 and had not seen her since testifying in the Ralph Bunch case in October 2001.

9 25. My new knowledge of the statements of Earnestine Blue about a "reward
10 system" and rapes only reinforces my view that I was correct in being very concerned about
11 my observations of girls in detention not being properly logged out.

12 26. On June 10, 2005, Mr. Van Winkle and I met with Earnestine Blue. During
13 the course of this conversation, Ms. Blue stated that Dave Winger had made remarks about
14 my mental health. I have repeatedly testified against Mr. Winger. I believe that these false
15 statements about my mental health were carried over to Metro by Kathy Oglesby, Dave
16 Winger, and at least one King County prosecuting attorney. Mary Ruth Mann testified in my
17 presence at her deposition on May 26, 2005 that a prosecutor told her that I am "unstable" and
18 "somehow damaged goods."

19 27. Statements about my mental status have been made by Metro managers and at
20 least one employee of Transit HR, though they have no medical training in the field of
21 psychology or psychiatry to make such diagnoses. Acting base chief Suzanne Minerich
22 called me "paranoid" in March or April 2000, in front of my base chief Jose Rosado who also
23 recalls this statement. Since filing this lawsuit, I have learned that Minerich, who was a

1 member of my union, wrote a memo to Human Resources, attached as Exhibit C, saying that I
2 was "paranoid" and should be referred for a psychiatric evaluation.

3 28. My employment at DYS and the present suit against Defendants is relevant
4 because of the disparaging remarks about my and actions that Metro has used to retaliate
5 against me, based on my previous work and testimonies. In 2000 my supervisor, Jim
6 O'Rourke, wanted me to get a psychological examination because of "all the negative things
7 he had heard about me at DYS." I had no previous acquaintance with Mr. O'Rourke, and had
8 not told him my history at DYS. Three years later, Metro forced me to get tested by a
9 psychiatrist and psychologist, on threat of being fired and on false pretenses.

10 29. On July 15, 2005, in response to a subpoena duces tecum, Mary Ruth Mann
11 provided King County with nearly 1,600 pages of documents relating to me. King County
12 prosecuting attorney Stephen Teply refused to provide my attorney, Dwight Van Winkle, with
13 copies of these documents, and we still do not know what she provided the County.

14 30. I informed Ms. Mann that I would be turning Ms. Blue's statements over to
15 King County prosecutors. Ms. Mann stated in her second deposition (July 15, 2005) that she
16 has withdrawn from representing Ken Conley, Earnestine Blue et al, which was supposed to
17 be in trial. I told Ms. Mann that if I testified in their case, my testimony would reflect my
18 recent discovery of Earnestine Blue's report.

19 31. Metro has continually harassed me with regards to my mental state for over
20 five years, including, but not limited to, falsifying incidences, PRs, and customer complaints
21 to constructively discharge me. Additionally, Metro deliberately forced me to undergo
22 psychiatric testing in May 2003 based on a fraudulent and malicious "investigation." This has
23 caused me so much stress that I have been unable to work since October 2004, at great

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1 personal and financial expense. I am now preparing to go back to work in the next week or
2 two but I am fearful that the retaliation will continue when I go back.

3 32. With this documentation from DYS employee Earnestine Blue that DYS
4 managers were maliciously questioning my mental health, I can now establish the extensive
5 lineage of disparaging remarks and adverse actions stemming from DYS that have carried
6 over to my employment at Metro. I was given a "fitness for duty" examination by a
7 psychiatrist or psychologist in 1994 before I went to work for DYS, and DYS managers had
8 absolutely no legitimate reason to question my mental health and certainly not to make
9 statements to other employees about that.

10 33. The connection between DYS and Metro is clear and blatant. Throughout this
11 discovery we have been able to trace the origin of animus back to statements made by DYS
12 employees and officials, at least one King County prosecuting attorney (during the Ralph
13 Bunch trial), as well as County officials. Erroneous information and damaging statements
14 have been relayed to Metro management about me. Testimony from various witnesses that
15 has been submitted to or witnessed by King County prosecutors, will confirm this.

16 34. I was horrified to read the statements made by Earnestine Blue to investigator
17 Penny Cole. I was only at DYS for a short time, but I witnessed incidents that greatly
18 concerned me, which I reported as I stated in my deposition. After recently reading the
19 investigator's report of Earnestine Blue, and her declaration, I am very hurt that what I was
20 reporting has now been corroborated to me so many years later. I would not have accepted
21 the settlement in 1997 if I had known about Earnestine Blue's report.

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1 35. I have a long history of working with youth at risk even prior to my
2 employment at DYS. I worked as a volunteer probation officer for four years from 1977 to
3 approximately 1981.

4 36. My dream job was to become a probation officer at DYS and help troubled
5 youth. I had a difficult childhood and spent time in foster homes, and I know that I have
6 valuable experiences to contribute to help troubled youth. I worked hard to achieve my
7 education which includes both a bachelor's and masters degree in behavioral sciences and
8 leadership, with a specific purpose to create a career working with children. I have been
9 unable to utilize my education and experience because DYS fired me for standing up against
10 sexual abuse of youth, racial discrimination at the police academy, and harassment.

11 37. Had my previous attorneys, Lonquist and Thomas, informed me of Earnestine
12 Blue's statements I would have continued to fight to expose the truth. Just knowing that this
13 problem has remained unaddressed for all these years is extremely troubling to me.

14 38. This is why I take strong offense to Ms. Eakes' baseless claim that I am just
15 trying to bolster my case. It is my belief, based on all that I have witnessed and experienced
16 since 1995, that King County has been trying to shut me up for seeing something that I should
17 not have seen. This has had a terrible impact on me personally, and I want to know the truth
18 of what has happened to me.

19 39. Since my First Set of Interrogatories, I have asked the County to provide a list
20 of all contacts Diane Taylor has had with any employees of Metro, DYS, or any parties in
21 judicial proceedings concerning Ms. Rispoli. Further, the Prosecutor's Office is apparently
22 aware of my reports/allegations against DYS as prosecuting attorney Stephen Teply has
23 worked to defend DYS in similar trials.

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