

Docket Nos. TV-161206 and TV-170103  
(Consolidated) - Vol. I

In the Matter of Cheryl Ball d/b/a Acme Moving  
Labor

April 3, 2017



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BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

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In the Matter of Determining )  
the Proper Carrier ) Dockets TV-161206 &  
Classification of, and ) TV-170103 (Consolidated)  
Complaint for Penalties )  
Against, )  
)  
)  
CHERYL BALL d/b/a ACME )  
MOVING LABOR )

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HEARING ON SETTLEMENT PROPOSAL, VOLUME 1  
Pages 1-34  
ADMINISTRATIVE LAW JUDGE RAYNE PEARSON

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10:00 A.M.

APRIL 3, 2017

Washington Utilities and Transportation Commission  
1300 South Evergreen Park Drive Southwest  
Olympia, Washington 98504-7250

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A P P E A R A N C E S

ADMINISTRATIVE LAW JUDGE:

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1 OLYMPIA, WASHINGTON; APRIL 3, 2017

2 10:00 A.M.

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4  
5 P R O C E E D I N G S

6  
7 JUDGE PEARSON: Okay. So let's be on the  
8 record. Good morning. I'm Rayne Pearson, the  
9 administrative law judge assigned to this proceeding,  
10 and we are here before the Commission on April 3rd,  
11 2017, for a hearing on the settlement agreement and the  
12 joint motion to consolidate filed by the parties on  
13 March 14th, 2017.

14 These are Dockets TV-161206, which is  
15 captioned, "In the Matter of Determining the Proper  
16 Carrier and Classification of and Complaint for  
17 Penalties Against Cheryl Ball d/b/a Acme Moving Labor,"  
18 and Docket TV-170103, which is an application for a  
19 household goods carrier permit filed by Acme Moving  
20 Labor. And the purpose of today's hearing is to get  
21 some additional information about the company's  
22 operations and Mr. Jackson's prior convictions.

23 So let's start by taking brief appearances  
24 from both parties. Please just state your name, spell  
25 your last name, and identify who your witnesses are

1 today.

2 And we'll start with Mr. O'Connell.

3 MR. O'CONNELL: Thank you, Your Honor. My  
4 name is Andrew J. O'Connell, assistant attorney general  
5 for the state of Washington. I represent Commission  
6 Staff. Seated to my right is Mr. Mike Dotson,  
7 D-o-t-s-o-n. He's a transportation specialist with the  
8 Commission Staff. He'll be testifying on behalf of  
9 Staff today.

10 JUDGE PEARSON: Okay. Thank you.

11 And for the company?

12 MS. STEEN: Good morning, Your Honor. I'm  
13 Elizabeth Steen, spelled S-t-e-e-n, and I'm here  
14 representing Acme Moving. My witnesses are Cheryl Ball,  
15 and that's spelled B-a-l-l, and Kedric Jackson, and  
16 that's J-a-c-k-s-o-n.

17 Thank you.

18 JUDGE PEARSON: Thank you. So as a  
19 preliminary matter, I will just let the parties know I  
20 am granting the joint motion to consolidate because  
21 obviously these matters overlap substantially so I think  
22 that that makes sense.

23 And if there aren't any other procedural  
24 issues, before we came on the record, the company  
25 presented me with two I would call them almost binders

1 of information which Staff has had an opportunity to  
2 look at and is fine with. It looks like one outlines  
3 the company's structure, Ms. Ball's operations on a  
4 day-to-day basis, Mr. Jackson's operations on a  
5 day-to-day basis, and then rehabilitation documentation.

6 And the second one, which is thicker, has  
7 Acme Moving Labor photos, some various online reviews  
8 for the company, more rehabilitation materials,  
9 community involvement letters, bond insurance,  
10 background check, employees, and AMSA learning  
11 materials, which American Moving and Storage  
12 Association, I figured it had something to do with that.

13 And then Staff also presented me with a  
14 packet of information that includes the applicable WAC  
15 and what looks like a watch report, I'm assuming with  
16 Mr. Jackson's criminal background check, correct?

17 MR. O'CONNELL: Yes, Your Honor.

18 JUDGE PEARSON: Okay. Thank you. So I can  
19 swear the witnesses in at this time, and I will do that  
20 all at once. If all three of you will stand and raise  
21 your right hand.

22 (Witnesses sworn.)

23 JUDGE PEARSON: Thank you. You may all be  
24 seated.

25 So before we get started, I just wanted to

1 make it very clear to the parties that I called this  
2 hearing today because I am seeking information that  
3 supports approval of the settlement agreement. I'm not  
4 looking to find information that supports denying the  
5 company's application. I think that it's easy to make  
6 assumptions and draw conclusions when you see that  
7 someone has a criminal history, but I don't believe that  
8 individuals should be forever tainted by their pasts,  
9 and I'm a strong believer people can change. And  
10 because information to that effect was missing from the  
11 settlement agreement, I called you all here today to  
12 gather it with hopes that that will strengthen the  
13 settlement agreement.

14           So I just wanted to be totally transparent  
15 about my intentions so that the company doesn't have to  
16 feel like it's on the defense. This is really an  
17 opportunity for you. It looks like also you brought  
18 extensive documentation to show me how you've turned  
19 your life around. So I just wanted to put that out  
20 there at the outset.

21           And let's start with Ms. Ball. I just have  
22 a few questions.

23 //

24 //

25 //



## EXAMINATION OF BALL / PEARSON

1 EXAMINATION

2 BY JUDGE PEARSON:

3 Q. So you're the owner of Acme Moving Labor; is  
4 that correct?

5 **A. Yes, I am.**

6 Q. Okay. And how long has the company been in  
7 operation?

8 **A. Since April of 2014.**

9 Q. Okay. And how long have you known Mr. Jackson?

10 **A. Since September of 2013.**

11 Q. Okay. And so he's been the with the company  
12 from the beginning; is that accurate?

13 **A. Yes.**

14 Q. Okay. So was this a joint venture that you --

15 **A. Yes.**

16 Q. -- two undertook together?

17 Okay. And what is your involvement in the  
18 company's day-to-day operations?

19 **A. I talk with Kedric as far as ongoing day-to-day**  
20 **businesses as far as the company goes with the -- with**  
21 **the -- the employees, what we do as far as moving on**  
22 **through the day-to-day customers as far as their -- what**  
23 **they're requesting, and is it applicable for the -- what**  
24 **the customer's requesting would meet the customer's**  
25 **needs. So as far as if there's any special requests, we**

**EXAMINATION OF BALL / PEARSON & EXAMINATION OF JACKSON / PEARSON**

1 discuss that. We discuss the -- what jobs are going to  
2 be accepted and what aren't going to be accepted as far  
3 as time frame and if everything can be done in a safe  
4 and timely manner.

5 Q. Okay. Okay. I think that's all I have for you  
6 at this time. If I think of anything later, we can come  
7 back, but thank you for clarifying that.

8

9 EXAMINATION

10 BY JUDGE PEARSON:

11 Q. So, Mr. Jackson, at this point, I'd just like to  
12 give you an opportunity to explain circumstances  
13 surrounding your prior convictions and your  
14 rehabilitative efforts and anything else that you want  
15 to tell me about.

16 **A. Yes, Your Honor. First, I want to thank the**  
17 **Commission for allowing us to get here and you having**  
18 **this hearing to -- for me to -- or allowing us to**  
19 **elaborate further on me and the Acme Moving Labor,**  
20 **Cheryl Ball.**

21 **Your Honor, I want to be straight to the point.**

22 **A lot of my life was involved around, you know,**  
23 **drinking, using drugs, specifically just one drug.**

24 **Alcohol is a drug, but not an illegal drug. I did what**  
25 **is tough for a lot of addicts to do, I quit. And what I**

1 **mean by "quit," I quit using, I quit socializing around**  
2 **people that are negative, and took the information, the**  
3 **extensive rehabilitation information and utilized it in**  
4 **my day-to-day life, which is what you see most of it**  
5 **here. But I have additional documentation here, some**  
6 **that you have and also the Commission has as well. But**  
7 **the bottom line is I stopped, I quit.**

8 Q. Okay. And when was that?

9 **A. Approximately five years now, Your Honor,**  
10 **approximately, yes.**

11 Q. Okay. And do you want to kind of walk me  
12 through some of the rehabilitation that you've had,  
13 what's in these exhibits?

14 **A. Oh, I sure can, Your Honor. If you don't mind,**  
15 **you have two sets, Your Honor.**

16 Q. Okay.

17 **A. Okay. But I kind of like to -- on the thin one**  
18 **because we kind of consolidated it down.**

19 Q. Okay.

20 **A. Okay. First, the Department of Corrections has**  
21 **a very good chemical dependency program, intensive and**  
22 **outpatient program. And if you notice here that I**  
23 **completed the IOP and the -- I -- excuse me, Your Honor,**  
24 **it's the OP then the IO P, and both certifications you**  
25 **and the Commission has.**

1           **With -- now, so within DOC's chemical dependency**  
2 **program, you are given certain books to cover, to**  
3 **address maybe some of the underlying -- let me scoot**  
4 **up -- maybe some of the underlying issues that can --**  
5 **that help contribute to the person using, in this case**  
6 **myself. And I elected not only to study what the State**  
7 **DOT's -- DOC's program had, but I took on extra**  
8 **material. Some of it as you can see here, which is a**  
9 **manual here, which you can -- if it's okay with**  
10 **Ms. Steen, you can take a look at some of my notes here.**  
11 **What you have is just a copy of the front, but here's my**  
12 **written -- what I -- my notes of, you know, in this**  
13 **particular subject. Anger is one of them, feelings is**  
14 **number two, steps and spirituality is number three.**

15       Q. Is this in the larger book or is this not  
16 something you've provided?

17           MS. STEEN: It's in the larger book.

18           JUDGE PEARSON: Larger book, okay.

19       **A. But what you have -- see, the difference is what**  
20 **I did for you, Your Honor, and the Commission, is I just**  
21 **photocopied the front, but I brought the whole book**  
22 **itself right here in case you want to, you know, peruse**  
23 **my notes.**

24 **BY JUDGE PEARSON:**

25       Q. Gotcha.

1     **A. Okay. And then next one will be value and**  
2     **responsibilities, life management, my change.**

3     Q. So are these materials that came from the DOC  
4     outpatient program?

5     **A. Inpatient and outpatient.**

6     Q. Okay. So did you do chemical dependency while  
7     you were incarcerated?

8     **A. Yes, ma'am.**

9     Q. Okay.

10    **A. That's that first certificate you see.**

11    Q. Okay.

12    **A. The first one --**

13    Q. The OP?

14    **A. The OP is in and the IOP is out.**

15    Q. Okay. Gotcha.

16           MS. STEEN: And the second packet has  
17     chemical dependency treatment as well. It's before the  
18     rehabilitation, I believe.

19           JUDGE PEARSON: Okay.

20    **A. And then it goes on to feelings, and I actually**  
21    **did a couple on feelings, and then family relationship**  
22    **and thinking errors. So if you'd like, Your Honor, you**  
23    **can, via through Ms. Steen, take a look at my notes.**

24    **BY JUDGE PEARSON:**

25    Q. So it looks like the last convictions that you

1 had were in December 2011, and then you did this in 2012  
2 and 2013?

3 MS. STEEN: I --

4 **A. I know my phone's off. I apologize, Your Honor.**

5 **Excuse me, what was the question?**

6 **BY JUDGE PEARSON:**

7 Q. So it looks like from your documentation,  
8 looking at your -- your criminal history, your last  
9 conviction was in December of 2011, and then you  
10 subsequently completed these treatment programs and you  
11 have not had any trouble with the law since; is that  
12 correct?

13 **A. None, not even a speeding ticket, Your Honor.**

14 Q. Okay.

15 **A. But, Your Honor, just for clarification, I've**  
16 **always, always participated in AA, NA, and finally like**  
17 **I mentioned, I quit.**

18 Q. Okay. And what's your participation like in  
19 12-step programs like now?

20 **A. Well, what I do, Your Honor, is I -- you have**  
21 **enough letters up there. What I do now is I more or**  
22 **less support individuals that go to NA. Your Honor, my**  
23 **phone is beeping, let me turn it off.**

24 Q. Okay.

25 **A. I apologize, Your Honor. I thought I turned it**

1 **off.**

2 MS. STEEN: Your Honor, the 2012 and 2013  
3 represents a year of Mr. Jackson's life that he devoted  
4 to solving some ongoing issues that continued to plague  
5 him for several years. The 2011 conviction I believe  
6 actually occurred in 2010, so the conviction was delayed  
7 for about a year. So the event was 2010, so he hasn't  
8 had an event in almost seven years.

9 BY JUDGE PEARSON:

10 Q. Okay. Go ahead.

11 **A. So, you know, so, you know, I wanted to clarify,**  
12 **Your Honor, just quick. A lot of people stop, but they**  
13 **don't quit. I quit. I'm in a beautiful relationship, I**  
14 **do a great job as you can tell if you read the reviews,**  
15 **we have -- we, as Acme Moving Labor, we have 4.7, 4.8**  
16 **review no matter where you check, which is very, very**  
17 **high.**

18 Q. Okay. So with respect to -- I'm assuming that  
19 the theft conviction in 2006 was related to drug use?

20 **A. Your Honor, all that is.**

21 Q. Okay.

22 **A. It's just, you know, Your Honor, your thinking**  
23 **is -- you know, my thinking then and my thinking now,**  
24 **it's just like the division between this table and this**  
25 **table; you follow me?**

1 Q. Mm-hmm.

2 **A. And I don't deal with this table no more, I**  
3 **don't.**

4 Q. Okay. And so the 2010 incident that were all --  
5 looks like resolved in 2011 were assault 4, reckless  
6 driving, and riot with a deadly weapon. Oh, that was a  
7 different one. I'm sorry. It was just the assault 4  
8 and the reckless driving, right?

9 **A. Misdemeanor assault 4, Your Honor, yes.**

10 Q. Okay. Okay. And so can you give me some sort  
11 of explanation about that since that was the most  
12 recent?

13 **A. I sure can, Your Honor. Bad relationship, which**  
14 **is what -- when you're using, drinking, or whatever, you**  
15 **tend to -- you're a magnet.**

16 Q. Okay. So it was a personal relationship, a  
17 romantic relationship?

18 **A. Yes, Your Honor.**

19 Q. Okay. And then what about the riot with a  
20 deadly weapon and assault 4 in 2009?

21 **A. Your Honor, that was an incident, I believe, in**  
22 **Spokane where alcohol was involved. I let a guy that,**  
23 **actually he was -- I think he was about 20 years old,**  
24 **stay in my place in Spokane. At that time, I was going**  
25 **to school to be a paralegal at Spokane Community -- or**



1 **actually a paralegal and administrative assistant at**  
2 **Spokane Community College. I went to Seattle, came**  
3 **back, he sold all my stuff, all of it, and I got upset,**  
4 **Your Honor.**

5 Q. And got into an altercation?

6 **A. Yes.**

7 Q. Okay.

8 **A. Your Honor, it wasn't no -- I just grabbed him,**  
9 **you know, so it wasn't really nothing -- well, you know,**  
10 **assault is assault, and I apologize for, you know, all**  
11 **my, you know, erroneous conduct to society. But, you**  
12 **know, I -- it's like I showed you here, Your Honor, I**  
13 **have to work on issues and I did.**

14 Q. Okay. Okay. And the other things are fairly  
15 old, the 1996 and the 1986 assault convictions, and  
16 then, of course, the manufacture or possession with  
17 intent in 2000 makes perfect sense given what you've  
18 told me.

19 **A. Yes.**

20 Q. So is there anything else that you want to add  
21 about any of those, anything else you want to explain?

22 **A. You know, Your Honor, that was me then.**

23 Q. Okay.

24 **A. Whole different person now.**

25 Q. Okay. So do you want to tell me a little bit

1 more about just what you do now for your recovery,  
2 what's your -- what's your plan, what's your relapse  
3 prevention that you do now today?

4 **A. Your Honor, yes. You know, Your Honor, I was in**  
5 **counseling, and one of the things that I like to do is**  
6 **listen to Michael Jackson. That gets me away. That**  
7 **gets me away, it's -- and it soothes me. Another thing**  
8 **that I like to do which I didn't do before was get away.**  
9 **I never vacationed, wasn't in my vocabulary. I used to**  
10 **hear my sisters and other people saying, Haven't you**  
11 **been here? Haven't you been here? No, I haven't. I**  
12 **was so wound up into what was going on in my life that**  
13 **it wasn't -- I just wasn't managing my life right at**  
14 **that time. I can breathe now. I can see the trees now.**

15 Q. Okay. And what about meetings or sponsorship?

16 **A. You know, like I mentioned to you moments ago,**  
17 **Your Honor, my -- what I do is I support the individuals**  
18 **that's in the meetings. You have a letter, Your Honor,**  
19 **that -- from a chemical dependency counselor supervisor**  
20 **that she explains what Kedric Jackson does for the**  
21 **community, and specifically the people, not --**  
22 **unfortunately, not ladies, not to offend them, but men**  
23 **on helping them maintain their sobriety.**

24 **I am -- Your Honor, I come across as real**  
25 **strong. I mean, everybody, you know, got their little**

1 **thing that they want to come across real strong, but I**  
2 **really do influence these guys and help them maintain**  
3 **their sobriety, which helps me.**

4 Q. So are you acting as a sponsor to these men?

5 **A. Yes, Your Honor, but I -- but not directly on**  
6 **the books. Like this here, Your Honor, is about**  
7 **sponsorship right here. Strictly about the 12 steps of**  
8 **Narcotics Anonymous, okay? So what I'm saying is I**  
9 **won't take them through this book.**

10 Q. Okay.

11 **A. But I will support them morally and talk with**  
12 **them to help them maybe get through a potential relapse,**  
13 **because sometimes I can see it coming and convey it to**  
14 **them and direct them in the right direction either back**  
15 **to another meeting and/or back to your -- call your**  
16 **chemical dependency counselor.**

17 Q. Right.

18 Do you go to meetings?

19 **A. No, ma'am.**

20 Q. Okay.

21 MS. STEEN: Your Honor, if I may, something  
22 that I have from my notes with Mr. Jackson, we did  
23 discuss this, is that first, these events were all in  
24 his personal life, nothing ever affected his  
25 professional life.

1           And second, he was in the 12-step program  
2 for -- off and on for about ten years and it never  
3 changed him in the way that a year of counseling and  
4 intensive work on himself did. And to a certain extent,  
5 the key to his sobriety has been separating himself from  
6 other addicts. And so -- and separating all of his  
7 personal relationships with anyone who is an addict, and  
8 that has been the positive steps that he's done -- has  
9 been affected by separating from all addicts and all  
10 addictive behaviors. So 12 steps, he was in it for ten  
11 years.

12           JUDGE PEARSON: Sure. And I understand  
13 there are a number of different ways people maintain  
14 their recovery, not just through 12-step programs. Some  
15 people go to church, some people go to counseling.

16 BY JUDGE PEARSON:

17       Q. So I'm wondering if there's other things that  
18 you do besides that?

19       **A. If you don't mind, Your Honor, I'd like to read**  
20 **this one paragraph from Patsy Murphy. She's a chemical**  
21 **dependency counselor at Valley Cities, and she says, (as**  
22 **read) Mr. Jackson appears to be fit to be serving people**  
23 **in the community. Mr. Jackson brings a number of**  
24 **clients into Valley Cities when he sees they can use**  
25 **formal support. He provides natural support to a number**

1 **of individuals from the community when he's witnessing**  
2 **how they could use both formal and natural support. I**  
3 **would personally recommend Mr. Jackson to colleagues and**  
4 **friends as a service provider in the community. He**  
5 **still frequents Valley Cities as a member of society**  
6 **while walking alongside others in the community.**

7 Q. Okay. I see that letter here, and it looks like  
8 you were a patient there up until June of last year?

9 **A. Yes, Your Honor. And, you know, Your Honor, if**  
10 **I feel like I need to go back, I go back.**

11 Q. To counseling?

12 **A. Oh, yes, oh, yeah. Because you just never know,**  
13 **Your Honor.**

14 Q. Right.

15 I guess I am just looking for, you know, what  
16 you do today to prevent relapse in your life. You know,  
17 like I said, some people go to 12-step programs, some  
18 people go to church, but typically there needs to be  
19 some sort of community support, in whatever form that  
20 might take, that someone can utilize to stay clean and  
21 sober.

22 **A. And, again, it's that bond that I have with**  
23 **these guys that are already involved with AA and N A.**  
24 **That's my connection. That's -- for me to see them**  
25 **maintain their sobriety and for me to help out, that's**

1 **what I need, and that's what I -- not only on myself,**  
2 **but I help the community because it works. I've seen --**  
3 **seen guys maintain their sobriety just off me**  
4 **communicating with them. I go home, talk to my fiancée,**  
5 **Cheryl Ball, about it.**

6 Q. Okay.

7 **A. You know, Your Honor, there's another letter**  
8 **that I'd like to touch on, which is going to be with**  
9 **Alvin Curry.**

10 Q. Okay.

11 **A. And Alvin is a chemical dependency counselor**  
12 **also.**

13 Q. Okay.

14 **A. And I work with Alvin. Alvin is a person that I**  
15 **call if I need to talk right now.**

16 Q. So he's like a mentor to you?

17 **A. Yes, he is.**

18 Q. Okay. That's what I was looking for was who do  
19 you rely on for support, because typically people in  
20 recovery can't do it alone. There needs to be a network  
21 of support and other people you can talk to.

22 **A. I understand that, Your Honor, I understand**  
23 **that, Your Honor, but I keep reiterating this one word,**  
24 **quit. I quit. That's the bottom line. I quit. Kedric**  
25 **Dwayne Jackson quit using chemicals and drinking.**

1 **That's the bottom line.**

2 Q. Okay. Yeah, and I guess I should have clarified  
3 that, too, that you abstain from all drugs and alcohol,  
4 correct?

5 **A. Everything, Your Honor. There's nothing in my**  
6 **system.**

7 Q. Okay. I just wanted to clarify.

8 **A. And you also have DOT test results I took**  
9 **approximately a year ago, I believe.**

10 Q. What's that?

11 **A. You have a test result, I believe, a urine**  
12 **analysis test.**

13 Q. Oh, oh.

14 MR. O'CONNELL: Where is that, please?

15 THE WITNESS: Oh, it's right here. Let me  
16 show you right quick. Right -- sir, it's right here.  
17 You start -- if you look at that green on the back, it's  
18 in the back.

19 JUDGE PEARSON: Of the thick one?

20 THE WITNESS: Thick one, ma'am -- I mean,  
21 Your Honor.

22 JUDGE PEARSON: Which tab is it under?

23 THE WITNESS: Your Honor, it's consolidated,  
24 Your Honor. Want me to just bring mine up?

25 JUDGE PEARSON: Sure.

1 MS. STEEN: Last tab, Your Honor.

2 JUDGE PEARSON: Oh, okay.

3 MR. O'CONNELL: Your Honor, Staff has seen

4 this paperwork before, as it was submitted with the

5 company's first application from September of 2006.

6 JUDGE PEARSON: Okay. Thank you.

7 MR. O'CONNELL: Sorry, 2016, I apologize.

8 JUDGE PEARSON: Okay.

9 BY JUDGE PEARSON:

10 Q. Is there anything else that you'd like to add?

11 **A. No, Your Honor. Thank you, Your Honor.**

12 Q. You're welcome.

13 JUDGE PEARSON: So now I would like to hear

14 from Staff.

15 Mr. O'Connell, I don't know if you had

16 anything to say or if I should just go directly to

17 Mr. Dotson.

18 MR. O'CONNELL: I would defer to how you

19 would like to proceed, Your Honor. If you would like me

20 to question Mr. Dotson --

21 JUDGE PEARSON: No, that's okay.

22 MR. O'CONNELL: -- that's fine, or if you

23 would like to ask questions, that's fine with Staff as

24 well.

25 ////



## EXAMINATION OF DOTSON / PEARSON

1 EXAMINATION

2 BY JUDGE PEARSON:

3 Q. Okay. So, Mr. Dotson, I guess if you can just  
4 provide me a more detailed explanation of Staff's  
5 recommendation.

6 **A. Yes, no problem. I have a timeline from the**  
7 **original application to the current application right**  
8 **here. So at the end of September of last year, Ms. Ball**  
9 **applied for the household good moving permit. I**  
10 **reviewed the application, which involves checking it for**  
11 **fullness, filled out completely, insurance, and we run**  
12 **background checks. It was filled out completely, which**  
13 **is very unusual actually. It was very professionally**  
14 **done. I think there was one issue that we had to**  
15 **resolve, and that was some insurance papers we needed to**  
16 **be updated.**

17 **We also ran a background check, and we saw that**  
18 **Mr. Jackson was listed as the operations manager in the**  
19 **application, did have an assault within five years. So**  
20 **due to the rule stating that we can't have anyone with**  
21 **certain criminal activity within a five-year period, we**  
22 **denied it. After the denial, we received -- they**  
23 **wanted -- they requested a hearing to contest it, and**  
24 **during that prehearing period, we received some**  
25 **additional information including the certificates of**

**EXAMINATION OF DOTSON / PEARSON**

1 rehabilitation and that sort of thing.

2 At a certain point, they withdrew their request  
3 for hearing. I'm not sure -- I'm not sure why. In mid  
4 February of this year, Ms. Ball reapplied. Reviewed the  
5 new application, same stuff as before, ran new  
6 background checks. And at that point, the five years  
7 had elapsed since Mr. Jackson's most recent conviction.

8 Let's see, yeah, like I said, we saw during the  
9 previous hearing, we got the certificates of completion  
10 of rehabilitation and some anger management courses it  
11 looked like he'd taken. Everything was past five years  
12 at this point. He'd been the operations manager for a  
13 pack and load business for years, which is really not  
14 that much different than a household goods moving  
15 business, just no vehicle essentially. He still enters  
16 people's homes and is alone with their valuables.

17 And I reviewed many of the online reviews, they  
18 were overwhelmingly positive, like he mentioned. So  
19 there isn't an issue that appears with that or anything  
20 like that during his pack and load time. Any negative  
21 reviews were basically standard household goods stuff,  
22 you know, scratched furniture, maybe a dispute over some  
23 payment, that sort of thing. And with that and the  
24 materials we received, we decided that he seemed like a  
25 good fit for a household good mover.

1 Q. Okay. Thank you.

2

3 EXAMINATION

4 BY JUDGE PEARSON:

5 Q. So, Mr. Jackson, let's go back to that because I  
6 didn't hear anything about -- in your explanation about  
7 anger management treatment, you also completed that?

8 **A. Yes, Your Honor.**

9 Q. Okay. And when was that?

10 **A. All that, Your Honor, State encompasses in their**  
11 **extensive chemical dependency program, you try to cover,**  
12 **like I mentioned, little bits and pieces of generalized**  
13 **things that -- that helps or enables a person to**  
14 **continue to use, and anger is one -- is one of many,**  
15 **Your Honor. And, again, here's the book right here.**

16 Q. Okay. So it was part of the treatment that you  
17 received through the Department of Corrections, it  
18 wasn't a separate -- I guess that's what I'm getting at.

19 **A. No, Your Honor, no.**

20 Q. It was all the same program?

21 **A. Yes, Your Honor.**

22 Q. Okay. Okay. Thank you.

23 MR. O'CONNELL: Your Honor, can I ask one,  
24 maybe two questions of Mr. Dotson?

25 JUDGE PEARSON: Sure.

## EXAMINATION OF DOTSON / O'CONNELL

1 EXAMINATION

2 BY MR. O'CONNELL:

3 Q. Mr. Dotson, you reviewed Mr. Jackson's history  
4 of criminal convictions, did you look at the two most  
5 recent assault 4 convictions?

6 **A. Yes, I did.**

7 Q. And do you recall whether those, in your review,  
8 were associated with domestic violence?

9 **A. They appeared to be, yeah. They were -- looked**  
10 **like based on a personal relationship.**

11 Q. Were either of those that you looked into, the  
12 most recent ones or any in the past, were they involved  
13 with any business operations?

14 **A. No, strictly personal based on the police report**  
15 **that I read.**

16 Q. And you mentioned that you went online and  
17 reviewed a number of reviews for the business?

18 **A. That's correct.**

19 Q. Did the company also submit a number of reviews  
20 along with its initial application?

21 **A. With their initial application, they submitted**  
22 **about the same size as the large binder which, again, is**  
23 **very unusual.**

24 Q. Did you review those?

25 **A. Yes, I reviewed them.**

**EXAMINATION OF DOTSON / O'CONNELL & EXAMINATION OF DOTSON / PEARSON**

1 Q. And you did more in addition?

2 **A. Yeah, independently I went online and did some**  
3 **Google searches, Yelp, that sort of thing to see if**  
4 **there was any negative ones that would jump out at me as**  
5 **something concerning.**

6 Q. So the number of reviews that you reviewed,  
7 would you say that was in the hundreds?

8 **A. Yeah, I scanned through I think one of them was**  
9 **like 21 pages worth of 20 -- or page, that sort of**  
10 **thing.**

11 Q. And do you recall, sometimes on those websites  
12 they have some sort of percentage calculator of positive  
13 feedback. Do you remember if there was any sort of  
14 positive feedback calculator?

15 **A. Yeah, one was hirealabor.com or something along**  
16 **those lines, and it was 90-something percent out of I**  
17 **think it was 290 around 300.**

18 MR. O'CONNELL: I don't think I have  
19 anything else.

20  
21 EXAMINATION

22 BY JUDGE PEARSON:

23 Q. Okay. So, Mr. Dotson, just to verify, have you  
24 discussed the application with consumer protection?

25 **A. Yeah, it was -- it was discussed.**

**EXAMINATION OF DOTSON / PEARSON**

1 Q. Okay. And they agree with your recommendation?

2 **A. Yes.**

3 Q. Okay. I just wanted to double-check that.

4 JUDGE PEARSON: So if the parties would like  
5 to make closing statements at this time, you may.

6 Ms. Steen, if you want to go first.

7 MS. STEEN: Are you making a closing  
8 statement, Andrew?

9 JUDGE PEARSON: You certainly don't have to.  
10 It's optional. I just wanted to provide the parties an  
11 opportunity to do that if you wish.

12 MR. O'CONNELL: I think I would like to say  
13 a couple words if I'm allowed so...

14 MS. STEEN: I would just like to say thank  
15 you for this opportunity to bring everyone together and  
16 support the petition and the application. Like you  
17 said, people can change. Mr. Jackson has made extensive  
18 ongoing efforts, and he continues his efforts by  
19 separating himself from anyone who could be connected to  
20 his past by refusing to drink, staying in touch with his  
21 counselor, and keeping in touch with his mentor on a  
22 regular basis.

23 The focus on rehabilitation efforts, you'll  
24 notice there's half of a very significant packet, and in  
25 this workbook, one thing that I noticed is Mr. Jackson

1 has filled out these workbooks right to the end. He  
2 didn't just start a program, go a couple of times, do  
3 just enough to keep this -- to say -- to be able to say  
4 that he did it. He filled out these workbooks to the  
5 last sheet with enthusiastic -- printing out the sides.

6 Mr. Jackson is someone who looks out for his  
7 sobriety and he looks out for his business. And in my  
8 dealings with Mr. Jackson and Ms. Ball, they're good  
9 people. They're small town people, they're very hard  
10 working, extremely hard working, and I think  
11 Mr. Jackson's focus on work is something that has  
12 enabled him to make this change in the last five years.

13 So you have documentation of his success,  
14 you have support from Mr. Dotson, we appreciate that,  
15 and you have noted yourself that Washington State has  
16 extensive support for people with prior convictions.  
17 And so I'm just glad that we could all come together in  
18 this way and support this settlement.

19 Thank you.

20 JUDGE PEARSON: Thank you.

21 MR. O'CONNELL: Thank you, Your Honor. So  
22 Staff has received two applications from the company  
23 requesting household goods permit. The first one, as  
24 Mr. Dotson testified to, was in September of 2016. At  
25 that time, person named in the application, Mr. Jackson,

1 had a criminal conviction within five years of the kind  
2 that is specifically listed in the rule, the  
3 Commissions' rule, WAC 480-15-302. That rule required  
4 mandatory without discretion denial of the permit based  
5 upon the timing of that conviction.

6 Now, the second application that was  
7 submitted by the company arrived in February of 2017, at  
8 which point in time five years had passed since  
9 Mr. Jackson's conviction, which by rule places Staff in  
10 the position of making a holistic evaluation of looking  
11 at the nature and extent of the conviction and making a  
12 determination as to whether it is likely to interfere  
13 with the proper operation of the household goods  
14 company.

15 Now, that prior conviction, and there were  
16 several others that are older than five years that Staff  
17 had to consider, and Staff considered a number of  
18 mitigating factors as to those convictions, including  
19 the passage of time that had -- you know, time had  
20 elapsed since those convictions, as well as the nature  
21 of the most recent convictions being the personal  
22 relationship. Staff did not see any evidence as  
23 testified by Mr. Dotson that they were business-related  
24 convictions.

25 Mr. Jackson has been involved with the



1 company doing pack and load operations for some time,  
2 and Staff has seen hundreds of positive reviews for the  
3 company and for Mr. Jackson with no negative reviews  
4 that would raise a concern to Staff as to his ability to  
5 properly operate the household goods company. Coupled  
6 with Mr. Jackson submitted evidence of rehabilitation,  
7 Staff made a holistic evaluation and determined that the  
8 convictions that are older than five years would not  
9 likely interfere with the proper operation of the  
10 household goods company, and that is the basis of  
11 Staff's recommendation in this case.

12 JUDGE PEARSON: Thank you.

13 MR. O'CONNELL: Thank you, Your Honor.

14 JUDGE PEARSON: Okay. So I appreciate  
15 everyone coming here today. Mr. Jackson, I appreciate  
16 you being candid.

17 THE WITNESS: Thank you, Your Honor.

18 JUDGE PEARSON: And explaining the  
19 circumstances, and I especially appreciate the extensive  
20 documentation that you provided because I didn't have to  
21 ask for anything or wait for you to produce anything,  
22 it's all right here, which is extremely helpful. This  
23 is exactly what I was looking for, so thank you for  
24 putting that together. And what I will do is issue an  
25 order in about a week I would say, so you can just

1 expect to see that shortly.

2           So if there's nothing further, then we can

3 be adjourned.

4           THE WITNESS: Thank you, Your Honor.

5           (Adjourned at 10:43 a.m.)

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C E R T I F I C A T E

STATE OF WASHINGTON  
COUNTY OF THURSTON

I, Tayler Russell, a Certified Shorthand Reporter  
in and for the State of Washington, do hereby certify  
that the foregoing transcript is true and accurate to  
the best of my knowledge, skill and ability.

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Tayler Russell, CCR 3358