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NO. 89741-7

SUPREME COURT OF THE STATE OF WASHINGTON

In re the Detention of Joe Todd,

Appellant,

v.

State of Washington,

Respondent.

STATE'S ANSWER TO PETITION FOR REVIEW

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 ORIGINAL

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I. INTRODUCTION

Joe Todd is a pedophile with an extensive history of sexual crimes against young children. He seeks review of the December 3, 2013, decision of the Court of Appeals (*In re Todd*, 2013 WL 6244600) affirming the trial court's Order committing him as a sexually violent predator (SVP). Todd asserts that the Court of Appeals erred in finding that there was sufficient evidence to support the trial court's determination that he had committed a Recent Overt Act while in the community. The evidence presented by the State, however, was more than sufficient to demonstrate that Todd committed a Recent Overt Act while in the community, and there is no basis for review by this Court.

II. COUNTERSTATEMENT OF ISSUES

The State submits that there is no basis for this Court's review of the Court of Appeals' decision pursuant to RAP 13.4. If this Court were to accept review, the following issue would be presented:

Whether there is sufficient evidence in support of the trial court's determination that Joe Todd committed a recent overt act.

III. COUNTERSTATEMENT OF THE CASE

A. Prior Sex Offenses

Joe Todd was born on February 14, 1975. Ex. 1. Although Todd's first sexual experience with a child occurred when he was 12, Todd has

told others that he attempted sex with dogs and horses when he was 11. RP 1B 10/25/11 at 149. He was first convicted for sexual misconduct at age 15. The conviction was based on sexual assaults against a 4-year-old boy, whom he admitted to having molested more than 20 times over a three-month period. *Id.* Initially charged with Rape of a Child First Degree for this offense, Todd pleaded guilty to the reduced charge of Indecent Liberties. Exs. 1 and 2. Todd received a disposition of 30 days detention and 24 months of community supervision. Ex. 4. The court placed him on home detention with his parents from October 9-24, 1990. Ex. 5. Although he received treatment during this period of time, Todd was charged seven months later with Rape of a Child in the First Degree. RP 1B 10/25/11 at 160; Ex. 7. He was found guilty and, on July 24, 1991, received a disposition of 80 to 100 weeks. Ex. 8. He served 20 months at the Naselle Youth Camp. RP 1A 10/25/11 at 90. He was also sentenced to 30 days for violating his prior dispositional order. Ex. 6. At the time he committed this offense he was in sexual deviancy treatment in Portland, Oregon. RP 1A 10/25/11 at 82-83.

Todd was released from confinement in January 1994. RP 2A 10/26/11 at 255-56. During a 1994 pre-polygraph interview with Richard Peregrin following his release, Todd admitted to having visited pornography stores, having had "a lot of" contact with children at his

church, and to having gone to church in order to have access to children and to be able to interact with them in a safe environment. *Id.* at 272. He admitted to having peeped on “fifty or sixty” children during the five months preceding the interview, and to having become sexually aroused when he had picked up a 16-month-old baby at church before handing it back to its parents. *Id.* He admitted to having peeped in restrooms at rest areas, Fred Meyer’s stores and Safeways, stating that he would sit in a stall for long periods of time while peeping through a hole in the stall. *Id.* at 273. He disclosed that he had had sexual contact with thirty males at rest areas and four at the Fred Meyer’s bathroom. *Id.* He disclosed that he would also masturbate to fantasies of younger children he peeped on while the children were in the bathroom. *Id.*

Finally, in 1997, at age 22, he was charged with Child Molestation First Degree. Ex. 9. The assaults upon which this charge was based occurred on December 26, 1997. That day, Todd had stopped at a restroom on the way to visit his mother, and had become aroused. RP 1A 10/25/11 at 97. He then began looking for an adult video store, hoping to find someone with whom to have sex. *Id.* Upon finding all the video stores he visited closed, he became frustrated. *Id.* Later that same day, he assaulted three boys, ages six to eight. Ex. 9. Todd pled guilty to Child Molestation First Degree and Assault Second Degree, was sentenced to

144 months in prison, and given 36 months community placement. Exs. 11 and 12. As part of his conditions of supervision, Todd was prohibited from being in areas “routinely used by minors as areas of play/recreation” or having contact with persons under the age of 18 without the express “prior written approval of his community corrections office, his therapist, and the court after an appropriate hearing.” Ex. 12, App. A. He was required to successfully complete all phases of a sexual deviancy treatment program, including “accurately report all sexual thoughts, feelings and behaviors in a timely manner and cease all deviant sexual activity,” to submit to periodic polygraph and plethysmograph exams, and to refrain from use of any pornographic materials. Ex. 12.

While in prison, Todd participated in the Sex Offender Treatment Program at Monroe Correctional Complex, Twin Rivers Unit. RP 1B 10/25/11 at 172. As part of his treatment, he developed a Relapse Prevention Plan, working to identify behaviors that placed him at risk to reoffend, and strategies to intervene in those behaviors. Ex. 13. In a document entitled “Risks and Interventions” (Ex. 14), Todd identified his “sexual lifestyle-past lifestyle” as one of his risk factors, identifying “a desire for anonymous sex, excitement, adrenaline” as an “internal cue,” and “secrecy, not being accountable for my time, spending a lot of time in

high risk areas, like malls, Fred Meyers, parks after dusk or after dark” as “external cue[s]” for that risk. Ex. 14, Risk No. 2. This risk, he wrote,

led me to sex in restrooms (a felony crime) and leads to de-personalizing sex, so that *all males, especially minors* are at even higher risk, I want sex now and I don’t care how I get it attitude.

Id. (emphasis added). In order to avoid this risk, Todd wrote, he needed to “continue to admit I am still aroused to anonymous sex in public areas, avoid using them, [and] locate one person rest-rooms in area.” *Id.* Todd also identified “excessive arousal” as a risk factor. The “internal cue” for this was the “desire to masturbate excessively, thinking or fantasizing of sex constantly.” *Id.* The “external cue” was “looking at men’s crotches, going to sexual themed places, watching porn magazines, online, etc.”¹ *Id.* Todd wrote that “[m]y arousal, my focus on sex, the male genitals, in particular, have led me to objectify boys and men, wanting instant gratification.” Ex. 14, Risk No. 7. He also identified one of his risks as “feeling entitled to sex.” Ex. 14, Risk No. 8. “This has led me to seek sex in public places, despite the risk level and when age-appropriate is not available, children and young boys.” *Id.* In addition, he identified being in a public restroom as a risk factor for him, writing “I have sexually

¹ In his deposition, played to the trial court, Todd identified pornography as a risk factor, saying that “I don’t think it would be too difficult to keep digging further and find real child pornography.” RP 1B 10/25/11 at 164. The danger of child pornography, he continued, was that “if I ever allow myself just to think that children can ever be appropriate sexual partners, then I run the risk of reoffending.” *Id.*

offended in public restrooms. The casual, anonymous sex places me at higher risk for offending a child later.”² Ex. 15, p 7, Risk No. 16.

Todd was released to community supervision on February 27, 2009. RP 2A 10/26/11 at 255. Upon release, Todd was assigned to work with Mark Chapman, an aftercare specialist for the DOC, as well as Tony Shaver, a Communications Correction Officer (CCO). RP 1B 10/25/11 at 173. In addition to attending sex offender treatment groups with Chapman, Todd was told that he could call Chapman for support or assistance at any time. *Id.* at 175.

About six weeks after his release, on May 13, Todd called Chapman. RP 1B 10/25/11 at 179. He told him that he had gone into a Target, had masturbated in the bathroom, and that he was hoping someone would come in so that he could have sexual contact with that person. *Id.* at 183. Although he had dropped his pants on the floor in an attempt to signal his interest, no sexual contact occurred. *Id.* at 179; *See also* F of F No. 14. Both Chapman and Shaver, upon hearing about this, recognized this behavior as was part of Todd’s offense cycle, one step in a process that could eventually lead to offending against a child. *Id.* at 183-84; RP 2A 10/26/11 at 346-47. On the basis of this behavior, Shaver imposed a

² Todd had previously admitted to performing oral sex on as many as 12 men per hour in public restrooms. RP 1B 10/25/11 at 150.

condition prohibiting Todd from entering into any place where the public or minors could come in and use the restroom, and requiring that he use only locked bathrooms. RP 1B 10/25/11 at 184.

When Todd talked to Chapman the next day, he reported suicidal thoughts and feelings of hopelessness. RP 1B 10/25/11 at 186. The two discussed the fact that Todd had previously identified these as risk factors, and the importance of Todd's communicating these feelings to those supervising him. *Id.* at 187. Several days later, Todd told Chapman that he had inadvertently encountered several minors in a store, had experienced a sort of "pre-sexual excitement," and left the store. *Id.* at 189-190. Todd said the only reason he would want to be around a minor "would be for sexual gratification or for sexual purposes." *Id.* at 190.

On June 11, Todd told Chapman that he had seen a teenager on the bus who was wearing his pants so low that Todd could see the boy's underwear. RP 1B 10/25/11 at 191; *See also* F of F No. 15. Seeing underwear, testified Chapman, "is an issue for immediate arousal" for Todd. *Id.* at 191. On July 8, Todd disclosed in group that he had fantasized that he was a minor "being molested or being sexual with an older male," and had masturbated to that fantasy. *Id.* at 193-94. On July 30, Todd became aroused when, while swimming under Highway 99, he heard the sounds of boys' voices in a bus passing by overhead. *Id.* at 194-95. When

confronted and told by CCO Shaver that he could not swim there, Todd resisted, his face becoming red and tense. RP 2A 10/26/11 at 352.

In early October, Todd revealed that he had been looking at sexually explicit materials on the internet. Although permitted to use computers to look for work and for school, Todd was prohibited from viewing sexually explicit material or pornography. RP 2A 10/26/11 at 355. On October 11, however, he reported having looked at sexually explicit materials on the internet while doing research for a paper on gay marriage using computers at a local college. RP 1B 10/25/11 at 197; *see also* CP at 15; F of F No. 16. Knowing that he should not expose himself to such material, he told Chapman that he would use other computers that contained filters to prevent such images from appearing. RP 1B 10/25/11 at 198; CP at 15; F of F No. 16. Despite this plan, he reported on October 27 that he had again viewed sexually explicit materials on a gay website, and again said that he was not going to do that again. *Id.* at 199-200. He was violated and incarcerated for this behavior. CP at 15; F of F. No. 16.

Staying away from pornography proved difficult. On November 27, Todd disclosed that, while at the college, he had gone to a site called "Hairy Bears," a site involving older men, and another called "Barely Legal Boys," a site showing males over 18 who look like young teens. RP

1B 10/25/11 at 201-04; CP at 15; F of F No. 17.³ Todd later stated that the boys on “Barely Legal” appeared to be between 11 and 14. *Id.* at 309; 317-18. By this point, Todd “was having extreme difficulty controlling his urges to access sexually explicit materials. For him, these are triggering events towards reoffending.” CP at 15; F of F No. 17. He also reported going into a video store that contained an adults-only section in hopes of a sexual encounter during this time. RP 1B 10/25/11 at 196, 204, 206.

After CCO Shaver learned in late November about Todd’s behavior in the community, he filed a violation report, but asked for a reduced sanction hoping that, by being “supportive” of Todd, Todd could avoid losing his housing and his job due to a lengthy incarceration. RP 2A 10/26/11 at 362-65. Todd was sanctioned for accessing pornography and was sent to jail on November 30, 2009. *Id.* at 257-58.

B. Recent Overt Act

17 days later, Todd was again released. RP 2A 10/26/11 at 257-58. When he spoke to Chapman two days later, he reported that he was finding it “very difficult to control his urge to access sexually explicit material on the internet.” RP 1B 10/25/11 at 207. After Todd missed one of his group sessions with Chapman, Chapman asked him to come in to his office; Todd went in on January 5, 2010. After a lengthy discussion,

³ This is referred to elsewhere as “Bears in Underwear.” RP 2A 10/26/11 at 306.

Todd disclosed that he had gone to Taboo Video and had had sexual contact with several men there. RP 1B 10/25/11 at 210; RP 2A 10/26/11 at 303, 307; CP at 15, F of F 18. He also reported that, when he returned to the video store, he knew that he was violating conditions of his release, and that “he was starting to cross his own boundaries and boundaries that were created for him.” RP 1B 10/25/11 at 206. Todd reported that his sexual arousal to minors was increasing, that he had visited the “Barely Legal Boys” site again, and admitted in his deposition that he was, at the time, masturbating to fantasies of men having sex with boys. RP 2A 10/26/11 at 201, 211, 259.

Todd did not disclose these behaviors to CCO Shaver until Shaver confronted Todd about them. CP at 15-16; F of F No. 18. Shaver then scheduled a polygraph examination for Todd. In the pre-polygraph interview, Todd disclosed that he had not told Shaver about his sexual contacts with men at Taboo Video or about having looked at child pornography that included depictions of juvenile males being masturbated by and having sex with adult males. RP 2A 10/26/11 at 259; 309-11. Shaver filed a violation report. At the violation hearing, Shaver said he believed Todd posed an immediate risk to the community, and asked that he be given the maximum allowable time for each violation. *Id.* at 369-70. Shaver then made a referral for civil commitment as an SVP. *Id.* at 370.

The State filed a sexually violent predator (SVP) petition on May 17, 2010 CP at 11, F of F No. 1. Because Todd had been in the community since his most recent sexual offense but before the SVP proceedings were initiated, the State was required to prove that he had committed a recent overt act. CP at 13; F of F No. 9; RCW 71.09.020(12); 71.09.060. The State alleged that Todd, a pedophile with three convictions for sexually violent offenses against children, had committed a recent overt act by engaging in numerous sexual encounters with adult men, viewing pornography depicting adult men engaging in sexual acts with 11- and 12-year-old children, and masturbating to fantasies of adult men engaging in sexual acts with 11-and 12-year-old children between December 16, 2009 and January 10, 2010. CP at 2. The case was tried to the bench, and written Findings, Conclusions and an Order of Commitment were entered on March 2, 2012. CP at 11-18. Todd appealed.

C. Court of Appeals' Decision

The Court of Appeals affirmed Todd's commitment, finding that "the evidence was sufficient to support the trial court's finding that his continuing to engage in behavior he recognized as having led to his past acts of sexual violence, despite knowing that these behaviors also violated the conditions of his supervision, was an overt act that created a

reasonable apprehension that he would cause harm of a sexually violent nature.” *Todd*, 2013WL 6244600 at *5. “Engaging in high risk behavior that is part of an individual’s offense cycle can be sufficient to establish a recent overt act, even if there is no actual contact with any potential victim.” *Id.* at *7. Todd timely sought review by this Court.

IV. REASONS WHY REVIEW SHOULD BE DENIED

Todd seeks review under RAP 13.4(b)(5), arguing that the case involves an issue of substantial public interest. Petition for Review (“Pet.”) at 7. This argument fails. There was overwhelming evidence presented at trial that Todd’s behavior in December of 2009 and January of 2010 while in the community constituted a recent overt act. Because the issues presented in his petition do not meet either of the specified criteria for review, this Court should deny review.

A. Sufficiency Of The Evidence

The criminal standard of review applies to sufficiency of the evidence challenges under the SVP statute. *In re the Detention of Thorell*, 149 Wn.2d 724, 744, 72 P.3d 708 (2003). “Under this approach, the evidence is sufficient if, when viewed in the light most favorable to the State, a rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.” *Id.*

In reviewing the sufficiency of the evidence, the reviewing court must look at the evidence in the light most favorable to the State and the commitment must be upheld if any rationale trier of fact could have found the essential elements beyond a reasonable doubt. *In re Detention of Audett*, 158 Wn.2d 712, 727-28, 147 P.3d 982 (2006). All reasonable inferences from the evidence must be drawn in favor of the State and interpreted most strongly against the appellant. *Id.*, 158 Wn.2d at 727. An appellate court should not second guess the credibility determinations of the fact-finder. *In re the Detention of Halgren*, 156 Wn.2d 795, 811, 132 P.3d 714 (2006).

B. The State Proved Beyond A Reasonable Doubt That Todd Committed A Recent Overt Act

Because Todd had been released to the community prior to the filing of the SVP petition, the State was required to prove:

1. That Todd had been convicted of or charged with a crime of sexual violence; and
2. That Todd suffers from a mental abnormality or personality disorder; and
3. That such mental abnormality or personality disorder makes him likely to engage in predatory acts of sexual violence if not confined in a secure facility; and
4. That Todd committed a recent overt act while in the community.

RCW 71.09.020(18). A “recent overt act” is defined as “any act, threat, or combination thereof that has either caused harm of a sexually violent

nature or creates a reasonable apprehension of such harm in the mind of an objective person who knows of the history and mental condition of the person engaging in the act or behaviors.” RCW 71.09.020(12). Proof thereof is required where, as was the case of Todd, the person has been released to the community after serving the full sentence for the most recent sexually violent offense and is in custody on the day the SVP action is filed for violating the terms of post-release supervision. RCW 71.09.060(1); *In re Detention of Albrecht*, 147 Wn.2d 1, 10-11, 51 P.3d 73 (2002).

The trial court determined that Todd had committed three sexually violent offenses as defined by RCW 71.09.020(17). F of F Nos. 2, 3 and 4; C of L No. 4. Likewise, the trial court determined that Todd suffers from a mental abnormality in the form of pedophilia. F of F Nos. 5 and 6; C of L No. 5. Todd does not contest these Findings and Conclusions, and as such they are verities on appeal. *In re Estate of Jones*, 152 Wn.2d 1, 8, 93 P.3d 147 (2004). Nor does Todd challenge those Findings that describe Todd’s behavior while in the community between May 2009 and January 2010. *See* F of F Nos. 14-18.

What Todd appears to argue is that, despite the presence of a mental abnormality—a condition which, by definition, “affect[s] the emotional or volitional capacity” and “predisposes the person to the

commission of criminal sexual acts”⁴—Todd’s behaviors in the community do not create a reasonable apprehension of harm of a sexually violent nature. Todd argues that, despite the fact that he “might” have been “inadvertently” aroused by minors “at times,” he “did not act on his arousal,” and as such cannot be said to have committed a recent overt act. Pet. at 12-13. This assertion both misapprehends the meaning of the recent overt act doctrine and minimizes the seriousness of Todd’s behavior in the community. The evidence presented at trial clearly demonstrated that Todd was engaging in behaviors that both he and experts with whom he had worked had identified as dangerous and related to reoffense. These behaviors were known steps in Todd’s offense cycle and created a reasonable apprehension that Todd would have re-offended had the State not intervened.

Dr. Judd, having both reviewed Todd’s extensive records and interviewed him, testified that Todd suffers from pedophilia, a condition involving intense sexually arousing fantasies, urges or behavior involving sexual activity with prepubescent children. RP 2B 10/26/11 at 444-46; CP at 12; F of F No 5. Todd’s expert, Dr. Richard Wollert, agreed with this

⁴ “Mental abnormality” is defined as “a congenital or acquired condition affecting the emotional or volitional capacity which predisposes the person to the commission of criminal sexual acts in a degree constituting such person a menace to the health and safety of others.” RCW 71.09.020(8).

diagnosis. CP at 12; F of F No. 5. Dr. Judd testified, and the trial court found beyond a reasonable doubt, that Todd's pedophilia constitutes a mental abnormality that causes him serious difficulty in controlling his sexually violent behavior. RP 2B 10/26/11 at 463; CP at 1 2; F of F No. 6.

As part of his assessment of Todd, Dr. Judd reviewed Todd's Twin Rivers' Relapse Prevention Plan. RP 3A 10/27/11 at 520-21; Exs. 13, 14 and 15. He explained that the term "offense cycle" refers to the identification of a behavioral chain or factors leading up to an offense. RP 3A 10/27/11 at 520-21. This provides the basis for treatment insofar as treatment will focus on disrupting that chain or intervening in factors that were associated with prior offending. *Id.* at 517-18. The development and understanding of the offense cycle, he explained, is "core to all treatment." *Id.* at 518. Indeed, Dr. Judd testified that, if he saw "an individual that was replicating their identified offense cycle, in terms of their conduct and behavior, I would have concerns about the eminency [sic] in terms of risk or recidivism." *Id.* at 543.

Todd's offense cycle, Dr. Judd testified, is one initially triggered "by feelings of loneliness, isolation, boredom, maybe depression, anxiety." RP 3A 10/27/11 at 522. Such emotions had, in the past, "led into a pattern of sexualized coping in some fashion or another," such as anonymous sex, peeping, voyeurism or exhibitionism." *Id.* These

experiences, Dr. Judd explained, “lea[d] into this particular pattern of conduct and behavior, which can escalate into committing offenses against children or it can remain simply within a sexually compulsive pattern of behavior entailing non-criminal behavior with adult males.” *Id.* at 522. After his release into the community on December 16, Todd reported experiencing pronounced emotional distress due to a combination of circumstances: a modification of his medications, a loss of access to certain social supports in the community, and the loss of his job. *Id.* at 526. This stress “clearly” led Todd into “cycle and pattern behavior,” initially looking at pornography and then engaging in anonymous sexual behavior with individuals at Taboo Video. *Id.* at 526-27.

Dr. Judd testified that the first evidence that Todd was entering into his offense cycle was the report that Todd was attempting to engage in an act of anonymous sex in a Target bathroom in May of 2009. RP 3A 10/27/11 at 519. Todd indicated that, prior to this incident, he had experienced suicidal thoughts and “pronounced emotional distress” due to various factors, including impending homelessness. *Id.* at 523, 525. Likewise, Dr. Judd testified, Todd’s viewing of websites such as “Barely Legal Boys” was an indicator that he was “in cycle.” *Id.* at 526-27; 529-30. Viewing such sites “clearly reinforce[d] Todd’s deviant arousal and his cycle,” something that Todd himself admitted to Dr. Judd. *Id.* at 529-

30. Todd admitted, even in cases when the “kids” he was viewing were actually adult men who simply looked young, “[t]he arousal was there for someone younger...” *Id.* at 588. Todd, Judd testified, “was engaged in a pattern of conduct that he had identified consistently as being high risk,” and “felt that he was out of control” during this period. *Id.* at 586, 588. Given all of this evidence, a rationale trier of fact would have found beyond a reasonable doubt that Todd committed a recent overt act.

Todd also argues that the trial court improperly relied upon *In re Detention of Broten*, 130 Wn. App. 326, 335, 122 P.3d 942 (2005), and *In Re Detention of Aston*, 161 Wn. App. 824, 251 P.3d 917 (2011), because the facts of those cases are distinguishable from those in his case. Pet. at 12-13. Both *Broten* and *Aston*, however, stand for the proposition that a person engaging in acts or behaviors that form part of their “offense cycle” may be determined to have committed a recent overt act. As the evidence at trial clearly demonstrated that Todd was engaging in behaviors that were—by his own admission—established parts of his offense cycle, the court’s determination was correct.

The facts of *Broten* are virtually indistinguishable from those of Todd’s case. Broten – a pedophile under DOC supervision in the community – had parked his car in a park near children, in violation of his conditions. The State’s expert testified that this behavior was part of

Broten’s “offense cycle,” or “buildup ... in anticipation of offending.” *Broten*, 130 Wn. App. at 335-36. The court concluded that Broten’s act of being in his car in a public park near children, “taken together with Broten’s mental history, numerous release violations, admission of fantasizing about molesting and raping young girls, and pattern of placing himself in high risk situations in anticipation of causing sexually violent harm,” “sufficiently supported a finding that Broten’s behavior could cause a reasonable person apprehension that he would reoffend in a sexually violent manner.” *Id.*

Todd also attempts to distinguish *Aston* by noting that Todd, “unlike Aston ...never made any direct or unequivocal threat to engage in predatory acts of sexual violence.” Pet. at 12. The presence of a direct threat was not, however, the sole basis of the *Aston* Court’s decision. The court merely concluded that such statements could reasonably constitute a “threat” under RCW 71.09.020(12). 161 Wn. App. at 834. The court also found that Aston, by “actively writing deviant sexual fantasies about children and masturbating to them” as well as “watching children’s movies and masturbating to fantasies about the child actors,” had committed an “act” under RCW 71.09.020(12). *Id.* Given Todd’s mental abnormality—pedophilia—and his escalating behavior in the community, including masturbating to pornography that appeared to depict adult males

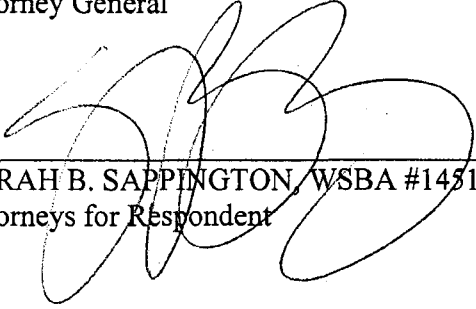
having sex with children, the trial court properly determined that the facts of *Aston* case were “similar to” those of Todd’s case. F of F No. 11.

V. CONCLUSION

For the foregoing reasons, the State requests that this Court deny review.

RESPECTFULLY SUBMITTED this 4th day of March, 2014.

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NO. 89741-7

WASHINGTON STATE SUPREME COURT

In re the Detention of:

JOE TODD,

Appellant

DECLARATION OF
SERVICE

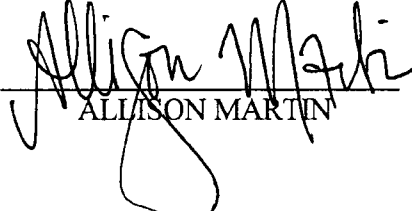
I, Allison Martin, declare as follows:

On March 4, 2014, I sent via electronic mail and United States mail true and correct cop(ies) of State's Answer to Petition for Review and Declaration of Service, postage affixed, addressed as follows:

Lisa Tabbut
P.O. Box 1396
Longview, WA 98632-7822
lisa.tabbut@comcast.net

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

DATED this 4th day of March, 2014, at Seattle, Washington.


ALLISON MARTIN

OFFICE RECEPTIONIST, CLERK

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Subject: In re the Detention of Joe Todd 89741-7

Attached for filing, please find State's Answer to Petition for Review and Declaration of Service.

Filed on behalf of
Sarah Sappington, Senior Counsel
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