

FILED  
SUPREME COURT  
STATE OF WASHINGTON  
2/8/2024 4:07 PM  
BY ERIN L. LENNON  
CLERK

No. 102563-3

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SUPREME COURT  
OF THE STATE OF WASHINGTON

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C.R. and J.L., infants, by BRUCE A. WOLF,  
their guardian ad litem,

Petitioners,

v.

STATE OF WASHINGTON,

Respondent.

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PETITIONERS' RESPONSE TO CONNELLY LAW  
*AMICUS* MEMORANDUM

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TABLE OF CONTENTS

	<u>Page</u>
Table of Authorities.....	ii
A. INTRODUCTION .....	1
B. STATEMENT OF THE CASE .....	2
C. ARGUMENT .....	3
(1) <u>CPS Owes a Duty to Siblings         in the Same House under RCW 26.44.050         When an Abuse Report Is Made as to a         Sibling in that House</u> .....	4
(2) <u>CPS Owes a Common Law Duty         under the Rescue Doctrine to Conduct         a Non-Negligent Investigation When         It Undertakes to Investigate the Abuse         of Siblings in the Home</u> .....	6
D. CONCLUSION.....	9
Appendix	

## TABLE OF AUTHORITIES

	<u>Page</u>
<u>Table of Cases</u>	
<u>Cases</u>	
<i>Beltran-Serrano v. City of Tacoma</i> , 193 Wn.2d 537, 442 P.3d 608 (2019).....	8
<i>Brown v. MacPherson’s, Inc.</i> , 86 Wn.2d 293, 545 P.2d 13 (1975).....	8
<i>Ducote v. Dep’t of Soc. &amp; Health Servs.</i> , 167 Wn.2d 697, 222 P.3d 785 (2009).....	6
<i>Folsom v. Burger King</i> , 135 Wn.2d 658, 958 P.2d 301 (1998).....	8
<u>Statutes</u>	
RCW 13.34.020 .....	1
RCW 26.44 .....	8
RCW 26.44.010 .....	1
RCW 26.44.030 .....	5
RCW 26.44.050 .....	1, 4, 5
RCW 74.13.010 .....	1
<u>Rules</u>	
RAP 13.4(b)(1) .....	1, 6, 9
RAP 13.4(b)(2) .....	1, 6, 9
RAP 13.4(b)(4) .....	2, 6, 9
<u>Other Authorities</u>	
<i>Restatement (Second) of Torts</i> §§ 281, 302B.....	8

## A. INTRODUCTION

The *amicus curiae* memorandum of Connelly Law Offices (“Connelly”) does an excellent job of reinforcing why this is a “Supreme Court case” both with regard to the investigative duty of the Department of Children, Youth, and Families (“DCYF”) and its Child Protective Services (“CPS”)<sup>1</sup> under RCW 26.44.050 and their common law duty to siblings in the same house when a report of child abuse is received as to another child resident in the house.

Review is merited in this case because Division I’s opinion, as Connelly notes, is contrary to decisions of this Court (RAP 13.4(b)(1), and the Court of Appeals (RAP 13.4(b)(2)), but also expresses a harmful public policy that would have CPS investigators turn a blind eye toward the reality that a sexual

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<sup>1</sup> CPS’s name indicates its proper function – Child *Protective* Services. That is fully consistent with the Legislature’s unambiguous intent to afford children protection from sexual abuse, as expressed in RCW 13.34.020, RCW 26.44.010, and RCW 74.13.010.

violence perpetrator rarely confines his predatory behavior to single child when other siblings reside in the same home and offer easy prey to that predator. (RAP 13.4(b)(4)). This Court should grant review to re-affirm the contours of DCYF/CPS's investigative and common law duty when a report is made about the abuse of a child in a home and CPS undertakes to investigate the abuse of that child's other siblings residing in the home as negligently as it did here.

#### B. STATEMENT OF THE CASE

As an *amicus curiae*, Connelly may expand the factual basis for analyzing the case in the form of a "Brandeis brief," 2 WSBA, *Wash. Appellate Prac. Deskbook* (4th ed.) § 19.4(4) at 19-6, and it has appropriately done so here. Connelly offers critical documentation for key points in this case:

- sexual abuse of girls is widespread in our State;
- girls often do not report such abuse because the abuse perpetrator is known to them and they are groomed for abuse by the abuser, as was true of Rowe's grooming of C.R./J.L.;

- childhood sexual abuse carries a significant risk for a child's revictimization;
- siblings are often unlikely to report abuse;

These points are entirely consistent with the facts of record

in this case:

- C.R./J.L. were respectively 10 and 8 years old when their father's abuse of 15-year-old D.L. was reported;
- C.R./J.L. were interviewed by CPS investigators after D.L.'s report as was their 9-year-old sister, H.R., albeit negligently;<sup>2</sup>
- Rowe was removed from the home by CPS, evidencing its staff's belief that he was a risk to *all* children in the house because D.L., the subject of the abuse, was out of the home;<sup>3</sup>
- Brittany Rowe was antagonistic to D.L. and her claims of abuse by Rowe. CP 33-34;
- Upon the return of Rowe to the home, his sexual abuse of all the girls escalated,<sup>4</sup> as his conviction in

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<sup>2</sup> Barbara Stone's declaration recounting in detail the negligence of CPS investigators is in the Appendix; it belies CPS's assertion, ans. at 3-8, that its investigation was proper.

<sup>3</sup> This contravenes CPS's claim that it had no inkling that Rowe was a predator. Ans. at 29.

<sup>4</sup> Division I asserts that there is no record evidence that

2019 for four counts of child sexual abuse. CP 88-111.<sup>5</sup>

### C. ARGUMENT

CPS owed the girls a duty under RCW 26.44.050 and the case law interpreting it to conduct a proper investigation of Rowe's abuse of siblings in the home that resulted in their continued placement in that abusive setting. Even if that duty is not present (and it is), CPS assumed a common law duty by investigating C.R./J.L.'s abuse and taking steps to protect them specifically, but it then breached that duty by its negligence.

- (1) CPS Owes a Duty to Siblings in the Same House under RCW 26.44.050 When an Abuse Report Is Made as to a Sibling in That House

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Rowe's sexual misconduct escalated. Op at 20. That is untrue. D.L. testified to Rowe's molestation of her, including telling social workers that the issues she was dealing with at home had "escalated." CP 142. He was convicted of child rape and child incest in the first degree as to C.R./J.L. *after* D.L. left the home. CP 88-111.

<sup>5</sup> Rowe's convictions were for first degree rape of a child, first degree incest, first degree child molestation, and third degree child molestation. Rowe had been charged with 13 child sexual abuse crimes. CP 104-05.

The Connelly *amicus* memorandum documents why Division I's opinion, and CPS's misguided effort to justify it, merit review by this Court. Connelly memo. at 2-12.

By the terms of RCW 26.44.050 and the case law implementing the implied right of action arising from that statute, the elements of a cause of action were met by C.R./J.L. They documented:

- a report of child abuse was made;<sup>6</sup>
- CPS's investigation was incomplete;
- CPS's incomplete investigation resulted in a harmful placement of C.R./J.L.

The profoundly troubling aspect of Division I's short-sighted analysis is that CPS is charged with investigating abuse within the family setting. This is not a case like *Ducote v. Dep't of Soc. & Health Servs.*, 167 Wn.2d 697, 704, 222 P.3d 785 (2009), a

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<sup>6</sup> *Nothing* in RCW 26.44.030 requires a separate report for each child in the abusive household, only that *a* report be received.



case where there was no biological affiliation with the stepparent who asserted a negligent investigation claim. The girls here are *siblings*.

As the Connelly memorandum notes, predators like Rowe know no boundaries to their vicious sexual misconduct. They will readily abuse *all* of the children in a household. Division I's opinion condones CPS's conduct of a lackadaisical actions in connection with D.L.'s siblings abuse by Rowe, despite its own policy of interviewing all children in a home of reported abuse, and its own efforts in this case to interview C.R./J.L., devise a safety plan for them, and to initially oust Rowe from the home for their protection.

Division I's opinion is contrary to the public policy of protecting children from reported sexual abuse expressed in statute and case law. Review is merited. RAP 13.4(b)(1), (2), (4).

- (2) CPS Owes a Common Law Duty under the Rescue Doctrine to Conduct a Non-Negligent Investigation When It Undertakes to Investigate the Abuse of Siblings in the Home

The Connelly *amicus* memorandum references Policy 2333 that requires CPS to interview any child in a home where abuse is reported. Pursuant to CPS's standard operating procedure that is reflected in that policy,<sup>7</sup> CPS here interviewed C.R. and J.L. at school, created a safety plan for them, and took steps to protect them at least initially from Rowe's predatory sexual violence. But, as Barbara Stone recounted, CP 27-34, that effort by CPS was fundamentally negligent. Why did CPS create a safety plan for C.R./J.L. or take steps to protect them? CPS's negligence resulted in the girls' prolonged placement in a home where Rowe could molest and then rape them.

An implied action under RCW 26.44 is not the sole basis for DCYF/CPS's duty to C.R./J.L., as Division I seemingly

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<sup>7</sup> CPS asserts that Policy 233 was formally promulgated in 2017. Ans. at 5 n.3. But, as Barbara Stone testified, the thrust of that policy – interviewing *all* children in a house where abuse is present – has long been CPS standard procedure and was the procedure for CPS staff in 2014, as evidenced by the interviews of three children, besides D.L., residing in the Rowe household. CP 27-34.

believed when it asserted that “there is no statutory duty to investigate owed by the Department to C.R. and J.L. because it received no report of possible abuse as to them.” Op. at 17. Rather, well-established common law duty principles provide that when an actor undertakes to assist another, that actor must do so in a non-negligent fashion. *Restatement (Second) of Torts* §§ 281, 302B; *Beltran-Serrano v. City of Tacoma*, 193 Wn.2d 537, 550, 442 P.3d 608 (2019); *Folsom v. Burger King*, 135 Wn.2d 658, 674-75, 958 P.2d 301 (1998); *Brown v. MacPherson’s, Inc.*, 86 Wn.2d 293, 299, 545 P.2d 13 (1975).

Division I missed the plain point that under the common law, when CPS undertook to investigate C.R./J.L.’s possible abuse and to devise a safety plan for them, it was obligated to do so in a non-negligent fashion.

Division I erred by conflating a duty under RCW 26.44 to properly investigate reports of child abuse with the more general common law duty. Review is merited, as the Connelly *amicus* memorandum highlights. RAP 13.4(b)(1).

D. CONCLUSION

The Connelly *amicus* memorandum fully documents why this case presents vital issues on the proper investigation of child abuse in Washington. This Court should grant review. RAP 13.4(b)(1), (2), (4).

This document contains 1,441 words, excluding the parts of the document exempted from the word count by RAP 18.17.

DATED this 8th day of February, 2024.

Respectfully submitted,

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# APPENDIX

1 FILED  
2 2022 JUL 01 11:20 AM  
3 KING COUNTY  
4 SUPERIOR COURT CLERK  
5 E-FILED  
6 CASE #: 22-2-04365-2 KNT

7 SUPERIOR COURT OF WASHINGTON  
8 FOR KING COUNTY

9 C.R. and J.L., infants, by BRUCE A. WOLF,  
10 their guardian ad litem,

11 Plaintiffs,

12 v.

13 STATE OF WASHINGTON,

14 Defendant.

No. 22-2-04365-2 KNT

DECLARATION OF BARBARA A.  
STONE IN SUPPORT OF PLAINTIFFS'  
MOTION FOR PARTIAL SUMMARY  
JUDGMENT ON DUTY

15 Barbara A. Stone declares:

16 1. I am over the age of 18 years old, I am competent to testify to the matters addressed  
17 in this declaration, and I have personal knowledge of those matters. I make this declaration based  
18 on my educational background, my professional experience, and my review of records pertaining  
19 to the case captioned above. An accurate copy of my Curriculum Vitae is attached hereto as  
20 **Exhibit A.**

21 2. I received my Bachelor of Social Work with a Minor in Psychology degree in 1968  
22 from Seattle University. I earned my Master of Science degree in Psychology from Grand Canyon  
23 University in Phoenix, Arizona in 2014, and NACCFI Certification as Diplomat Child Forensic  
24 Interviewer in August of 2012 2014, 2016, 2020, and 2022.

1           3.     I worked for the Washington State Department of Social and Health Services  
2 (DSHS) from 1968 to 2000 in various capacities, including the following:

3           a.     Child Protection Services (CPS) Social Worker. I specialized in working with  
4           victims of child sexual assault and was responsible for investigation of all  
5           allegations.

6           b.     Child Welfare Services Social Worker. I provided case management for cases of  
7           sexually abused children and provided reunification services when appropriate.

8           c.     Case manager for child sexual assault cases. I was responsible for investigation  
9           and provision of appropriate services.

10          d.     Social Work Supervisor. I supervised social work staff assigned to investigate  
11          child sexual abuse; provide community outreach and education on sexual assault  
12          and other forms of child maltreatment; provide training on sexual assault to agency  
13          staff, community professionals and community leaders in an effort to develop and  
14          provide prevention services in a culturally and sensitive manner. Served as  
15          regional administrator for the sexually aggressive youth program.

16          e.     Social & Health Program Manager II. I acted as state administrator for the Sexually  
17          Aggressive youth program. I designed a statewide multi-disciplinary training on  
18          child sexual assault. Responsible for administering the Children's Justice Grant  
19          which was intended to improve services and programs for victims of child sexual  
20          assault.. Responsible for all statewide contracting on sexual abuse services and  
21          domestic violence services. Provide statewide training on child sexual assault to  
22          agency staff, community members and to all Washington state tribes. Provide  
23  
24



1 testimony to the state legislature on any new or existing state laws regarding child  
2 sexual assault or domestic violence.

3 f. Special Assistant to the Assistant Secretary for the Children’s Administration,  
4 DSHS. I provided strategic planning on complex, sometimes high-profile cases for  
5 the Assistant Secretary. I represented the Assistant Secretary both within the  
6 department and to external stakeholders such as members of the legislature, client  
7 groups, and advisory committees etc. Responsible for providing strategic planning  
8 on critical incidents and complex, high-profile cases for the Assistant Secretary. I  
9 served as Acting Assistant Secretary during her absence. I participated as a  
10 member of the Children’s Administration Management team.

11 4. From 1998 through 2000, I was the Director of the Division of Licensed Resources  
12 Children’s Administration (DLR). My responsibilities were numerous, but in particular, I was  
13 responsible for the quality, safety of care, and sufficiency of licensed foster, group, and childcare  
14 resources in Washington.

15 5. As Director of the DLR I had the following duties:

- 16 a. Trained and supervised the staff who licensed foster parents and monitored the  
17 health and safety of children in foster care facilities.
- 18 b. Set state foster home and child care licensing requirements, and ensured State  
19 adherence to Federal and State licensing regulations.
- 20 c. Oversaw child abuse and neglect investigations in DSHS licensed, certified, and  
21 State operated facilities for children including child care homes and centers, foster  
22 care, group care, hospitals, in-patient mental health treatment facilities, and  
23 institutional care.
- 24

- 1 d. Directly supervised multiple staff members at the headquarters operation of the  
2 DLR in Olympia, Washington and including the criminal background check unit.
- 3 e. Helped to develop and administer subsidized child care programs for low income  
4 and at-risk families, and to administer grants and contracts for services.
- 5 f. Made all final decisions regarding licensing actions due to substantiated child  
6 abuse or neglect allegations in licensed facilities, as well as decisions regarding  
7 serious and uncorrected licensing violations.
- 8 g. Worked with stakeholders to promote community participation in planning and  
9 decision making regarding the administration and quality assurance of child-care  
10 and out-of-home resources.
- 11 h. Participated as a member of the Children's Administration's Executive  
12 Management Team, which included coordinating program planning and service  
13 delivery within Children's Administration.
- 14 i. Developed and reviewed proposed legislation, regulations, and procedural  
15 changes that would impact licensed care providers, and promote the mission, value  
16 and strategic plan of the administration and the Department.

17 6. I am very familiar with the standard of care applicable to all aspects of social work,  
18 including the policies and procedures that were in effect in 2014-15. I am also very familiar with  
19 the standard of care for DSHS investigations of child abuse and neglect. Since 2001, I have been  
20 retained to render expert opinions regarding suitability of placements for children in out-of-home  
21 care, sufficiency of investigations conducted by social workers, monitoring of children's care,  
22 assessments of risk, and adequacy of case planning. I have done so for Plaintiffs and for the State  
23  
24

1 of Washington. I have been qualified many times to testify on these subjects as an expert witness.  
2 I have never been disqualified as an expert witness.

3 7. The documents I reviewed in forming my opinions include the following:

- 4 a. All the DSHS records surrounding the investigation into the November 23, 2014  
5 Intake at issue.
- 6 b. The Clark County Sheriff's Office records related to the November 23, 2014  
7 Intake at issue.
- 8 c. The 12/4/2014 forensic interview of D.L.
- 9 d. D.L.'s deposition testimony.
- 10 e. C.R.'s deposition testimony.
- 11 f. J.L.'s deposition testimony.
- 12 g. Amie McKey's deposition testimony.
- 13 h. Rachel Whitney's deposition testimony.
- 14 i. Renata Rhodes's deposition testimony.
- 15 j. Sarah Payne's declaration.
- 16 k. Cody Clenney's declaration.
- 17 l. Applicable statutes, WACs, and DSHS policy and procedures manuals.

18 8. Most importantly, when CPS receives a report alleging that a child has been  
19 sexually abused, its duty to investigate that report encompasses all children in that child's family  
20 unit. That has been the standard of care for decades, and social workers in the state of Washington  
21 have been trained on this policy for decades. In fact, I attended an American Professional Society  
22 on the Abuse of Children Forensic Interview clinic last month, during which this policy was  
23 reaffirmed. The training included a video of a former State of Washington Assistant Attorney  
24

1 General, who spoke about the importance of corroboration in working sexual abuse cases. He  
2 included in his presentation the following statement: “If one child in the home is at risk, all the  
3 children in the home are at risk in a sexual abuse case.” This policy is based on what is known  
4 about child predators, including the fact that they often victimize many of the children they have  
5 access to. Until the alleged perpetrator is evaluated, he or she remains a risk to all vulnerable  
6 children. Unsurprisingly, that is exactly what happened in this case. On these facts, CPS  
7 absolutely had an obligation to ensure the safety of each of D.L.’s siblings when it received the  
8 report alleging that Mr. Rowe had sexually abused D.L.

9 9. Due to the numerous negligent acts and omissions committed by CPS employees  
10 during its investigation of D.L.’s report of sexual abuse, CPS gathered incomplete information  
11 which resulted in a harmful placement decision which left C.R. and J.L. in the Rowe home to  
12 suffer sexual abuse at the hands of Mr. Rowe for nearly five years.

13 10. One of the very first things Amie McKey (who started working for DSHS a few  
14 months prior) did in the investigation was conduct grossly negligent interviews of C.R. and J.L.  
15 McKey failed to ask “good touch/bad touch” questions of both the girls. If McKey had asked  
16 appropriate questions, C.R. and J.L. state they would have disclosed that Mr. Rowe was touching  
17 their genitals. Unsurprisingly, as C.R. told the police on the day she disclosed, she did not realize  
18 in 2014 that the sexual abuse was wrong and believed it was “just normal.” J.L., being only eight  
19 years old at the time, likewise did not understand that what was happening to her was wrong.  
20 Both told McKey that they were “safe,” because they lacked awareness of what was happening  
21 to them was wrong, and because they had obviously been coached by the Rowes prior to their  
22 cursory interviews by McKey. If disclosures of sexual abuse had been elicited by proper and  
23  
24

1 required questioning, Mr. Rowe would never have seen the girls again and would have been  
2 unable to sexually abuse them for the next several years.

3         11. Another catastrophic lapse by CPS was its failure to attend the forensic interview  
4 of D.L. or review a video recording of it. Outside of the original summary in the intake report  
5 provided by D.L.'s counselor, CPS never gathered the details of the sexual abuse she had alleged.  
6 CPS is required to either attend the forensic interview or review a video recording of it. This case  
7 illustrates why CPS is required to do this. During the interview, D.L. described in detail the sexual  
8 abuse she suffered. Moreover, she provided the names of 11 friends to whom she had disclosed  
9 the abuse over the prior months. CPS policy *mandates* that all individuals (“collaterals”) to whom  
10 the victim has disclosed abuse *must* be interviewed, as such information will often provide vital  
11 corroborating evidence. Since CPS failed to attend or review the forensic interview, CPS failed  
12 to interview even one of these collateral contacts.

13         12. In fact, two of the friends that D.L. named testified that she had disclosed the  
14 sexual abuse to them in the prior months. Had CPS done its job, it would have learned this and  
15 realized it completely rebutted the main claim that Mr. and Ms. Rowe had been making regarding  
16 D.L.'s allegations: that she was retaliating against them since they took away her electronics in  
17 the days before the disclosures.

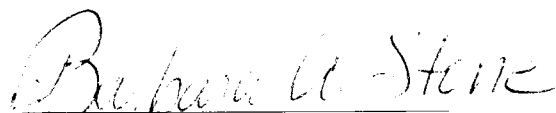
18         13. Despite the open hostility Ms. Rowe showed to her own daughter, CPS expressed  
19 no concerns that the “non-offending” parent was completely unsupportive and that she fully sided  
20 with the alleged abuser. This alone shows that the “non-offending” parent is unable to be  
21 protective of the victim. Yet, in Ms. Rowe’s case, it was even worse, given a physical abuse report  
22 should have been made against Ms. Rowe regarding D.L.’s allegation that Ms. Rowe had thrown  
23 her against the wall. McKey admitted in her deposition testimony that this should have been done.

1 Beside Ms. McKey failing her legal obligation as a mandatory reporter she also left all the  
2 children in imminent danger. Assessment of the non-offending parents' willingness to protect the  
3 children is an important part of any investigation. This worker was clearly faced with a mother  
4 who chose to not believe or protect but the worker failed to take any action.

5 14. For CPS to make a finding regarding a report of abuse, it has the same standard of  
6 proof as a civil case: preponderance of the evidence. A competent investigation in which all  
7 relevant information was gathered would have resulted in a founded determination as to the report  
8 received by CPS on November 23, 2014. Such a finding would have precluded further  
9 unsupervised contact between all the children and Mr. Rowe. Further, he would have been  
10 required to undergo a psychosexual evaluation, which he undoubtedly would have failed. And  
11 given Ms. Rowe's response to D.L.'s allegations and the fact that she continued to support Mr.  
12 Rowe after he was arrested in 2019 for his heinous crimes, there is no doubt that Ms. Rowe would  
13 not have been allowed to have continued custody of the children. CPS should have done in 2014  
14 exactly what it did in 2019: file dependencies for all the children in the home, regardless of  
15 whether they had disclosed abuse or not.

16  
17 I declare under penalty of perjury under the laws of the State of Washington that the  
18 foregoing is true and correct:

19  
20 Signed June 30, 2022, at Federal Way, Washington.

21  
22   
23 Barbara A. Stone  
24

1 **DECLARATION OF SERVICE**

2 I declare under penalty of perjury under the laws of the State of Washington that on  
3 today's date, prior to 5:00 p.m., I served the foregoing document on the following person in the  
4 manner indicated:

5 Callagee O'Brien, WSBA #55104	[ ] Via Regular Mail
Assistant Attorney General	[ ] Via Certified Mail
6 Office of the Attorney General	[ ] Via Facsimile
800 Fifth Avenue, Suite 2000	[ ] Via Legal Messenger
7 Seattle, WA 98104	[ ] Via Court's E-Service System
Attorney for Defendant	[X] Via Email Pursuant to Agreement for E-Service

8  
9 Signed at Tacoma, Washington, on July 1, 2022.

10  
11   
Khanh T. Tran

**Barbara A. Stone**

Po Box 23103  
Federal Way, WA. 98093  
Phone: (253) 517-9442  
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**EDUCATION:**

Bachelor of Social Work, Seattle University 1968  
Minor in Psychology, Seattle University 1968  
Master of Science in Psychology, Grand Canyon University 2014  
NACCFI Certification as Diplomat Child Forensic Interviewer 8/2012,  
8/2014; 9/2016; and 8/ 2018, 10//2020, 5/16/22

**WORK EXPERIENCE:**

Expert Witness            2001 to present  
Provide record review, consultation, Depositions and possible trial  
testimony on child abuse, child welfare, foster care licensing and childcare  
licensing cases.

Headquarters, Children’s Administration    6/98 to 12/00  
Division of Licensed Resources  
Director

- Responsible for the quality, safety of care, and sufficiency of licensed foster, group and childcare resources in Washington State,
- Responsible to direct staff who license, train, and monitor the health and safety of children in foster care, group care facilities and placed with Child Care Agencies,
- Responsible to set state licensing requirements,
- Responsible to ensure state adherence to federal and state licensing regulations,
- Responsible for oversight of child abuse and neglect investigations in Department of Social and Health Services licensed, certified, and state operated facilities for children including child –care homes and centers, foster care, group care, hospitals, in-patient mental health treatment facility and institutional care,
- Responsible to directly supervise five staff in headquarters operation of the Division of Licensed Resources,



- Responsible to directly supervise the Office of Constituent Relations. This is an office of staff who respond to and solve problems/concerns identified by constituents, legislators, Governor's office etc.,
- Responsible for developing and administering subsidized child-care programs for low income and at-risk families, for developing community-based child-care services and systems, and for administering grants and contracts for services,
- Responsible for all final decisions regarding licensing actions due to substantiated child abuse or neglect allegations in licensed facilities, and decisions regarding serious and uncorrected licensing violations,
- Responsible to work with stakeholders to promote community participation in planning and decision making regarding the administration and quality assurance of child-care and out-of-home resources,
- Responsible for participation as a member of the Administration's Executive Management Team including coordinating program planning and service delivery within the Children's Administration, planning, prioritizing, and monitoring the division's program and operational budget.
- Responsible for developing and reviewing proposed legislation, regulations, and procedural changes impacting licensed care providers, and promoting the mission, value and strategic plan of the administration and the department,

Headquarters, Children's Administration 11/95-6/98

Special Assistant

Olympia, WA

- Special Assistant to the Assistant Secretary for the Children's Administration, Department of Social and Health Services,
- Plan and direct information, projects, and assignments on behalf of the Assistant Secretary for the Division of Children and Family Services, (DCFS) Regional Administrators, and other Children's Administration staff,
- Plan and direct work for, and supervises the staff for the Office of Constituent Relations,
- Respond to constituent calls and inquiries on behalf of the Assistant Secretary and for the Secretary of the Department of Social and Health Services,
- Serve occasionally as Acting Assistant Secretary during his/her absence,

- Represent the Assistant Secretary both within the department and to external stakeholders such as members of the legislature, client groups, advisory committees etc.,
- Provide strategic planning on critical incidents and complex, high-profile cases for the Assistant Secretary,
- Member of the Children’s Administration Management Team,
- Participate in planning for media responses to critical incidents,
- Manage special projects on behalf of the Assistant Secretary.

Headquarters, Children’s Administration 7/93-11/95

Social & Health Services Program Manager II

- Responsible for implementing statewide division programs to serve crime victims,
- Agency contact person responsible for interpreting and implementing Federal and State laws regarding sexual assault, domestic violence, and services to sexually aggressive youth,
- Responsible for managing all Federal and State funding sources for sexual assault, domestic violence, prevention and education programs, early identification and treatment of child sexual assault, and sexually aggressive youth programs.
- Provide professional level consultation and technical assistance to agency and community professional staff,
- Provide resource development, programs and technology related to the prevention and treatment of child sexual assault,
- Develop, administer, and monitor all state level contracts for sexual assault, early identification and treatment of child sexual assault, victims of other violent crimes including child abuse, victims of crime in Indian country, and sexually aggressive youth,
- Assist the state coalition and local communities to develop sexual assault programs in areas of the state where they do not exist,
- Act as grant administrator/writer for the following Federal grants: Victims of Crime grant, Victims of Crime in Indian Country grant, and the Children’s Justice grant,
- Provide outreach to federally recognized tribes in the state of Washington for provision of training and/or technical assistance,
- Design and facilitate state-wide multidisciplinary conference on child sexual assault,

- Design and facilitate state-wide child sexual assault workshops for multi-disciplinary audiences,
- Division of Children and Family Services representative for the Children's Justice task force,
- Member of the "End of Sentence Review Team" that reviews all cases of violent offenders and /or sexual offenders being released from prison. Review considerations included: evaluation of need for community notification, referrals to prosecutor's office for civil commitment, child protective services notification etc.,
- Member of statewide Sexual Assault Committee which reviewed state laws as they pertain to sexual assault, state funding process, standards for practice, and educational and/or experience level of providers.

Headquarters, Children's Administration 1/82 -7/93

Social & Health Program Manager II

- Administer Children's Justice Grant and all related activities,
  - Act as state administrator for the Sexually Aggressive Youth program,
  - Design and facilitate statewide multi-disciplinary training on child sexual assault,
  - Design and facilitate statewide conference on child sexual assault
- Division of Children and Family Services 1/82-12/92  
Social Worker IV/Supervisor
- Supervise social work staff assigned to investigate child sexual abuse in a culturally diverse community,
  - Provide community outreach and education on sexual assault and other forms of child maltreatment,
  - Provide training on child sexual assault to agency staff, community professionals, and community leaders in an effort to develop and provide prevention services in a culturally and sensitive manner,
  - Supervise Paraprofessionals who provide direct services and education to neglectful and abusive parents,
  - Coordinator for the regional Sexually Aggressive Youth program,
  - Carried/served a caseload where there were allegations of abuse/neglect. This included all high-profile cases within the assigned geographic area,

- Responsible for oversight of all investigation and provision of appropriate services assigned to the child sexual assault unit.

Division of Children and Family Services 12/69-1/82  
Social Worker III

- Responsible for federal IV-B audit for the state of Washington. This included reviewing 1600 cases prior to the official federal audit, identifying common errors in documentation, preparation of a regional policy and procedure for compliance with federal mandates (8/1981-1/82),
- Licensor for family childcare homes and mini centers. Responsible for assessment of and monitoring of licensed facilities, (1976-1982),
- Act as Homemaker Coordinator for Homemaker Staff who are Paraprofessionals that provide direct services to families where there are allegations of abuse/neglect. Responsible for all case assignments, case consultations, training of regional staff, and management of regional budget for Homemakers, (1976-1981),
- Case manager for child sexual assault cases. Responsible for investigation and provision of appropriate services. This was during time I was also acting as the Homemaker Coordinator and Child Care Licensor (1976-1981),
- Child Welfare Services social worker: provide case management for cases of sexually abused children in out of home placements. Provide appropriate services, outreach to families of origin, reunification services when appropriate or other permanent planning services, Resource development for hard to place or special needs children (1973-1976,
- Child Protection Social Worker: provide case management for multi-cultural families reported to child protective services, specialized working with victims of child sexual assault, responsible for investigation of all allegations, assessment of risk, and provision of direct services to entire family (1969-1973),

Department of Social and Health Services 8/68-12/69  
Caseworker I and II

- Case manager for patients in nursing homes in greater Seattle area, responsible for all financial and social services including monitoring of all patient accounts within the nursing homes.

## **PROFESSIONAL ACTIVITIES:**

- Curriculum designer and trainer at the Washington State Criminal Justice Training Commissions. Three hours of training provided to all police cadets on identifying child abuse/neglect and coordination with child protective services (1985-1997),
- Trainer for the Committee for Children yearly conference on child sexual abuse (1986-1998),
- Child abuse prevention trainer for the Boy Scouts of America-Chief Seattle council (1989, 1989),
- Workshop presentation at the Washington State Children's Justice Conference (1993, 1994),
- American Professional Society on the Abuse of Children (APSAC)-Washington chapter (1985 to present),
- Washington Chapter Board President for APSAC (1997-1998),
- American Humane Association member (1980 to present),
- National Association of Social Workers (2011-present)
- Develop, organize and facilitate statewide conference on child sexual assault for 2000 plus attendees (1993-1996)
- Research Assistant for Victim to Victimizer, Identification of critical variables predictive of later perpetration in juveniles (1994),
- Presenter at the Justice in Indian Country Conference on Adult survivors of sexual assault (1994),
- Child abuse prevention presentations for the Open-Door Theater players (1995).

## **ADDITIONAL TRAINING:**

### *University of Washington:*

- \* Dynamics in Aging
- \* Management Skills for Human Service Supervisors
- \* Working with Psychotic pre-adolescent children.
- Reality Therapy
- Coping with children's coping behaviors

- Beginning skills in family work
- Play Therapy
- Working in treatment with the depressed child
- Co-dependency
- Child study through observation
- Working with hyperactive children

***Workshops:***

- 1978 Living with the Troubled Adolescent (16 hrs.)
- 1979 Issues of Separation and Grief (16 hrs.)
- 1979 Nutrition for Homemakers (8 hrs.)
- 1979 Seminar for New Supervisors 18 hrs.)
- 1980 Child Sex Abuse- Harborview Medical Center (40 hrs.)
- 1980 Management Skills for Supervisors (18 hrs.)
- 1980 Advanced Management Skills for Supervisors (18 hrs.)
- 1980 Psychology of Preadolescent Children (12 hrs.)
- 1980 Advanced Psychology of Preadolescent Children (12 hrs.)
- 1980 Supervisor Training (24 hrs.)
- 1980 Realty Therapy (36 hrs.)
- 1981 Hyperactive/Passive Children (24 hrs.)
- 1981 Screening and Interviewing Children at Risk (26 hrs.)
- 1982 Dealing with Hostile Clients (12 hrs.)
- 1982 General Services for Clients (12 hrs.)
- 1982 Dealing with Personnel Issues (16 hrs.)
- 1982 CPR Training (4 hrs.)
- 1982 Coping with Children's Coping Behaviors (12 hrs.)
- 1983 Beginning Skills Family Work (12 hrs.)
- 1983 Child Prostitution (7 hrs.)
- 1983 Supervision (20 hrs.)
- 1984 Skills of the Helping Process (18 hrs.)
- 1984 Clear Writing Skills (16 hrs.)
- 1984 CPR Training (4 hrs.)
- 1985 Clear Writing Skills (24 hrs.)
- 1986 Child Abuse Interventions (16 hrs.)
- 1986 Investment in Excellence (40 hrs.)
- 1986 Combating Child Sexual Abuse (18 hrs.)
- 1986 Thriving and Surviving (40 hrs.)

- 1986 Basics of Supervision (40 hrs.)
- 1986 Suggestibility in Children (10 hrs.)
- 1986 Child Sexual Assault (30 hrs.)
- 1986 Moving Abusive Families Towards Health (10 hrs.)
- 1986 Management Training (16 hrs.)
- 1986 Personnel Training (10 hrs.)
- 1987 Risk Assessment Training (40 hrs.)
- 1987 Management Training (15 hrs.)
- 1987 Child Sexual Abuse Dynamics (20 hrs.)
- 1988 Assess and Interview Child Sex Abuse Victims (21 hrs.)
- 1988 Risk Assessment (16 hrs.)
- 1988-1989 Supervision for Excellence (120 hrs.)
- 1990 Incest and Sexual Abuse (24 hrs.)
- 1991 LEP Training (3 hrs.)
- 1991 Survive and Thrive in the Courtroom (4 hrs.)
- 1991 National Child Sexual Abuse Symposium (40 hrs.)
- 1991 National Child Abuse Conference (40 Hrs.)
- 1992 Child Sexual Abuse Research-Dr. Finkelhor (40 hrs.)
- 1992 Children who Molest (24 hrs.)
- 1993 Sexually Intrusive Children- E. Gill (24 hrs.)
- 1993 Children who Molest- part II (24 hrs.)
- 1993 Sexually Aggressive Youth-t. Johnson (24 hrs.)
- 1993 National Child Sexual Abuse Symposium (40 hrs.)
- 1993 National Child Abuse Conference (40 hrs.)
- 1993 Child Abuse Prevention (40 hrs.)
- 1993 Children's Justice Conference
- 1994 Justice in Indian Country (40 hrs.)
- 1994 Children who Molest- Part III (13 hrs.)
- 1994 Interpersonal Violence (15 hrs.)
- 1994 Children's Justice Conference
- 1995 Children's Justice Conference
- 1996 Children's Justice Conference
- 2008: Provide Two-day Training with The Honorable Tom Webber on child sexual assault for the Tucson Casa volunteers
- 2012: Psychotropic Medications and young children at Seattle University (5 hours)
- 2012: Foundational Competencies for Effective Forensic Interviewing, a child centered approach. Offered by NACCFI (40 hours)

- 2013: Early Brain Development & Best Interest Decision making in our Courts at Seattle University (8 hours)
- 2013: Early Brain Development and Best Interest Decision Making in the Courts; Using Science to inform Decision Making at Gonzaga University (8 hrs.)
- 2014: Ethical Issues related to social workers' Use of social media and online (4 hrs.) (NASW)
- 2014: Emerging issues in adolescent health: implications for clinical social work practice (4 hrs.) (NASW)
- 2014: The power of linking social work practice and policy (4 hrs.) (NASW)
- 2014: Use of trauma assessments of youth entering the juvenile justice system (4 hrs.) (NASW)
- 2014: New domestic violence policies: implications for social work practice (4 hrs.) (NASW)
- 2014: Global update: the state of LGBT equity (4 hrs.) (NASW)
- 2015: San Diego International child abuse conference (40 hrs.)
- 2016: Ethics, Necessary and Essential (8 hours)
- 2016: NASW Conference (24 hours)
- 2017: San Diego International Conference Presenter
- 2017: San Diego International Conference (40 hours)
- 2020: Mandatory Reporting (NASW)
- 2020: Human Sexuality (NASW)
- 2020: Sexuality across Lifespan (NASW)
- 2020: Issues in Domestic Violence (NASW)
- 2020: Spousal Abuse (NASW)
- 2020: Child Maltreatment (NASW)
- 2020: Adverse Childhood experiences in Adult Well-Being, Disease, and Social Function. (APSAC)
- 2020: When Does Poor Parenting Cross over into psychological maltreatment. (APSAC)
- 2020: Cognitive Therapy (APSAC)
- 2020: APSAC Colloquium (36 hrs.)
- 2022: APSAC Forensic Interviewing of Children with Disabilities (12 hrs.)
- 2022: APSAC Forensic Interviewing (33.5 hrs.)
- 2022: APSAC No hit Zone (1.5 hrs.)



**AWARDS:**

- 1989 Region IV Outstanding Employee
- 1989 Service Award from the Boy Scouts of America
- 1993 Commissioner's Award- Department of Health & Human Services
- 1996 Children's Administration Outstanding Employee Award
- 1996 Governor's Vision Award

DECLARATION OF SERVICE

On said day below I electronically served a true and accurate copy of the *Petitioners' Response to Connelly Law Amicus Memorandum* in Supreme Court Cause No. 102565-3 to the following:

Meghan Callagee O'Brien  
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Issaquah, WA 98027

Original E-filed via appellate portal with:  
Supreme Court  
Clerk's Office

I declare under penalty of perjury under the laws of the State of Washington and the United States that the foregoing is true and correct.

DATED: February 8, 2024 at Seattle, Washington.

/s/ Brad Roberts \_\_\_\_\_  
Brad Roberts, Legal Assistant  
Talmadge/Fitzpatrick

# TALMADGE/FITZPATRICK

February 08, 2024 - 4:07 PM

## Transmittal Information

**Filed with Court:** Supreme Court  
**Appellate Court Case Number:** 102,565-3  
**Appellate Court Case Title:** Bruce Wolf v. State of Washington

### The following documents have been uploaded:

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### Comments:

Response to Connelly Law Amicus Memorandum

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