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NO. 70421-4-I

COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION I

IN RE THE DETENTION OF M.P.

STATE OF WASHINGTON,

Respondent,

v.

M.P.,

Appellant.

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STATE OF WASHINGTON
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APPEAL FROM THE SUPERIOR COURT FOR KING COUNTY

THE HONORABLE JAMES CAYCE

BRIEF OF RESPONDENT

DANIEL T. SATTERBERG
King County Prosecuting Attorney

CHRISTOPHER ALFRED J. WONG
Deputy Prosecuting Attorney
Attorneys for Respondent

King County Prosecuting Attorney
King County Administration Bldg.
500 Fourth Avenue
Seattle, Washington 98104
(206) 296-8936

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A. ISSUES PRESENTED

1. **DID THE TRIAL COURT PROPERLY FIND THAT THE STATE PROVED BY A PREPONDERANCE OF THE EVIDENCE THAT M.P. PRESENTED A SUBSTANTIAL RISK OF PHYSICAL HARM TO OTHERS AS A RESULT OF A MENTAL DISORDER?**

B. STATEMENT OF THE CASE

1. **PROCEDURAL FACTS**

M.P. was detained on May 3, 2013. On May 8, 2013, his case came before Judge James Cayce on a petition for up to 14 days of additional inpatient treatment. After a hearing on the merits, Judge Cayce found that the State had proved by a preponderance of the evidence that M.P., as a result of a mental disorder, presented a likelihood of serious harm to others. M.P. was committed for up to 14 days of additional inpatient treatment.

On May 23, 2013, M.P. appealed Judge Cayce's ruling, asserting that the evidence presented was insufficient to justify his commitment.

2. **SUBSTANTIVE FACTS**

At the 14 day hearing, the State alleged that as a result of a mental disorder, M.P. presented a substantial risk of physical harm to others. RP 3. In support of its case, the State proffered the testimony of three witnesses.

First, the State offered the testimony of Todd Ryburn, M.P.'s case manager. Mr. Ryburn testified that he worked for the "HOST" program, which assists the vulnerable, homeless, and those in crisis. RP 5. M.P. had been Mr. Ryburn's client since February 2012. RP 5. Although Mr. Ryburn offered M.P. services for medical, mental health, and substance abuse, M.P. only requested assistance with housing. RP 5-6. Mr. Ryburn assisted M.P. with obtaining housing at the newly built Aurora House. RP 6.

Mr. Ryburn described that although M.P. was always "intense," overall he was polite and pleasant. RP 6. However, M.P. recently began calling Mr. Ryburn complaining that he believed people were coming into his room and stinking it up so badly that he was unable to sleep. RP 7. Although "intense", M.P. was still able to articulate his complaints during the first call. By the second call, he was so irate and uncharacteristically upset that Mr. Ryburn had to terminate the conversation. RP 7. During that call, M.P. vocalized paranoid beliefs that people were colluding against him. RP 7.

Concerned about M.P. and whether he was placing his housing situation in jeopardy, Mr. Ryburn went to the Aurora House to visit him. RP 8-9. The meeting went poorly. Based upon M.P.'s

hostile demeanor, which was "loud, intense, and irrational," Mr. Ryburn requested to meet in the open common area for safety reasons. RP 9. He felt that M.P. might actually lash out at him, based upon his posture and presence. RP 9. M.P. refused the request, wanting to meet in private. RP 9. Mr. Ryburn relented and agreed to meet with M.P. in a conference room, but required the door to remain open. RP 10.

Before the meeting began, M.P. became upset that Mr. Ryburn wanted the door open. He became fixated on who Mr. Ryburn's boss was, believing that Mr. Ryburn was now among the group of people he believed were colluding against him. RP 11.

Mr. Ryburn stressed several times that he did not feel safe. RP 9, 10. This was the first time during their relationship that he had felt this way. RP 10. On previous occasions, Mr. Ryburn had had no problem meeting with M.P. in private and even went to M.P.'s apartment the month prior and the interaction was pleasant. RP 10. However, on this day M.P. presented very differently. Given the stark contrast in M.P.'s demeanor Mr. Ryburn terminated the meeting, left the conference room, and went to the front office. RP 11. M.P. briefly disappeared, but then returned, yelling and knocking hard on the closed front office door. RP 11-12. Mr.

Ryburn did not feel safe. RP 12. He exited through the back door of the conference room with the assistance of staff.

Mr. Ryburn remained at the Aurora House until the Designated Mental Health Professionals (“DMHP”) and Seattle Police Department (“SPD”) arrived. RP 12. Prior to their arrival, Mr. Ryburn observed video footage of M.P. and another client in an altercation. RP 13. Mr. Ryburn described that in the video M.P. and the other individual were posturing and preparing to fight. RP 13.

While M.P. was being placed on the ambulance stretcher, he told the police that he was “going to come back and blow away the person in room 322” and then demanded that the police be sure they “heard” him. RP 14. M.P.’s threat concerned Mr. Ryburn for the safety of the other Aurora House residents - particularly the resident of 322. RP 14. He was aware that M.P. had been recently charged with assault, which added to his concern for his safety. RP 16.

Next, the State offered testimony of Uy Tu, Clinical Support Specialist at the Aurora House. RP 18. Mr. Tu’s job was to assist with the concerns of residents at the Aurora House. RP 18. He explained that when M.P. first moved in, approximately a month prior to his hospitalization, he was a good resident who was polite

and had no reported issues. RP 19. This changed in the two to three weeks prior to his detention. RP 20. M.P. menaced Mr. Tu three times in the prior three weeks. RP 26.

Mr. Tu testified that M.P. began insisting that "people" were entering his apartment in order to "make a fool out of him" and "mess" with him. RP 20-21. M.P. stated to Mr. Tu that things in his apartment had been tampered with, even though he lived alone and nobody other than staff had access to his unit. RP 21-22. He further stated that his neighbor caused a strong odor, that smelled like crack or heroin, to drift into his apartment. RP 20, 22. During this interaction Mr. Tu felt menaced by M.P. RP 20. Based upon M.P.'s concerns, Mr. Tu went to M.P.'s floor and unit, but did not smell anything. RP 23. When Mr. Tu explained that he did not understand M.P.'s concerns, M.P. became upset. RP 23. Mr. Tu and Housing Manager Lisa Hilton met with M.P. to address his concerns. RP 23. Prior to the meeting, while Mr. Tu was speaking with Ms. Hilton privately, M.P. stared at Mr. Tu through the window causing him to feel unsafe. RP 23-24. Then, despite asking for the meeting with Ms. Hilton, M.P. demanded to know why she was there. RP 24. When Mr. Tu explained that he did not feel safe being alone with M.P., M.P. became even more angry and

menacing, leaning toward him and staring him down. RP 24. M.P. angrily gave conflicting information, first wanting the staff to fix his stove, then refusing to permit them to come to his unit when they explained they would send two staff instead of one due to safety concerns. RP 25. Mr. Tu felt unsafe due to M.P.'s angry and menacing demeanor. RP 20, 23-24, 26.

Finally, the State offered the testimony of Dr. Janice Edwards, Ph.D.. In rendering her opinion, Dr. Edwards considered the Designated Mental Health Professional (DMHP) initial detention paperwork, M.P.'s Northwest Hospital medical chart, input from the hospital employees, and her own personal interactions and observations of M.P. RP 29. She also considered the testimony of Mr. Ryburn and Mr. Tu and personally spoke to Lisa Hilton, the Aurora House project manager over the telephone. RP 29-30.

Dr. Edwards opined that M.P. has a mental disorder, which at the time was considered to be Psychosis Not Otherwise Specified ("NOS"). RP 30. She also testified M.P. has a history of a traumatic brain injury ("TBI"), an organic disorder. RP 30. She explained that those impairments have a substantial adverse effect on his cognitive and volitional functions, and as a result of these

impairments, he presented a substantial risk of physical harm to others. RP 31.

To substantiate M.P.'s mental disorder, Dr. Edwards relied upon the evidence that M.P. had recently become more agitated, with people he normally got along with, and that he appeared to be experiencing olfactory hallucinations. RP 31. She took into account his paranoia that was demonstrated when he told her he believed people were breaking into his apartment and putting heroin into his coffee in order to get him addicted and "flip him" into being gay. RP 31-32. He told Dr. Edwards that he intended to go to an FBI bunker on 4th Avenue to have the coffee "tested" as proof that it had been tampered. RP 32. She described him as loud during their interactions and not wanting to listen. RP 32. He was physically held down by four point restraints when she evaluated him. RP 32.

Dr. Edwards also introduced portions of M.P.'s medical record, that documented behavior consistent with M.P.'s actions toward Mr. Ryburn and Mr. Tu. While speaking with the psychiatrist on May 3, 2013, M.P. showed no understanding of why he was in the hospital. RP 33. He was threatening and demanding to be released from his four point restraints. RP 33. Throughout his hospitalization, M.P. remained in restraints, and continued to be

verbally aggressive and uncooperative with treatment. RP 34. Security was required on several occasions. RP 34-35. M.P. was menacing and verbally hostile, and exhibited body language and poor space boundaries. RP 34-35.

Dr. Edwards testified that although there was no evidence that M.P. had assaulted anyone at Aurora House or the hospital, his consistent pattern of hostility and aggression towards others, due to his paranoia, placed him at risk to assault. RP 36. M.P.'s paranoia had caused him to believe that everybody was against him and added to his frustration. RP 36.

M.P. showed no understanding of why he was in the hospital and did not believe he needed to be there. RP 37. M.P. was unable to appreciate the effect his mental disorder had on his behavior and that it caused him to act out toward others, by directly threatening his neighbor and repeatedly menacing individuals who were trying to help him. Although, M.P. denied to the psychiatrist that he had any history of mental health issues, his sister reported to hospital staff that he did have a mental health history. RP 38. Dr. Edwards recommended up to 14 days of additional inpatient treatment, and determined that a less restrictive alternative in the community would not be appropriate, given his active

symptomatology, lack of outpatient treatment provider, and potential loss of housing if he returned without being psychiatrically stable. RP 39-40. The State rested after Dr. Edward's testimony.

In his case-in-chief M.P. chose to testify. M.P. denied he menaced Mr. Ryburn. RP 44. M.P. focused much of his testimony on venting his frustrations to the Court that he could smell a heroin addict living next door to him at Aurora House. RP 46-47. He expressed frustration toward a perceived lack of attention to his concerns. RP 48. He also testified that the reason he believed other people were coming into his room was because his coffee cup had become moldy, his poppy seed cake fell apart, and his refrigerator looked smudged. RP 48-49. The record demonstrates that M.P. was unable to control his outbursts in the courtroom; frequently talking over his own attorney without allowing a question to be posed. RP 45- 55. He repeatedly interrupted his own attorney during closing argument and Judge Cayce during his ruling. RP 54-58.

Judge Cayce found the testimony of Mr. Ryburn, Mr. Tu, and Dr. Edwards credible. RP 56. He ruled that M.P. suffered from a mental disorder that had a substantial adverse effect on his cognitive and volitional functions. RP 57. He found M.P.'s

delusions caused him to menace and threaten Mr. Ryburn and Mr. Tu. RP 56. Judge Cayce found that under the circumstances supported by the evidence, Mr. Ryburn and Mr. Tu's fear of being substantially harmed was reasonable. RP 56-57. Based upon these findings, Judge Cayce ordered inpatient treatment for up to 14 days. RP 57.

C. ARGUMENT

1. THERE IS SUBSTANTIAL EVIDENCE TO SUPPORT THE TRIAL COURT'S FINDINGS.

Generally, where the trial court has weighed the evidence, appellate review is limited to determining whether substantial evidence supports the findings and, if so, whether the findings in turn support the trial court's conclusions of law and judgment. *In re: LaBelle*, 107 Wn.2d 196, 209 (1986). See also: *In re: A.S.*, 91 Wn. App. 146, 162 (Div. 1, 1998); *In re: Meistrell*, 47 Wn. App. 100, 109 (Div. 1, 1987).

Substantial evidence is evidence in sufficient quantum to persuade a fair-minded person of the truth of the declared premise. *A.S.*, 91 Wn. App. at 162. The party challenging a finding of fact bears the burden of demonstrating the finding is not supported by substantial evidence. *Id.* Generally, findings are viewed as verities, provided there is substantial evidence to support the findings.

State v. Hill, 123 Wn.2d 641, 644 (1994). It is well established law that an unchallenged finding of fact is a verity on appeal. *Cowiche Canyon Cons. v. Bosley*, 118 Wn.2d 801, 808 (1992). *In re: Meistrell*, 47 Wn. App. 100, 107 (Div. 1, 1987) explains that the court can use both the written findings and conclusions, as well as the trial court's oral ruling to determine how the trial court resolved each issue.

The standard of proof at a 14-day probable cause hearing is "preponderance of the evidence." *In re: LaBelle*, 107 Wn.2d 196, 214 (1986); RCW 71.05.240(3). This means that the trial court, as the finder of fact, must be persuaded by the evidence that the propositions for which the State had the burden of proof were more probably true than not true. *Mohr v. Grant*, 153 Wn.2d 812, 822 (2005). See also WPI 21.01.

M.P. cites several cases that distinguish between findings of fact and conclusions of law, essentially arguing that the trial judge improperly delineated between the two and that whether or not the facts support M.P. being a risk of harm to others is a conclusion of law, rather than a finding of fact. See: e.g., *State v. Williams*, 96 Wn.2d 215 (1981); *State v. Gaines*, 122 Wn.2d 502 (1993); *In re: M.K.*, 168 Wn. App. 621 (Div. 2, 2012).

The State submits that while this distinction is accurate, it does not change the fact that the trial court's decision was correct, nor does it make this court's review any different under *LaBelle* and *A.S.* Under *State v. Williams*, 96 Wn.2d 215, 221 (1981), the evidence based on the findings of fact still justifies the conclusion of law that M.P. is a substantial risk of harm to others.

It does not appear that M.P. is contesting any of the true "findings of facts." The only "findings of fact" in dispute are the ones that conclude that M.P. presents a substantial risk of harm to others. (Appellant's brief, page 1). The true "facts" of this case, as elicited from the testimony of the witnesses are undisputed and verities. Thus, the only question for this Court is whether such facts support Judge Cayce's conclusions of law and judgment. The Washington Supreme Court has already held that "where no exceptions are taken below to the findings, we will give them liberal construction rather than overturn a judgment based thereon." *LaBelle*, 107 Wn.2d at 219.

2. M.P. ATTEMPTS TO CREATE A STATUTORY AMBIGUITY WHERE NONE EXISTS.

RCW 71.05.240(3) states:

At the conclusion of the probable cause hearing, if the court finds by a preponderance of the evidence that

such person, as the result of mental disorder, presents a likelihood of serious harm, or is gravely disabled, and after considering less restrictive alternatives to involuntary detention and treatment, finds that no such alternatives are in the best interests of such person or others, the court shall order that such person be detained for involuntary treatment not to exceed fourteen days in a facility certified to provide treatment by the department. If the court finds that such person, as a result of a mental disorder, presents a likelihood of serious harm, or is gravely disabled, but that treatment in a less restrictive setting than detention is in the best interest of such person or others, the court shall order an appropriate less restrictive course of treatment for not to exceed 90 days.

Here, the State alleged and proved that M.P., as a result of a mental disorder, presented a likelihood of serious harm to others.

As defined by the relevant portion of the statute:

“Likelihood of serious harm” means: (a) A substantial risk that...(ii) physical harm will be inflicted by a person upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm.

(b) The person has threatened the physical safety of another and has a history of one or more violent acts.

RCW 71.05.020(25).

The court’s primary objective in interpreting a statute is to ascertain and give effect to the intent of the Legislature. *LaBelle*, 107 Wn.2d at 205; *Cowiche Canyon Cons. v. Bosley*, 118 Wn.2d

801, 813 (1992). In doing so, the spirit and intent of the law should prevail over the letter of the law. *Id.* Further, the Court will construe a statute so as to avoid strained or absurd consequences which could result from a literal reading. *Id.* See also: *In re: A.S.*, 91 Wn. App. 146, 158 (Div. 1, 1998); *Whatcom Co. v. City of Bellingham*, 128 Wn.2d 537, 546 (1996). The purpose of an enactment should prevail over express but inept wording. *Whatcom Co.*, 128 Wn.2d at 546. Statutes must be interpreted and construed so that all the language used is given effect, with no portion rendered meaningless or superfluous. *Id.* The meaning of a particular word in a statute is not gleaned from that word alone, because the Court's purpose is to ascertain legislative intent of the statute as a whole. *Id.* The court's duty is to harmonize statutes involving the same subject matter. *In re: Pugh*, 68 Wn. App. 687, 691 (Div. 2, 1993).

M.P. asserts that because RCW 71.05.020(25)(b) specifically uses the words "threats" and RCW 71.05.020(25)(a)(ii) uses the more generalized term "behavior" the Legislature somehow did not intend for "threats" to be considered "behavior."

The crux of his argument is that because there is evidence of threats, but no evidence of "history of one or more violent acts" that M.P. cannot be a danger to others under RCW

71.05.020(25)(b). Furthermore, because a “threat” cannot be “behavior,” there is no ground to find that M.P. is a danger to others under RCW 71.05.020(25)(a)(ii) either. To read the statute in this manner both leads to an inequitable result, as well as places undue weight on evidence of the threat. It is not the threat, in isolation that proves the State’s case, but the threat in conjunction with the series of other menacing and irrational behaviors, any of which can constitute “behavior” or a “recent overt act” that justifies the State’s evidence and Judge Cayce’s ruling.

In re: Harris, 98 Wn.2d 276 (1982) is the seminal Washington case that addresses “harm to others” in Involuntary Treatment Act (ITA) cases.

The Supreme Court in *Harris* ruled that the risk of danger to others did not need to be “imminent” in order for the State to involuntarily commit a person under RCW 71.05, as such a requirement would produce an impractical result due to any such “imminent” danger being negated by the patient’s admission into the hospital, even if additional inpatient treatment is warranted. *Id.* at 282-83. The Supreme Court reaffirmed this point a few years later in *In re: LaBelle*, 107 Wn.2d 196, 204 (1986).

Additionally, the *Harris* court clarified that “in order to find that an individual presents a substantial risk of physical harm to others, the risk of danger must be substantial and the harm must be serious before detention is justified.” *Id.* at 284.

Acknowledging that “dangerousness” is difficult to predict, the *Harris* court clarified that the “evidence of behavior that has caused harm or creates the reasonable apprehension of harm” as described in RCW 71.05.020 is proven by evidence of a “recent overt act” *Id.* at 284. The act “may be one which has caused harm or creates a reasonable apprehension of dangerousness.” *Id.* Washington Courts acknowledge that a threat can qualify as a recent overt act. See *In re Detention of Albrecht*, 147 Wn2d1, 8, 51 P.3d 73 (2002) (*en banc*).

M.P.’s threat to harm the resident of Room 322 in conjunction with the multiple other “recent overt acts” by M.P. toward Mr. Ryburn or Mr. Tu, is sufficient to demonstrate reasonable fear that a substantial risk of harm is likely to occur.

3. **THE TRIAL COURT PROPERLY FOUND THAT M.P. PRESENTED A SUBSTANTIAL RISK OF HARM TO OTHERS BASED UPON THE EVIDENCE PRESENTED.**

This case is analogous to *In re: Meistrell*, 47 Wn. App. 100 (Div. 1, 1987). In *Meistrell*, the State proved by a preponderance of the evidence that the respondent, as a result of a mental disorder, engaged in at least one “recent, overt act” that placed others in substantial risk of physical harm. In that case, the trial court focused on the particular act of the respondent jumping off of one side of a teeter-totter, causing his two young children to fall off. *Id.* at 102-103. That one specific act was not viewed in isolation, but in conjunction with all of the other concerning behaviors recently exhibited by the Respondent over the last 15 months, including those that led to a prior hospitalization. *Id.* at 102-104. The appellate court affirmed that “recent past mental health history is relevant in determining present and immediate future mental behavior.” *Id.* at 108. In reviewing the trial court’s decision, the appellate court found that such evidence was sufficient to support a finding that Meistrell was a substantial risk of harm to others, even though there was no evidence of actual injury.

Similarly, in this case, the recent actions of M.P., compared to his relatively stable presentation just a few weeks prior, were highly relevant. M.P. became angry, menacing, and paranoid toward the people trying to help him and was increasingly delusional over things that nobody else understood. In the span of just a few weeks, he caused people who knew him well to feel unsafe, almost got into a physical altercation with another resident, threatened to “blow away” another resident, and was already charged in District Court for a separate alleged assault. Committing an actual assault is not a necessary predicate to civil commitment proceedings.

4. THE TRIAL COURT PROPERLY FOUND THAT REASONABLE FEAR EXISTED IN THIS CASE.

M.P. attempts to create ambiguities where none exist in order to undermine the clear fear that Mr. Tu and Mr. Ryburn testified to as a result of M.P.’s behavior.

For example, M.P. cites to *State v. C.G.*, 150 Wn.2d 604 (2003) to argue that Mr. Ryburn could not have felt “reasonable fear” for his own safety as a result of hearing M.P.’s angry threat to “blow away the person in Room 322.”

This argument is tenuous for several reasons. First, the statute discussed in *C.G.*, RCW 9A.46.020 (felony harassment), is totally different from the statute at issue here, RCW 71.05.020(25). RCW 9A.46.020 requires that the victim be in fear of the specific threat articulated by the defendant. However, that is the plain language of that statute, which is criminal in nature and must be proven beyond a reasonable doubt. This is in stark contrast to RCW 71.05.020, which merely requires the State to prove by a preponderance of the evidence that, "physical harm will be inflicted by a person upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm." Thus, under the relevant statute, Mr. Ryburn and Mr. Tu simply needed to experience "behavior," including, but not limited to M.P.'s threat, which caused them to be in reasonable fear of sustaining such harm. There is no requirement in RCW 71.05.020(25) that they themselves needed to be the intended recipient of the actual threat in order to be concerned that they would be harmed, independent of or in addition to the target of the threat.

Beyond that, the State believes that RCW 71.05.020(25) does not require that the target of the threat need be the one who

testifies that they personally were afraid. The statute allows a person who is privy to the threat to be in reasonable fear that the Respondent will actually follow through and harm that target, even if the target themselves is unaware of it. This is not a strained or unreasonable reading of the statute. See: e.g., *State v. Williams*, 144 Wn.2d 197, 207-208 (2001) (“A true threat is a statement made in a context or under such circumstances wherein a reasonable person would foresee that the statement would be interpreted as a serious expression of intention to inflict bodily harm upon or take the life of another individual”); *U.S. v. Khorrami*, 895 F.2d 1186, 1192 (7th Cir. 1990).

For example, a police officer who encounters a mentally ill individual raving that he will hurt a specific target is able to detain that individual without having to follow him or her around until the individual actually threatens the target. If the officer believes the threat to be credible, due to the surrounding circumstances, detaining the individual before the violence occurs should be permissible and certainly furthers the Legislative purposes of RCW 71.05¹. See also *State v. Hansen* 122 Wn.2d 712, 862, P.2d 117

¹ RCW 71.05.010 sets forth 7 different intended Legislative provisions. In this case, the most relevant include: (2) To provide prompt evaluation and timely and appropriate treatment of persons with serious mental disorders; (3) to safeguard individual rights; (4) To provide continuity of care for

(The Court looked at legislative intent to determine that an indirect threat to harm a judge was sufficient even if the judge is unaware of the threat.)

Third, Mr. Ryburn hearing M.P.'s death threat toward another Aurora House resident is relevant to Mr. Ryburn's fear for his own safety. This is "behavior" which certainly can cause "reasonable fear" in Mr. Ryburn. This Court need only decide whether or not Mr. Ryburn's feelings were reasonable on a more probable than not basis. See: e.g., *U.S. v. Sahhar*, 917 F.2d 1197, 1207 (9th Cir., 1990) (In the context of a similar federal statute, the 9th Circuit explained, "the words 'substantial' and 'serious' as used in federal commitment statutes cannot be quantified. Rather the substantial risk requirement guides the judge who must make the commitment decision and creates essentially the same standard for federal involuntary commitment as used in many state procedures. Thus we believe a finding of 'substantial risk' [under section 4246 of the federal statute] may be based on *any* activity that evinces a genuine possibility of future harm to persons or property.)

persons with serious mental disorders; (5) To encourage the full use of all existing agencies, professional personnel, and public funds to prevent duplication of services and unnecessary expenditures; (7) To protect the public safety.

As explained above, the findings of fact are unchallenged. M.P. only asserts that the conclusion that those facts proved he was a substantial risk of harm to others was erroneous. The State submits that the evidence, as explained above, clearly supports Judge Cayce's conclusions. Judge Cayce's decision should be affirmed.

5. THE STATE DOES NOT CHALLENGE THE ISSUE OF MOOTNESS

The State will not challenge the issue of mootness.

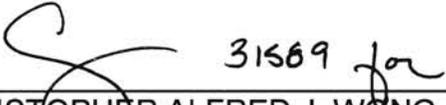
D. CONCLUSION

Based on the foregoing, the State respectfully requests this Court to affirm the trial court's decision that M.P. as a result of a mental disorder, presents a substantial risk of physical harm to others and additional inpatient treatment was properly ordered.

DATED this 28 day of February, 2014.

RESPECTFULLY submitted,

DANIEL T. SATTERBERG
Prosecuting Attorney

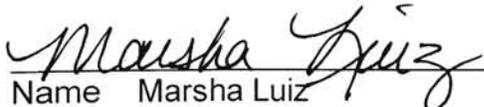
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CHRISTOPHER ALFRED J. WONG,
WSBA# 40677
Deputy Prosecuting Attorney
Attorneys for the Respondent
WSBA Office #91002

Certificate of Service by Mail

Today I deposited in the mail of the United States of America, postage prepaid, a properly stamped and addressed envelope directed to Casey Grannis , the attorney for the appellant, at Nielsen Broman Koch, PLLC, 1908 – E. Madison St., , Seattle, WA 98122, containing a copy of the BRIEF OF RESPONDENT, in In re the Detention of M.P., State of Washington, Respondent v. M.P. Appellant, Cause No. 70421-4 -I, in the Court of Appeals, Division I, for the State of Washington.

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

Dated this 28th day of February, 2014


Name Marsha Luiz
Done in Seattle, Washington