

# Investigative Services Bureau Investigative Report



CASE TITLE Shane Steven Goldsby DOB 04/26/1995	OFFICER(S) Lieutenant Scott Davis #51	CASE NO. 10-20-013792
RCW TITLE Murder in the First Degree	RCW CODE 9A.32.030	OTHER CASE NO. Airway Heights PD 2020-84005970 DOC CI 047-20-P

## SYNOPSIS

On May 22, 2020, the Department of Corrections (DOC) Maximum Custody Committee approved the transfer of offender Shane Goldsby (384235) from Washington State Penitentiary-Intensive Management Unit (WSP-IMU) to Airway Heights Correctional Center (AHCC). On June 2, 2020, at approximately 9:36 am, Goldsby arrived at AHCC. Goldsby's incoming Transport/Job screening checklist was completed as required as well as his Prison Rape Elimination Act (PREA) screening (he scored as no risk identified). Goldsby was assigned to cell NB10L by C/O 2 Hernandez and at approximately 9:57 am, Goldsby was taken to his cell by the Tier Representative Randy Robinson, where he met his cell mate Robert Munger (417228).

At approximately 12:38 pm, while in the day room with approximately 30 other inmates, Goldsby ran up behind Munger and struck him in the head. As Munger fell to the ground he struck his head on a steel table seat and appeared to be unconscious. Goldsby stood over Munger and punched Munger in the head approximately 14 times before stomping and kicking Munger's head repeatedly. After approximately 18 seconds, correction staff reached the assault and Goldsby turned away from Munger and was secured by staff. Correction staff including staff with medical training treated Munger until requested 911 services arrived. Staff and responding fire and medical units stabilized Munger and he was transported to Sacred Heart Medical Center (SHMC) where he was placed on a ventilator and notification was made to his family. On June 5, 2020, Munger expired at 11:24 pm.

## DETAILS OF REPORT

On August 6, 2020, the Washington State Patrol received a request from DOC Secretary Sinclair asking for a review of the Critical Incident Review (CIR) which was conducted by DOC in response to the murder of inmate Munger. Washington State Patrol (WSP) Chief, John Batiste, approved the request and the review was assigned to WSP Lieutenant Scott Davis. Davis received the assigned review on August 6, 2020 in an email which included approval for the review and the 16 page Incident Review Report completed by DOC. Davis had no previous knowledge of the event prior to receiving the review assignment. Davis conducted an online google search and reviewed local and state news articles for familiarization.

Davis began a thorough review of the CIR on August 7<sup>th</sup>. The CIR outlined the timeline of the assault of Mr. Munger which began at 12:38 pm, in the Nora (N) Unit B Pod, dayroom. The CIR included summary statements of currently employed staff that were involved in the incident and the medical response. Following the summary statements, the CIR included a Summary of Fact which identified department policy pertinent to the incident and response. The summary is broken into two sections including the first reviewing the response to the incident and medical intervention and a second section reviewing the classification of Mr. Goldsby.

The Summary of Fact indicated that reviewers utilized officer reports, emergency response policy, unit post orders, and interviews of the custody first responders to reach their conclusions.

After this initial review, Davis contacted WSP Criminal Investigation Division Captain Jay Cabezuela to determine the scope of the requested review. Cabezuela had already spoken with AHCC Superintendent James Key, who had been identified as a point of contact in the initial request. Cabezuela indicated that Mr. Key would be available the following Monday and would assist with defining the scope and available resources for the review. On August 8, 2020, Davis phoned Airway Heights Police Chief, Brad Richmond, to advise him of the review being conducted by the WSP and to request a meeting with detectives handling the criminal case.

On August 11, 2020, Davis received a phone call from Detective Eric Flavel from Airway Heights Police Department and a meeting was scheduled for the following day. Davis met Flavel at the Airway Heights Police station on August 12, 2020 at 10:00 am. Flavel indicated he would be assisting Davis that day because the lead detective was unavailable. Flavel verified the investigation was complete and had already been filed with the Spokane County Prosecutor. Flavel provided the entire criminal case file which Davis reviewed over the next several hours.

The intent of the meeting with Detective Flavel was for familiarization with the case and to determine if the criminal investigation revealed any evidence which should be considered in Davis's review. Davis noted the following:

The assault did not occur in the confines of Goldsby's and Munger's cell. It was carried out near the center of the dayroom with approximately 30 other inmates on the floor.

Detective Flavel indicated that video was available for the duration of Goldsby's stay in Nora Unit, from intake to the assault and that detectives were not aware of an attempt to notify staff of cell mate concerns by either Goldsby or Munger.

During Goldsby's stay in Nora Unit, the cells were never in lockdown and inmates were free to exit their cells and move about the unit freely. Correction officers were present in the unit and multiple tier checks were conducted between the time Goldsby met Munger and the assault.

Tier Representative, Randy Robinson, escorted Goldsby to his cell and was surprised Goldsby and Munger appeared to know each other. During the video recorded statement of Robinson, he said he overheard talk of Goldsby's mother, Cindy, between Munger and Goldsby. Robinson said he was surprised they appeared to know each other and told officer Hernandez that in all his time in the prison he had never seen inmates housed together that knew each other. Robinson stated he didn't think there were any problems between the two because there was no indication.

Following the assault, Goldsby participated in two police interviews with Airway Heights police detectives where he expressed clear intent to kill Mr. Munger and indicated he would try again if given the opportunity or have someone else do it. During the interviews, Goldsby did not mention any desire or attempt to request movement to a different cell.

Hand written notes were found by DOC staff in Goldsby's cell when he was transferred to the infirmary following notification of Munger's death. The first note said Goldsby had been involved in the assault after learning Munger molested his 12 year old **23** Goldsby wrote that he had no idea about the crimes until being celled with Munger (this note had some lines drawn through some sections. The second note explained that Goldsby tried to remain calm but lost his cool and assaulted Munger. Goldsby wrote that he made the wrong choice and he accepted all charges. A third note was a request for reports, statements and photos of the incident. The notes made no mention of any attempt to notify staff of concerns associated with his cell mate.

During the afternoon of August 12, 2020, Davis received a phone call from Superintendent Key who had been identified as a point of contact at AHCC. Mr. Key indicated he was working to help define the scope of the review expected by DOC. On August 13, 2020, Davis received an email from Superintendent Key outlining the scope of the review. The email indicated the scope of the WSP review would include the following questions:

- 1) Whether or not any DOC staff member could have arranged for the cell assignment knowing about the conflict?
- 2) Should we or could we have known about the conflict based on the information available to us?
- 3) After the cell assignment was made was there any attempt by the perpetrator or victim to make any staff member aware of the conflict?

On August 13, 2020, Davis sent Superintendent Key an email outlining his investigative plan and requesting assistance scheduling meetings with DOC staff for familiarization regarding the intake process, policy review, case file review, video review and interviews with staff and inmates.

On August 14, 2020, Superintendent Key replied to Davis's request confirming staff availability for August 18, 2020.

Davis arrived at AHCC at 8:00 am on August 18 and was escorted to the Superintendent's conference room. The day began with a meeting including Terry Propeck, Mike Klemke, Don Deshazer and Kevin Lightbody. The purpose of the meeting was for general familiarization with the inmate intake and screening process and expectations. Davis was also allowed to review DOC Policy regarding Classification and Custody Facility Plan Review (DOC 300.380) and PREA Risk Assessments and Assignments (DOC 490.820).

During the familiarization, Davis learned that Incoming Transport / Job screening is conducted prior to inmate arrivals and documented in an electronic checklist. The receiving facility completes the classification review, Security Threat Group (STG)/Protection/Threat Concerns, Medical Concerns, and Mental Health Concerns Sections. DOC staff opened the electronic file and scrolled through allowing Davis to review the completed documents.

Davis learned that after an inmate arrives at a facility, they are randomly assigned to a counselor who they meet with for the PREA assessment. Goldsby met with CC2 Laurie Ramseyer who completed the electronic assessment. DOC staff opened the electronic file and scrolled through allowing Davis to review.

During the familiarization, Mr. Lightbody said that Goldsby had been at AHCC and housed in the Nora Unit in 2018 and it is normal practice for inmates to return to the same unit if they are moved back to the facility. Lightbody also said that staff recognized Goldsby was identified as a **26** and that separations and prohibitions were reviewed. Goldsby had two separations which were reviewed by headquarters and again at intake and did not involve Mr. Munger. Lightbody also said during intake Goldsby asked where he was going.

Following intake familiarization, Davis reviewed available video with DOC Investigator Josh Green and CUS Don Deshazer. The review included multiple camera angles throughout the Nora Unit from the time inmates arrived until the assault. During the review Davis noted the following:

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9:36 am – Goldsby enters Nora Unit

9:41 am – Goldsby enters CC2 Ramseyer's office where the PREA assessment is completed

9:51 am – Goldsby exits Ramseyer's office

9:54 am - C/O 2 Hernandez issues key to Goldsby

9:55 am – Goldsby goes back to Ramseyer's office for 10 seconds and then back to Hernandez's office

9:56 am – Goldsby enters Nora Unit with tier representative Randy Robinson

9:57 am – Goldsby enters cell NB10 where he would have first learned who his cell mate was

10:39 am - Goldsby exits his cell and walks to bulletin board in the dayroom

10:40 am- Sergeant Richardson enters the dayroom and stops approximately 8 feet from Goldsby who continued to stand at the board

10:42 am – Goldsby walks to the upper tier where he talks to inmate Rencken

10:45 am – Goldsby leaves the upper tier

10:46 am – Goldsby enters the foyer and looks at CC2 Ramseyer's closed office door. After a few seconds, Goldsby looks into an adjacent office where Kristie Gow was seated at a desk. Goldsby pauses briefly as he looks into the open office and then leaves the Foyer. Goldsby spent approximately 20 seconds in the foyer. There was no conversation observed on video between Goldsby and any staff in the foyer or offices. C/O 2 Brent Baldwin was observed exiting the office a short time later.

10:47 am – Goldsby enters cell NB10

10:51 am – Staff conduct a tier check

11:02 am – Goldsby exits the cell and greets inmate James Smith

11:03 am – Goldsby and Smith walk the dayroom

11:06 am – Goldsby returns to cell NB10

11:10 am – Rencken goes to cell NB10 and talks to Goldsby at the doorway for 34 seconds

11:25 am – Staff conduct a tier check

12:12 pm – Tier Representative Robinson goes to cell NB10 and delivers a bar of soap, leaving after 19 seconds

12:35 pm – Inmate Smith goes to NB10 and walks away after five seconds

12:35 pm – Goldsby exits cell NB10 and starts walking the dayroom with Smith

12:37 pm – Munger exits cell NB10 and walks toward a dayroom table near a television

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- 12:37 pm – Goldsby and Smith part and Goldsby walks toward NB10
- 12:37 pm – Smith stops and talks to inmate Andy McNew and they look toward Goldsby
- 12:38 pm – Goldsby goes to cell NB10, pauses and turns to walk toward the dayroom
- 12:38 pm – Munger walks away from the television toward the front of the dayroom
- 12:38:14 pm – Goldsby begins running toward Munger's back
- 12:38:16 pm – Goldsby strikes Munger from behind on the right side of the head
- 12:38:17 pm – Munger falls striking his head on a dayroom table stool
- 12:38:19 pm – Goldsby delivers 14 strikes with his fist to the head of Munger
- 12:38:27 pm – Goldsby stomps Munger's head with his right foot three times, kicks Munger in the head once with his right foot and stomps Munger's head one additional time with his right foot. The assault ended at 12:38:32
- 12:38:34 – Goldsby turns and walks away as staff approaches
- 12:38:41 – Goldsby kneels at a dayroom table for restraint application

After the video review, Davis reviewed a case file provided by DOC staff. The file contained officer reports and photographs. Many of the reports were duplicates of what Davis reviewed in the criminal case file completed by Airway Heights Police Department. Following the review, Davis determined staff and inmates that he wanted to attempt to interview. The interviewees were selected based on possible interaction between them and Goldsby which was identified during the video review. Most interviewees had already been interviewed by Airway Heights Police and or Department of Corrections investigators and Davis had reviewed summaries of earlier interviews.

The first interview was of inmate Brandon Rencken. Rencken was also a [REDACTED] 26 [REDACTED] and was observed on video during a few interactions with Goldsby. Davis asked Rencken about his interaction with Goldsby on the upper tier. Rencken confirmed it was his first visit to AHCC and he arrived on the chain with Goldsby. When he spoke with Goldsby on the upper tier, Goldsby told Rencken he needed hygiene and asked about getting soap and deodorant. Rencken said Goldsby talked about being moved and that he was happy to be out of IMU. Davis asked directly if Goldsby said anything about his cell mate Mr. Munger and Rencken said he did not.

The second interview was of inmate James Smith. Smith had been observed on video talking with Goldsby. Smith indicated he recognized Goldsby as "Cosmo" but didn't really know him. They were both from the same area and the name Cosmo was shared in drug circles. Smith said when he spoke to Goldsby shortly before the assault, Goldsby said he did not care for his cell mate and did not like him. Smith said Goldsby did not say anything that would have caused Smith to think Goldsby would do anything like that or anything at all. Smith said Goldsby never alerted him to the conflict with Munger or asked for any advice. Davis explained that on video, Smith is observed talking to an unidentified inmate immediately prior to the assault and Smith and the other inmate are observed looking across the dayroom near Goldsby's cell. Smith explained that he was sharing with the other inmate that Goldsby was from the same area as Smith. Smith maintained he was unaware of any plan for Goldsby to assault Munger.

The third interview was of inmate and tier representative Randy Robinson. Davis had already read Robinson's statement in the criminal case file and watched a video recorded interview with Robinson conducted by Airway Heights detectives. Davis noted during review of the criminal file that Robinson said when he took Goldsby to his cell he was surprised that Goldsby and Munger appeared to know each other and that he overheard talk of Goldsby's mother Cindy. During the interview Robinson confirmed that he took Goldsby to the cell and observed that they were talking about Goldsby's mother Cindy. Robinson said the discussion between the two was normal, like they were buddies, and did not give him any reason to be concerned about them being together. Robinson said he mentioned to corrections staff that he had never seen two inmates housed together that knew each other. Initially Robinson did not remember which staff member he spoke with but then believed it was C/O 2 Hernandez. Davis confirmed that was consistent with Robinson earlier interview. Robinson said Hernandez asked if there would be a problem and Robinson said there was no indication that there would be a problem. Robinson said he and other inmates had seen the media coverage of Goldsby talking to local news and he knew his claims were untrue. Robinson said Goldsby was only there a few hours and never asked about a cell change or how to request one.

The fourth interview was with AHCC Sergeant Jack Richardson. Sergeant Richardson was in charge of the floor on June 2, 2020. Richardson indicated everyone in the unit knows they can come to him with anything. Richardson said the unit is the more violent unit historically. Richardson was in the back room when the assault occurred and immediately responded. He indicated Goldsby looked agitated as he approached but was compliant as he handcuffed him. Richardson saw the injuries Munger sustained and immediately initiated 911. After securing Goldsby, Richardson realized his hands were covered in blood and he was contaminated. Richardson left the incident to decontaminate when appropriate. Richardson indicated they utilize PREA assessments and do not put predators and victims together. He also said approximately 80% of the inmates there are sexual offenders. He also noted that drop outs end up there. Because of the large number of sexual offenders in the unit, it is common to put sex offenders and non-offenders together. Richardson noted that after incoming transport / job screening and the PREA assessment, Goldsby was a name and number going into an available cell. Richardson confirmed inmates are screened at intake and Munger would not be screened as a result of a new inmate entering his cell unless reviews during Goldsby's intake identified keep separates or other concerns involving Munger. Richardson said he did not specifically remember Goldsby when he stood nearby looking at the bulletin board but Richardson did feel like he recognized Goldsby. After the incident, Richardson was able to determine that Goldsby had been at AHCC in 2018 and assaulted a corrections sergeant. Richardson indicated if he had known that Goldsby had assaulted staff there previously he would have been kept separate. Richardson also discussed Goldsby's allegation that he attempted to contact staff by pushing his button. Richardson confirmed that during Goldsby's stay, the cells were not in lockdown and inmates were able to enter and exit their cells freely. This was confirmed in the video review. The call buttons do not notify staff unless the cells are in lockdown. As a result, there is no way to determine if Goldsby pushed his button but he was free to leave his cell and contact staff at any time.

The fifth interview was with C/O 2 Jose Hernandez. Hernandez confirmed he was the floor officer on June 2, 2020, and chose housing assignments after checking Goldsby's PREA assessment. Hernandez said he checked the PREA assessment, health modalities, and looked at safety and security concerns. Hernandez learned there were two keep separates, one against staff and the other, another inmate. Hernandez said he also looked at Goldsby's crimes and sentencing and security threat groups (Gangs). Hernandez did not see anything involving Munger. Hernandez did not believe he was involved in screening Munger when he arrived months earlier. Hernandez said he was not alerted to any problems by either Goldsby or

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Munger. Davis asked Hernandez if he remembered tier representative Robinson sharing his surprise that Goldsby and Munger seemed to know Goldsby's mother. Hernandez did not remember Robinson sharing that information. Hernandez said he first heard Goldsby's accusation that Munger victimized his **23** when Goldsby was being secured. Hernandez said that after the incident he was able to locate a report in Munger's background that had Goldsby's name in it.

The sixth interview was with C/O 2 Brent Baldwin. Baldwin was interviewed because the video review showed him exit the medical office shortly after Goldsby briefly stood in the hallway as Kristie Gow was seated at her desk. The purpose of the interview was to determine if Baldwin was able to see Goldsby standing in the hall and if there was any discussion with Goldsby. Baldwin did not remember seeing Goldsby outside the doorway and did not recall any conversation between Goldsby and he or Goldsby and Gow.

On August 20, 2020, at 10:36 am, Davis contacted Kristie Gow by phone. Gow was not available during the visit to AHCC. Gow said she never saw Goldsby outside her office and did not remember ever seeing him. She also said there was no discussion between Baldwin and anyone outside the office.

### Conclusion:

DOC provided the following three questions when defining the scope of their review request and provided access to their facility and reports to facilitate the review. In addition, Davis reviewed the criminal case file completed by Airway Heights Police Department and submitted to the Spokane County Prosecutor.

#### Question 1) Whether or not any DOC staff member could have arranged for the cell assignment knowing about the conflict, if so who?

Davis reviewed the DOC CIR Classification review and agrees with DOC's findings regarding classification. In addition, there is no evidence suggesting DOC staff arranged for the cell assignment knowing about a conflict between Goldsby and Munger.

Inmate Goldsby arrived at AHCC on June 2, 2020 after DOC headquarters approved moving him from maximum security to medium security. Once Goldsby arrived at AHCC he progressed through the intake process with other inmates and was PREA screened per DOC policy. C/O 2 Jose Hernandez reviewed PREA, health modalities and looked at safety and security concerns. Hernandez found two keep separates which did not include Mr. Munger. Hernandez also looked at Goldsby's crimes, sentencing and security threat groups. Hernandez assigned Goldsby to cell NB10 after his review. DOC staff was not aware of any connection between Goldsby and one of Munger's victims until after the assault and Goldsby's statements that Munger had raped his **23**

#### Question 2) Should we or could we have known about the conflict based on the information available to us?

Davis reviewed the DOC CIR Classification review and agrees with DOC's finding regarding classification. In addition, there is no evidence suggesting that screening staff should have known about the conflict between Goldsby and Munger.

Current DOC procedure requires receiving facilities to conduct screening prior to inmate arrival. In this case, Mr. Munger was screened on March 17, 2020, when he arrived at AHCC. His PREA screening was conducted by CC3 Kevin Lightbody. Goldsby arrived at AHCC on June 2, 2020, nearly three months after Munger. His PREA screening was conducted by CC2 Laurie Ramseyer. Munger is not mentioned in Goldsby's case file material. During a thorough review during the CIR, DOC staff located a Department of Health and Social Services Children's Administration law enforcement report in Mungers' OnBase which had been referred to the Cowlitz County Sheriff's department on June 20, 2017. This report included the allegation against Mr. Munger made by [REDACTED] 23 [REDACTED] 23 was currently in foster care and alleged that when she lived with her mother Cindy Elliott, she would spend the night at Bob Munger's house where she was sexually assaulted. The report mentions Shane Goldsby as a person involved on the face sheet. On page five the report mentions that Cindy Elliott is Shane Goldsby's mother and that her parental rights were terminated on Shane in 2003 and that Shane had been in guardianship with another family since 2005. Shane Goldsby, his [REDACTED] 23 [REDACTED] 23 and their Mother Cindy Elliott all have different last names, further complicating the association between family members.

This report also shed light on a note which was found by DOC Investigator Servatius when Goldsby was transferred to the infirmary and placed on watch. Davis remembered the note mentioned in the Airway Heights Police report. The note found on a white legal pad said "On 06/02/20: Was involved in an assault on another inmate "Robert Minger". Robert Munger raped and molested my 12 year old [REDACTED] 23 I had no idea about it, until I was celled up with him and he told me why he was locked up my mom Cindy Elliott I knew he was being accused of similar things in the 2017 but haxxx contacted me for years I should have"

The note which appears to have been written by Goldsby asserts that prior to meeting Munger, Goldsby was unaware of Munger's involvement with his [REDACTED] 23 This is a potential explanation why the initial interaction between Goldsby and Munger appeared to be a friendly discussion to tier Representative Randy Robinson. The discussion centered on Cindy who they knew in common because Munger was Cindy's landlord at one time. The note suggests the possibility that Goldsby only became aware of Munger's crimes against his [REDACTED] 23 as a result of Munger sharing the crimes he was incarcerated for.

**Question 3) After the cell assignment was made was there any attempt by the perpetrator or victim to make any staff member aware of the conflict.**

Davis's review found no evidence of any attempt by Goldsby or Munger to make any staff member aware of the conflict. Video evidence is available for the entire three hours and two minutes that Goldsby was in Nora Unit prior to the assault. DOC investigators, Airway Heights detectives and Davis all conducted separate reviews of the video evidence. Davis's review identified three potential interactions between Goldsby and staff after he met Munger and prior to the assault. The first occurred at 10:40 am when Goldsby stood at a unit bulletin board when Sergeant Richardson walked into the dayroom and paused approximately eight feet from Goldsby. After about fifteen seconds, Richardson continues into the unit. The video does not indicate any attempt by Goldsby to speak with Richardson. During the interview with Richardson, he said Goldsby never said anything to him but Richardson did feel like he recognized Goldsby. At 10:46:05, Goldsby entered the Foyer and looked at the closed office door where CC2 Ramseyer completed the intake PREA screening. After a few seconds, Goldsby turned left toward the medical office where Kristie Gow was working. Goldsby's back was to the camera so the review could not determine if Goldsby said anything. After a few seconds Goldsby left and entered the dayroom. During a phone interview with Gow, she said she did not see Goldsby and did not remember ever seeing him. During an interview with C/O 2

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Baldwin, who had been in the office with Gow, Baldwin said he did not remember seeing Goldsby or hearing any discussion with anyone outside the office.

The review also identified interaction between Goldsby and three other inmates who were identified by DOC. Airway Heights Police also noted the interactions and had interviewed the inmates. Davis also interviewed the inmates and their statement were consistent with what had been reported to detectives and have been summarized in this report.

Davis's review also determined that Goldsby made no mention of any attempt to notify staff of the conflict with Munger. In law enforcement interviews after the assault he repeatedly expressed his intent to kill Munger and desire to try again or have someone else. During these recorded interviews there is no mention of any attempt to avoid the conflict by notifying anyone. Goldsby also wrote three notes which were found in his cell by DOC staff. The notes are outlined earlier in the report and did not mention any attempt to alert staff to the conflict with Munger.

**I certify (or declare) under penalty of perjury under the laws of the State of Washington that this report is true and correct (RCW 9A.72.085).**

OFFICER'S SIGNATURE 	PRINTED NAME Scott Davis	LOCATION SIGNED Spokane County	DATE 8/21/2020
SUPERVISOR'S SIGNATURE	PRINTED NAME	LOCATION SIGNED	DATE