

FILED
SUPREME COURT
STATE OF WASHINGTON
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CLERK

NO. 101294-2

SUPREME COURT OF THE STATE OF WASHINGTON

VAN HICKS,

Appellant,

v.

KLICKITAT COUNTY SHERIFF'S OFFICE; and
STATE OF WASHINGTON, DEPARTMENT OF SOCIAL
& HEALTH SERVICES; and SHIRLEY DeARMOND,

Respondents.

RESPONDENT KLICKITAT COUNTY SHERIFF'S
OFFICE'S JOINDER IN WASHINGTON STATE
DEPARTMENT OF SOCIAL AND HEALTH SERVICES'
ANSWER TO WASHINGTON STATE ASSOCIATION FOR
JUSTICE FOUNDATION AMICUS CURIAE
MEMORANDUM

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Respondent KLICKITAT COUNTY SHERIFF'S OFFICE ("KCSO") joins in Respondent Washington State Department of Social and Health Services' Answer to Washington State Association for Justice Foundation Amicus Curiae Memorandum, filed December 8, 2022.

KCSO was not involved in the Prosecutor's independent decision to seek a no-contact order related to the criminal charges in this case. The Court of Appeals properly held that the criminal no-contact order did not constitute a harmful placement decision and properly determined that Hicks' negligent investigation claim requires a harmful placement decision. Further, Petitioner has never raised the argument of common law negligence, and this Court should decline the amicus' invitation to inject the issue at this stage. The issue of common law negligence is not properly before the Court. *See Hicks v. Klickitat Cnty. Sheriff's Office et al.*, 23 Wn. App. 2d 236, 241, 515 P.3d 556 (2022); *Sundquist Homes, Inc. v. Snohomish Cnty. Pub. Util. Dist. No. 1*, 140 Wn.2d 403, 413-14, 997 P.2d 915 (2000); Pet. For Rev. at 9-17.

The Court of Appeals decision does not warrant review under RAP 13.4(b)(1)-(4). The Petition should be denied.

This document contains 183 words, excluding the parts of the document exempted from the word count by RAP 18.17.

RESPECTFULLY SUBMITTED this 8th day of December, 2022.

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CERTIFICATE OF SERVICE

I hereby certify that on December 8, 2022, I electronically filed the foregoing via the Washington State Appellate Courts' Web Portal which will send notification of the filing to the following:

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