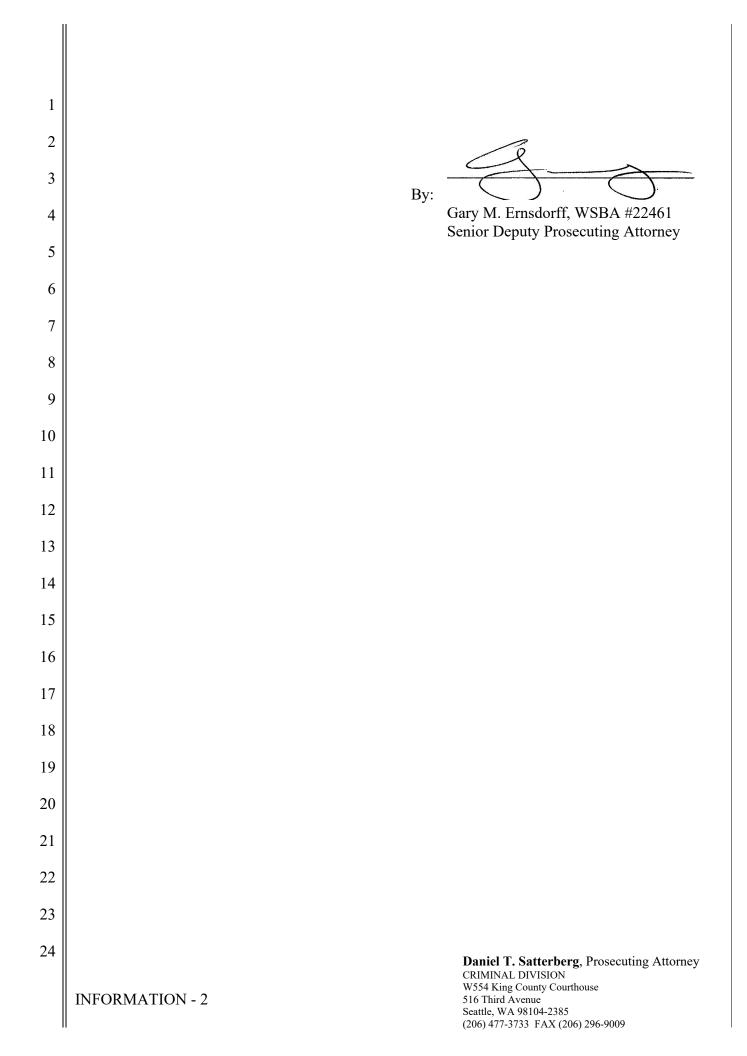
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6	SUPERIOR COURT OF WASHINGTO	ON FOR KING COUNTY
7	THE STATE OF WASHINGTON,)
8	Plaintiff, v.) No. 22-1-02359-3 SEA
	BRETT ALLEN FORSELL,)) INFORMATION
9	Defendant.))
10)
11	I, Daniel T. Satterberg, Prosecuting Attorney fo	r King County in the name and by the
12	authority of the State of Washington, do accuse BRETT crime[s]: Felony Stalking, committed as follows:	• • •
13		allring
14	Count 1 Felony St	C C C C C C C C C C C C C C C C C C C
15	That the defendant BRETT ALLEN FORSELL July 9, 2022, did, without lawful authority, intentionally	y and repeatedly harass or follow Pramila
16	Jayapal; and Pramila Jayapal was reasonably placed in Pramila Jayapal, (A) or another person, or (B) property	
17	another person; and the defendant either (i) intended to Jayapal, or (ii) knew or reasonably should have known	-
18	harassed even if the defendant did not intend to place P harass Pramila Jayapal; and either (d) the defendant wa	
19	stalking Pramila Jayapal; or (e) Pramila Jayapal is or w attorney, victim advocate, legislator, community correc	as a law enforcement officer, judge, juror,
20	or courthouse facilitator, and the defendant stalked her victim performed during the course of official duties, or	to retaliate against her for an act the
21	official duties;	to influence the victim's performance of
22	Contrary to RCW 9A.46.110(1), (5)(b), and aga Washington.	inst the peace and dignity of the State of
23		ANIEL T. SATTERBERG osecuting Attorney
24	INFORMATION - 1	Daniel T. Satterberg, Prosecuting Attorney CRIMINAL DIVISION W554 King County Courthouse 516 Third Avenue Seattle, WA 98104-2385 (206) 477-3733 FAX (206) 296-9009



CAUSE NO. ZZ-I-UZSSS-SSEA	CAUSE NO.	22-1-02359-3 SEA
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PROSECUTING ATTORNEY CASE SUMMARY AND REQUEST FOR BAIL AND/OR CONDITIONS OF RELEASE

The State incorporates by reference the Certification for Determination of Probable Cause prepared by Sarah Mulloy of the Seattle Police Department for case number **2022-177295**.

I, Gary M. Ernsdorff, Senior Deputy Prosecuting Attorney, declare that I have reviewed the Certification, Discovery, and Defendant's criminal history; I further declare that:

After the defendant was arrested, and while still in police custody, he continued to mark remarks picked up by the police audio and video recording. Those remarks demonstrate that he is focused on getting his Glock .40 caliber semiautomatic handgun back as quickly as possible and that he also plans to obtain an AR-15 semi-automatic assault rifle. He also stated that that he intends to continue his pattern of returning to Representative Jayapal's house until, in his words, she "goes back to India."

Under penalty of perjury of the laws of the State of Washington, I, Gary M. Ernsdorff, Senior Deputy Prosecuting Attorney, certify that the foregoing is true and correct. Signed and dated by me this 27th day of July, 2022.

Gary M. Ernsdorff, WSBA #22461

The State requests bail set in the amount of **\$500,000.00**. per CrR 2.2(b)(2)(i)(ii)(iii). This amount was set at first appearance on 7/11/22. There was additional investigation required prior to filing and the defendant was released. The State is requesting bail as the defendant is not likely to appear in response to a summons, likely to commit a violent offense if free in the community and likely to interfere with the administration of justice as he has already stated that he would return to the victim's home as soon as he is released.

The defendant, a white male, targeted a woman of color who is a sitting member of the U. S. House of Representatives. He repeated appeared outside her personal residence, late at night, and screamed expletives and other aggressive and vulgar comments. He was armed with a .40

Prosecuting Attorney Case Summary and Request for Bail and/or Conditions of Release - 1

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Daniel T. Satterberg, Prosecuting Attorney CRIMINAL DIVISION W554 King County Courthouse 516 Third Avenue Seattle, WA 98104-2385 (206) 477-3733 FAX (206) 296-9009 caliber Glock semi-automatic pistol, with a live round in the chamber, while he did so. During the incidents, he drove his vehicle in a loud and aggressive manner with witnesses stating he reached speeds of 40 mph in the quiet residential neighborhood. Even his mother described him as "belligerent" on the night of his arrest. His actions were clearly designed to intimidate and harass Representative Jayapal. He also made mention of Representative Jayapla's Indian heritage in a disparaging fashion, suggesting he will continue his conduct until she "goes back to India".

The defendant later admitted his actions, reported that he suffers from mental illness, and admitted he'd been drinking prior to the incident.

Signed and dated by me this 27th day of July, 2022.

Gary M. Ernsdorff, WSBA #22461 Senior Deputy Prosecuting Attorney

Prosecuting Attorney Case Summary and Request for Bail and/or Conditions of Release - 2 Daniel T. Satterberg, Prosecuting Attorney CRIMINAL DIVISION W554 King County Courthouse 516 Third Avenue Seattle, WA 98104-2385 (206) 477-3733 FAX (206) 296-9009 Cause #

GO# 2022-177295



Unit File Number:_

Certification for Determination of Probable Cause

That Sarah Mulloy is a Detective with the Seattle Police Department and has reviewed the investigation conducted in the Seattle Police Department Case Number 2022-177295 .

There is probable cause to believe that Brett A. Forsell (7/18/1973) committed the crimes of Harassment – RCW 9A.46.020 and Stalking – RCW 9A.46.110 within the City of Seattle, County of King, State of Washington.

This belief is predicated on the following facts and circumstances:

Brett A. Forsell lives with his mother, Melissa Forsell, at 3405 SW 108 ST in Seattle, Washington. Forsell's two adult sons also live with him. Pramila Jayapal is a current acting U.S. Representative from Washington state. Jayapal resides with her husband, Steve Williamson, in Seattle, Washington - at an undisclosed location.

On July 9, 2022 Jayapal and Williamson were inside their residence. Late in the evening around 2238 hours both Jayapal and Williamson heard loud yelling coming from outside their residence. Williamson went out on the front porch to investigate while Jayapal stood inside by the door. Williamson and Jayapal heard male voices say, "Fuck you Pramila" (drawn out and loud) and "Go back to India." They also reported that one male yelled something similar to, "Tell her to go kill herself so we won't come back." Williamson heard other comments shouted about being a communist. Williamson reported that when he opened the door and heard/saw a male shouting, the male seemed surprised, stepped back and hurriedly got back into a vehicle that was in the roadway, driven by another unknown male. The two unknown males sped off and Jayapal called 911 to report the initial incident but cancelled the report because they males had sped away. Williamson did not get a good vehicle description.

Pramila stated she was shaken because the males sounded very angry, nasty and vitriol towards her and she knew of a previous incident at her residence, similar in nature, the weekend prior on July 2, 2022.

Later around 2314 hours Williamson and Jayapal heard a very loud roar of a car coming down their street, traveling northbound. Williamson could hear the engine revving and stated it went halfway up the block, turned around and parked in front of his neighbor's residence located directly to the north of his house. Jayapal reported she watched the vehicle drive past her residence, make a u-turn, drive back past her house a second time, make another u-turn and stop, parking in front of her driveway. Williamson went outside again to take video of the incident, but stated this time, the male who was present had a completely different demeanor and he was unsure if it was the same or different male as in the first incident. Williamson saw the male in the second incident assertively walking and heard a few metal pinging noises that sounded similar to a pellet or bb gun hitting metal (it sounded metallic). Williamson and Jayapal reported they heard the male say, "I'm your new fucking neighbor asshole" and "Go ahead call the cops." Williamson stated the tone of the male's voice indicated confidence, staking claim and a willingness to assert power and dominance. At that time and based on this male's confident demeanor and the sound of possible bb pellets striking something, Williamson went inside the house and told Jayapal to go upstairs for her safety and call 911; Williamson followed. Williamson told Jayapal that the male was aggressive and was getting out of his car and coming towards the driveway. Williamson also told Jayapal he heard what sounded like a pellet gun.

Soon after, Seattle Police arrived on scene and placed Brett Forsell under arrest for Malicious Harassment after gathering information from a witness neighbor, Lisa Dove, who stated she heard the suspect male state something similar to "Go back to India. I'm going to kill you." Williamson and Jayapal were told by police that the Forsell was armed with a gun. Williamson stated he felt Forsell's intentions were to intimidate them, assert his presence, and send the message that he was watching them. Williamson described the male as belligerent, but calm and self-assured.

Jayapal stated she was scared because it wasn't the first time she'd experienced the anger and vitriol expressed at that level and it reminded her of her experience in Washington DC on January 6, 2021 (Jayapal was in the US Capitol building when the Capitol was attacked by a massive group of rioting citizens). In this incident at her residence, she was specifically named, she felt like she was re-living the previous trauma and she was fearful that they were there to do harm to her. She did not know if they were armed or coming to get her, either to physically harm or kill her. She has never had anything like this happen before at her home where she's been concerned for her safety. Jayapal also stated that part of the reason she was afraid after the second incident was because she was concerned she may have been doxed and wondered if multiple other people would show up at her residence.

I investigated this incident as the primary follow up detective after Forsell's arrest. I spoke with three witness neighbors: Lisa Dove, Iris Holmquist and Elaine Stevenson.

Dove lives in the house directly to the north of Jayapal. On the evening of July 9, 2022, Dove reported she was inside her residence and initially heard a male yell, "Fuck you Pramila", "Go back to India", "I'll kill you" and "You fucking cunt bitch." Dove did not see who was making the statements. A short time later there was a second incident where Dove heard a car engine revving outside. She received a cell phone ring alert and heard "fuck you". Dove looked outside her window and saw a car parked in the street. She saw a male outside in the street with his arms raised in the air, gesturing with his middle fingers, yelling, "Fuck you Pramila, I'll live wherever I wanna live." Dove saw the male cross the street towards Pramila's residence where they share a fence line. On Jayapal's side the fence abuts her driveway and on Dove's side it abuts her front yard. Dove saw the male on the other side of her fence line, which indicated to her he was in Jayapal's driveway. Dove saw the male re-appear and he was holding a metal pole and some fabric, which she later saw was part of a tent he was starting to erect. The male was seen walking back across the street to erect a tent and Dove heard him yell, "Fuck you Pramila, I'm gonna be your new fucking neighbor." Soon after police arrived. Dove stated she thought the male who was arrested was the same male who she heard earlier in the night yelling threats about killing and racial profanities because the voice was the same.

Holmquist reported she lives on the west side of the street just southwest of Jayapal's residence on the east side of the street. On July 9, 2022 around 1700 or 1800 hours she was sitting in her house watching television when she heard a car drive down the street. She recognized the loud "pipes". She looked out the front door and saw the end of a black car pass; it had gold wheels. She called her neighbor, Stevenson. They discussed the loud speeding black car. Holmquist told Stevenson she recalled seeing the car last week as well and heard someone yelling/screaming from it. Later around 2200 hours when it was dark, Holmquist heard a car "go screaming around" the street and it must have been going 40 MPH as it came to a screeching halt up the street by some mailboxes. The driver turned the vehicle around and drove back towards Jayapal's house and screamed obscenities while yelling, "I'm homeless, Fuck you bitch." The driver got out of the car which was parked on the east side of the street. She could see he was wearing light colored clothing, perhaps tan pants and a light-colored shirt. He was standing behind Jayapal's black vehicle that was parked in her driveway and she stated she heard a "ping, ping, ping, ping, ping" sound, like a bb or pellet hitting metal. Suddenly Holmquist said "stuff" started to hit the ground on her side of the street and the male was still yelling and swearing. It looked like a white garbage sack that was being thrown. Homlquist saw Williamson come outside on his porch with the porch light on and say something to the male (later identified as Forsell) and the male replied back with "something nasty"; She saw Williamson go back inside the house. Holmquist then reported hearing sirens in the distance and police arriving to address the male. She said she recalled the male having long blondish hair. She said she didn't know what his intent was; she wasn't sure if he had an agenda, was there for harassment or "just mad at the world". He kept saying he was homeless.

Stevenson reported Jayapal is her neighbor directly to the north. On July 9, 2022 around 1800 hours she was sitting on her front porch reading a book when she saw a black Dodge Challenger or Charger with gold spoked wheels drive northbound quickly down the street. The driver stopped in front of Jayapal's house, rolled down the window and started yelling, "Fuck you Pramila, He's still alive". The driver then sped off. Stevenson went to bed and around 2300 hours she recalled hearing a bunch of yelling and profanities. She thought it was a bunch of kids near the school, but the yelling worsened. Around 2330 hours she was woken by flashing lights. She went down to her open kitchen window and saw police taking an individual to the patrol car. She heard the male say, "Hey man I'm homeless."

Melissa Forsell reported on the evening of July 9, 2022 Forsell had taken his vehicle to go pick up one of his adult sons from work at 2200 hours and later returned sometime between 2300 and 0000 hours when at that time she told Forsell he needed to leave the house because of his belligerent behavior.

Seattle FBI agents interviewed Forsell on July 10, 2022 while he was in jail at the Kent Regional Justice Facility. Forsell waived his Miranda rights and provided statements to the agents. Forsell stated on July 9, 2022 he was returning home from picking his son up from work. His son, Landon Forsell, was driving the vehicle and Forsell directed Landon to drive by Jayapal's house and stop. Forsell exited his vehicle and yelled something similar to, "Fuck you Pramila". Forsell denied stepping onto Jayapal's property, denied any comments about her race or ethnicity and denied saying anything regarding statements of Jayapal killing herself. Forsell stated he is biased against Jayapal for no other reason than her political beliefs and status as a democrat. Forsell also admitted that since June 29, 2022 he has driven by Jayapal's residence between three and seven separate times to "protest". Forsell stated he had yelled such things as, "Pramila, fuck you" or "Pramila, fuck you and your party." Forsell also stated when he and his son returned

home after their drive past Jayapal's residence, he got into an argument with his mother who then ordered him to leave. Forsell grabbed a tent and sleeping bag and proceeded to Jayapal's residence. He parked in front of her house and saw someone open the front door and he yelled at them, "Hey asshole, I'm your new neighbor" and began setting up his tent. Forsell stated he had consumed a few beers that evening but did not consider himself intoxicated. He also stated he did not want to trespass on Jayapal's property, so he began setting up his tent on the opposite side of the street from her residence. Additionally, Forsell self-reported that he suffers from mental illness and takes medication, he has suffered from depression for years but was recently diagnosed with mania. He described his actions toward Jayapal as a manifestation of a manic episode.

I reviewed the uploaded video clips from Williamson. One of the videos of the front walkway camera has audio and one male is heard yelling, "Hey Pramila, Fuck you!" Right as the one voice is ending another starts and says, "Fuck you cunt!" They are two distinct voices and one of the voices sounds younger in age. Low playing heavy metal music can be heard. A second video of the front walkway camera with audio captures a male voice (possibly two, I cannot discern) saying," ...India." "Fucking cunt. Tell Pramila to kill herself, then we'll stop motherfucker!" A horn is honked twice, an engine revs and one male yells, "fuck you." No music is heard in this video, but the voices sound similar.

The fourth video captured a vehicle being driven past Jayapal's house traveling northbound and loud heavy metal music is heard coming from its direction as if played within the vehicle. Williamson is seen exiting the house with his phone as if videotaping. Audio is captured of what sounds like a vehicle changing directions back towards the house, the vehicle brakes and a door opens. At that time Williamson is seen opening the front door and saying, "call 911". A male voice is heard in the background saying, "Hey guess what asshole, I'm your new fucking neighbor." (It is not yelled). The male voice is followed by a sound that sound like something metal being manipulated. I cannot be certain from the video if the sound is that of a handgun being racked (which is a function of manipulating a handgun to place one bullet from the magazine into the chamber of a barrel) however, it cannot be ruled out either. The initial metal sound is followed by a metallic sounding clink. It is known that Forsell was attempting to set up a tent that had metal poles, it could also be the sound of metal poles, but may not be as well. After that the male voice is heard saying, "Call the fucking police if you want to."

A fifth video from the front walkway camera captures the same incident as described in the above "fourth video".

I listened to the above described video clips several times. There are two distinct voices heard in two clips from Williamson. One sounds older and the other younger. Both are male voices. The male voice heard alone, just prior to police arriving, talking about being the new neighbor is consistent with the voice heard in initial video clips where two voices are heard talking about Pramila killing herself and the last part referencing "India" can be heard just as the clip starts. The videos are consistent with what Williamson reports as being two separate incidents, however, Williamson was unable to say whether the first incidents suspect is the same as the second. However, the voice I heard telling Pramila to kill herself sounds like a younger male voice that is different from what I know to be Forsell's voice. Regarding the "India" word, I cannot tell which male voice it is.

Jayapal reported she does not know who Brett Forsell is, but on January 5, 2022 she received an email from him into her public campaign website. The email was not threatening, but rather, expressed dislike towards her. On April 10, 2022 Jayapal reported she was away from her residence when her house sitter had reported that at 1625 hours somebody drove up and started yelling something about the democratic party and then sped off. On July 1, 2022 a similar incident to that of April 10th occurred. No video evidence is available for April 10th and July 1st. The identity of the individual driving by and yelling have not been identified, however, Holmquist provided a witness statement where she reports she saw the same black vehicle with gold rims drive by the week prior and yell something.

Based on the investigation, I do not believe a hate crime or malicious harassment crime has been committed. However, I do believe Forsell has committed the crimes of Harassment, RCW 9A.46.020 and Stalking, RCW 9A.46.110. Forsell self-reported, intentionally and repeatedly, driving by Jayapal's residence and yelling out obscenities three to seven separate times starting June 29, 2022. Then on July 9, 2022 Forsell admits to driving by Jayapal's residence, stopping and getting out of the car and using profanities directed at Jayapal. He encounters Williamson and leaves, but then has knowledge that residents at Jayapal's home are indeed home. Forsell returns again to Jayapal's residence a short time later in the same evening, encounters Williamson again on the front porch, is seen by Williamson and Dove in Jayapal's driveway as if approaching the residence and is later detained by police and found to be in possession of a loaded firearm. Jayapal was the specifically named individual in the yelled obscenities. Jayapal was placed in fear that Forsell intended to injure her; She was frightened by Forsell's repeated actions. Furthermore, there is video evidence that captures the statements made by Forsell and his son, that corroborate witness accounts of his presence. Witness neighbors also have different accounts of what they heard and just because it not captured by a surveillance device does not mean it was not heard and stated by the suspect. Cameras do not capture every sound or movement and settings can be different. Dove stated she heard statements from a male voice threatening to kill Jayapal and she believed it was the same male that was arrested, Forsell.

Forsell had previously contacted Jayapal via email on January of 2022, admitted to later locating her home address and driving several times while yelling in late June of 2022 and then repeatedly came to her residence in the same night on July 9, 2022 after encountering Williamson present at the house, but calling out to Jayapal. Witness Dove states she believes she heard Forsell state something about killing Jayapal and it was determined at the time of his detention by police that he was armed with a loaded handgun on his waistband with one round in the chamber. Based on his actions I believe Forsell threatened to harm Jayapal and knowingly and repeatedly acted in such a way that would intimidate and frighten Jayapal. On July 12, 2022 I confirmed that Forsell does have a valid concealed pistol license.

A careful canvasing of the scene at the time of the incident was performed by patrol officers and no evidence of any bb, pellet or spent live rounds were located.

On July 12, 2022 I completed and submitted an Extreme Risk Protection Order under cause number 22-2-10847-9 SEA. Judge M. Segal approved the order and is pending service.

This investigation was screened by Sgt. E. Nicholson and the Seattle Police Department's Bias Crime Coordinator, Det. Beth Weiring.

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct to the best of my knowledge and belief. Signed and dated by me this $13\frac{44}{3}$ day of 3014, 2022, at Seattle Washington.

_ Sarah Unlley_____



 Cause #_____
 GO#_____2022-177295

 Unit File Number:_____

Certification for Determination of Probable Cause

AGENCY: Seattle Police Department	CASE NUMBER 2022-177295	FILE NUMBER	PCN NUMBER	SUPERFORM
•				

ARREST INFORMATION DATE & TIME OF VIOLATION CRIMINAL TRAFFIC CITATION ATTACHED? 7/10/2022 12:59:00 AM VES NO							ACCOMPLICES	
Date of ARREST/TIME ARREST LOCATION 7/9/2022 12:29:00 AM 10250 37TH AVE SW SEATTLE, WA 98146								
SUSPECT INFORMATION DOB NAME (LAST, FIRST, MIDDLE/JR, SR, 1st, 2nd) DOB								
FORSELL, BRETT ALLEN						7/18/1973	BRETT ALLEN I ALLEN FORSEL	FORSELL, BRETT FORSELL, BRETT _L
ARMED/DANGEROUS	IDENTI	TY IN DOUBT?	CITIZENSHIP					
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PHYSICAL DETAILS								
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UCN	PRIOR BA #	AFIS #	FBI#	STATE ID #	DRIVERS LICENSE #		STATE	SSN
10573517				WA22534507	WDL328T5433B			
RESIDENCE	EMPLOYMENT / SCHOOL							
LAST KNOWN ADDRESS	EMPLOYER, SCHOOL	(ADDRESS, SHOP/UNIC	N NUMBER))				
3405 SW 108TH ST SEAT1								
RESIDENCE PHONE	BUSINESS PHONE	BUSINESS PHONE OCCUPAT		N				
(206) 243-1065	(425) 244-3520							
EMERGENCY CONTACT								
PERSON TO BE CONTACTED IN C	ASE OF EMERGENCY	RELAT	IONSHIP	ADDRESS		PHONE		

CHARGE INFORMATION			
OFFENSE	RCW / ORD#	COURT / CAUSE #	CITATION #
DV FUGITIVE Felony Harassment			
OFFENSE	RCW / ORD#	COURT / CAUSE #	CITATION #

WARRANT / OTHEI	R				
WARRANT DATE	WARRANT NUMBER	OFFENSE			WARRANT TYPE
				\$500,000.00	
		ISSUING AGENCY	WARRANT RELEASED TO: (SERIAL # / UNIT / DATE / TIME)		

PROPERTY INFORMATION			
LIST VALUABLE ITEMS OR PROPER	TY LEFT FOR ARRESTEE AT JAIL		
LIST VALUABLE ITEMS OR PROPER	TY ENTERED INTO EVIDENCE (SIMPLE DESCRIPTION, IDENTIFYI	NG MARKS, SERIAL #)	
LIST ITEMS ENTERED INTO SAFEKE	EPING		
TOTAL CASH OF ARRESTEE	WAS CASH TAKEN INTO EVIDENCE?	SIGNATURE OF JAIL STAFF RECEIVING ITEMS / SERIAL #	
	\$0.00 🗌 yes 🗌 no 🛛 amount: \$0.00		

OFFICER INFORMATION		
ARRESTING OFFICER / SERIAL #	TRANSPORTING OFFICER / SERIAL #	SUPERVISOR SIGNATURE / SERIAL #
Mulloy, Sarah 7421		
SUPERFORM COMPLETED BY (SIGNATURE/SERIAL #)	CONTACT PERSON FOR ADI	DITIONAL INFORMATION (NAME / SERIAL # / PHONE)
1		

COU	RT FILE								
	RIOR COU G INFO		AT LARGE		COURT CAUSE (STAMP (OR WRI	TE)		
COUF CT.NO	RT/DIST. O.			DIST. CT. BOND\$			SUP. CT. DATE		
EXTR	RADITE								
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E N	UCN	10573517		DOE			C L E DOC		_
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