

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION TWO

IN RE THE PERSONAL RESTRAINT PETITION OF CYNTHIA SUE MILLER

ON APPEAL FROM THE SUPERIOR COURT OF THE
STATE OF WASHINGTON FOR THURSTON COUNTY

Cause No. 13-1-01891-1

COVER PAGE FOR APPENDICES H THROUGH P OF STATE'S RESPONSE TO
PERSONAL RESTRAINT PETITION

REDACTED VERSION

Carol La Verne
Attorney for Respondent

2000 Lakeridge Drive S.W.
Olympia, Washington 98502
(360) 786-5540

APPENDIX H

Megan Winder

From: Megan Winder
Sent: Monday, July 20, 2015 1:53 PM
To: William A Romaine
Cc: Nancy Jones-Hegg
Subject: Cynthia Miller - CPS Investigations
Attachments: SYK_IA_2014.02.20.pdf; SYK_Intake_2013.11.17.pdf; SYK_Intake_2014.01.19.pdf;
SYK_Intake_2014.02.20.pdf; SYK_Intake_2014.04.24.pdf; SYK_Intake_2014.07.21.pdf;
SYK_Intake_2014.08.13.pdf; SYK_IA_2013.11.17.pdf; SYK_IA_2014.01.19.pdf

Good afternoon again -

I just received these with regard to the State v. Cynthia Miller case; I have not had a chance to review them in detail, but I wanted to get them to you ASAP.

Thanks,
Megan

Name: [REDACTED] **Gender:** Female **Roles:** WT
Ethnicity: Caucasian **Date of Birth:** [REDACTED]
Race: White/Caucasian, American Indian/Alaskan Native **Primary Language:** English

Name: [REDACTED] **Gender:** Female **Roles:** V
Ethnicity: Caucasian **Date of Birth:** [REDACTED]
Race: White/Caucasian **Primary Language:** English

GATHERING QUESTIONS

Describe the nature and extent of maltreatment.
Cynthia Miller is alleged to have physically abused and neglected her granddaughters; [REDACTED] and [REDACTED]. [REDACTED] Cynthia is alleged to have wrapped [REDACTED] in plastic from her neck down and covered [REDACTED] head in a garbage bag tied around her neck. Cynthia is alleged to have held [REDACTED] down in a bathtub with her foot. Cynthia is alleged to have performed this act in the presence of [REDACTED].

Sequence of Events: What surrounding circumstances accompany the maltreatment?
This SW was unable to speak with Cynthia Miller. This SW attempted to contact Cynthia via several voice mails. This SW attempted to contact Cynthia Miller at her home. This SW left contact information at Cynthia's home. This SW sent a letter via USPS requesting return contact.

Both [REDACTED] and [REDACTED] reported their grandmother was "mean." Neither [REDACTED] nor [REDACTED] were able to provide detail about what "mean" meant.

[REDACTED] said her grandmother would "hurt" the children in her home. [REDACTED] was unable to provide additional information describing what "hurt" means, who was hurt, or when someone was hurt. [REDACTED] said her grandmother would hurt people in the bathroom. [REDACTED] was unable to provide information about events that occurred in the bathroom or who may have been involved.

[REDACTED] said Cynthia once, "tried to strangle my cat." [REDACTED] said she called her grandfather during the event and her grandfather responded to the home. [REDACTED] said her grandfather spoke with Cynthia, but she [REDACTED] did not hear the conversation. [REDACTED] said afterwards she put on music.

[REDACTED] said she does not like that her grandmother used to hurt [REDACTED] by sitting on her. [REDACTED] was unable to provide additional details about Cynthia and [REDACTED]. [REDACTED] was unable to identify when abuse occurred. [REDACTED] was asked about the bathroom in Cynthia's home. [REDACTED] said "She pulls her out of the tub sometimes." [REDACTED] was unable to articulate what her statement meant.

[REDACTED] said if she had one wish it would be for her grandmother to be nicer.

Describe how child(ren) function on a daily basis.
[REDACTED] and [REDACTED] remain in foster care. Both girls attend elementary school with strong attendance. [REDACTED] participates in weekly counseling sessions. [REDACTED] disclosed to her therapist that she was molested by "Kenneth Unknown." This information was reported to law enforcement.

Describe how each parent(s)/caregiver disciplines the child(ren).
[REDACTED] said rules at her grandmother's home included, "No hurting people. No running in the house. No hurting animals. Be nice." [REDACTED] said if rules were broken they would not be allowed to watch television.

[REDACTED] said rules at her grandmother's home included, "Be good." [REDACTED] was unable to describe discipline if a rule was broken.

What are the overall parenting/child care practices used by the caregiver?
This SW was unable to speak with Ms. Miller. This section uses information from the previous investigation which was dated 02/04/2014.

Ms. Miller cared for [REDACTED] and [REDACTED] from when she obtained non-parental custody of the children in 2007 until they were placed into protective custody by law enforcement on 10/31/13. She obtained non-parental custody of her grandson, [REDACTED] in approximately May 2013, and has cared on-and-off for her other grandchildren, [REDACTED] and [REDACTED] for several years. (All of the children were removed from her care on 10/31/13). Ms. Miller has spoken fondly of her biological grandchildren and has said she loves all of the children she cared for. She has spoken negatively of [REDACTED] and appeared to blame [REDACTED] problems in her household. She required [REDACTED] to sleep in a separate room from the other children, take a separate (special education) bus to/from school, and did not allow [REDACTED] to have items like a backpack to take to/from school (the other children in her home did). She also kept [REDACTED] hair very short, while the other girls in her home had very long hair.

Describe the everyday life task(s) that contribute to the maltreatment.

This SW was unable to speak with Ms. Miller. This section uses information from the previous investigation which was dated 02/04/2014.

In previous contacts with Ms. Miller, she claimed that [REDACTED] frequently lied, stole, hid items in the home, and acted out towards the other children.

How does the parent(s)/caregiver manage his/her own life on a daily basis?

This SW was unable to speak with Ms. Miller. This section uses information from the previous investigation which was dated 02/04/2014.

Ms. Miller has acted as the primary caregiver of the children. She receives support from her husband, Mr. Rhodes, with whom she has been in a relationship for approximately 12 years. They very recently were married (after Ms. Miller's arrest on 12/20/13). She is very involved with her religious community (Jehovah's Witness). Collateral contacts have said that Ms. Miller's ex-husband, Rocky Wright, was very violent towards people in the home when they were together. Ms. Miller is on disability for various health issues. Ms. Miller declined to give the Department further information.

Describe each parent(s)/caregivers' support system and how these support systems can help protect the child (ren). Description of Strengths and Protective Factors.

This SW was unable to speak with Ms. Miller. This section uses information from the previous investigation which was dated 02/04/2014.

Ms. Miller has support from her husband, minister, sons, and religious community. [REDACTED] reported to her foster mother that Ms. Miller's husband ("Grandpa Dean") stopped Ms. Miller from hitting [REDACTED] with a bamboo cane in the past.

The mother has support from various extended family members in the area, including her biological mother, adoptive parents, adoptive siblings, and others.

[REDACTED] has support from his father, who lives just down the street from him. [REDACTED] father helps ensure [REDACTED] and [REDACTED] basic needs are met by paying the family's rent and providing [REDACTED] with a monthly "allowance."

INVESTIGATIVE DETAILS

Narrative describing facts obtained from investigation and sources used to verify.

TRANSFER SUMMARY:

Cynthia Miller is alleged to have physically abused and neglected her granddaughters; [REDACTED] and [REDACTED]. Cynthia is alleged to have wrapped [REDACTED] in plastic from her neck down and tied a garbage bag around her head. Cynthia is alleged to have held [REDACTED] down in a bathtub with her foot. Cynthia is alleged to have performed this act in the presence of [REDACTED].

[REDACTED] and [REDACTED] reported their grandmother was "mean" and would "hurt" children in her care. [REDACTED] and [REDACTED] were unable to provide additional details regarding what abuse occurred, who participated, when abuse occurred, where abuse occurred and the situation(s) leading up to abuse.

Both [REDACTED] and [REDACTED] remain in State foster care. Neither child has contact with Cynthia Miller. Both [REDACTED] and [REDACTED] are enrolled in elementary school where they both have strong attendance. Both children attend weekly counseling sessions. Both children are observed daily by mandated reporters who will contact CPS should safety threats arise.

Due to an unclear narrative by both girls, and no specific disclosure of abuse, this social worker is unable to substantiate a finding of physical abuse or neglect by Cynthia Miller against [REDACTED] and [REDACTED]. This investigation is therefore concluded with a determination that the allegations of physical abuse and neglect by Cynthia Miller against [REDACTED] and [REDACTED] are UNFOUNDED. This case remains open for ongoing Department monitoring through CFWS.

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INITIAL FACE-TO-FACE:

02/21/2014 - This SW met with [REDACTED] at Yelm Prairie Elementary School. [REDACTED] presented as a physically typical nine-year-old girl. [REDACTED] wore clean clothing and had well-groomed hair. [REDACTED] did not present with visible marks or bruises.

[REDACTED] said she enjoys painting on her easel. [REDACTED] said she painted a character from the movie "Frozen."

[REDACTED] said she used to live with her grandmother Cynthia, her sister [REDACTED], and her cousins [REDACTED] and [REDACTED].

[REDACTED] said rules at her grandmother's home included "No hurting people. No running in the house. No hurting animals." [REDACTED] said if rules were broken the consequence

[REDACTED] said Cynthia "tried to strangle my cat." [REDACTED] said she called her grandfather during the event and her grandfather responded to the home. [REDACTED] said her grandfather spoke with Cynthia, but she [REDACTED] did not hear the conversation. [REDACTED] said afterwards she put on music.

[REDACTED] said her grandmother would "hurt" the children in her home. [REDACTED] was unable to provide additional information describing what "hurt" means, who was hurt, or when someone was hurt. [REDACTED] said her grandmother would hurt people in the bathroom. [REDACTED] was unable to provide information about events that occurred in the bathroom or who may have been involved.

[REDACTED] said if she could change something about her grandmother she would make her grandmother, "stop being rude and hurting people." [REDACTED] said if she had one wish it would be "for grandma to be nicer."

Full audio recording submitted for digital upload.

INITIAL FACE-TO-FACE:

02/21/2014 11:20am - This SW met with [REDACTED] at Yelm Prairie Elementary School. Present also was school counselor, Julie Wentz. [REDACTED] presented as a physically typical seven-year-old girl. She wore clean clothing and had well-groomed hair. [REDACTED] did not present with visible marks or bruises.

[REDACTED] said she enjoys playing outdoors with friends.

[REDACTED] said she used to live with her grandmother, Cynthia, her sister [REDACTED] and her cousins, [REDACTED] and [REDACTED]. [REDACTED] said she likes playing Barbie with [REDACTED]. [REDACTED] said she does not like that [REDACTED] steals.

[REDACTED] said her grandmother used to "let us have snacks and let us draw." [REDACTED] said she does not like that her grandmother used to hurt [REDACTED] by sitting on her. [REDACTED] was unable to provide additional details about Cynthia and [REDACTED] was unable to identify when abuse occurred. [REDACTED] was asked about the bathroom in Cynthia's home. [REDACTED] said "She pulls her out of the tub sometimes." [REDACTED] was unable to articulate what her statement meant.

Full audio recording submitted for digital upload.

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COLLATERAL CONTACTS:

02/21/2014 - 1:30pm - Attendance records received and reviewed. [REDACTED] 2.5 days of excused absences and one unexcused day. [REDACTED] has one excused absence.

02/21/2014 Case Note 1 of 1 Entered By : NHAN-BAN L. PHAN Date Entered : 03/05/2014 Time Entered : 09:29 AM

March health and safety monitoring review is completed at fp home. Both homes were clean and well organized. There appeared to be no condition of immediate note today that would raise question regarding [REDACTED] and [REDACTED] health and safety in placement at this time.

Both children appeared healthy and well-nourished with acceptable personal hygiene and grooming. Both demonstrated no signs of physical discomfort, illness or injury.

[REDACTED] has her physical check up with Dr. Tutisasy (253-564-0170), she has 6 month dentist checkup with Dr. Brain (253-572-9777) and seeing counselor, Angie Langseth-Bostwick (360-481-1060 or 253-843-0520) for one hour a week for individual counseling. She attends at Prairie Elementary, her favorite subject is Math and she likes to play drum for music instrument.

[REDACTED] (she requested to call her as [REDACTED] is seeing the same counselor with her sister. She is also seeing pediatric Dr. Dorhaurer (360-458-7761) and her Dentist is Dr. Frakhausel (360-943-5639).

All their doctor appointments are up to date. No concerns at this time.

05/09/2014 This SW spoke with foster parent [REDACTED] via telephone. Kristen said, [REDACTED] is doing pretty good. She's progressing in school and at home. [REDACTED] said [REDACTED] participates in weekly therapy sessions [REDACTED] said [REDACTED] has weekly visits with her mother. [REDACTED] said [REDACTED] has no contact with Cynthia Miller. [REDACTED] said [REDACTED] reported being molested by a cousin named Kenneth. [REDACTED] said she reported this information to CPS. NOTE: Allegations of sexual abuse by "Kenneth Unknown" were reported to law enforcement on 04/24/2014.

05/27/2014 1:44pm - The following case note was written by CFWS supervisor J. Gund:

MOTHER:

[REDACTED] is compliant with all services. She is involved with PPG, UA's, attending BHR for counseling, and she would like FPS when the girls transition home. She's also willing to participate in counseling with the girls and their current provider. Visits occur on Saturdays for six hours with both children. The children have their sibling visits during this time. The next Review Hearing is July 11th. Heather has an apartment and SW will do a walk-through soon. SW will schedule an FTDM/SPM in the month of June to discuss transitioning to an in-home dependency.

FATHER:

[REDACTED] is [REDACTED] father, has not had any contact with the Department. SW will send a service letter to his last known address.

[REDACTED] is [REDACTED] father and he is deceased.

CHILDREN:

[REDACTED] is in a foster home separate from her sister. [REDACTED] is in a therapeutic home with PACT. The last H&S was done on 5/22/14 at school. She's doing really well in school, making good progress both academically and socially. She joined a Friendship Group at school. She is on an IEP. She likes living where she lives and feels safe there. She also reports she wants to live with her mother and likes visiting with her.

[REDACTED] was seen by Allison Sparks in the foster home on 5/15/14. [REDACTED] reports school is going well and she gets along well with the other children in this foster home. She has her own room and states she feels safe. Foster mother reports that [REDACTED] behaviors have gotten a little worse since she's been seeing her mother more. SW will talk with [REDACTED] and foster mother next visit to discuss behaviors that have escalated since visits with mother have increased.

Both girls continue counseling with Angie Langseth and SW will request update from her.

PERMANENCE:

SW will schedule an FTDM/SPM in June to discuss transition to an in-home dependency with mother.

CONTACTS				
Activity	Participant	Location	Date/Time Occurred	Date/Time Created
Child - Initial Face to Face with Child	[REDACTED] (2780411)	School	02/21/2014 09:44 AM	02/21/2014 05:02 PM
Child - Initial Face to Face with Child	[REDACTED] (100462526)	School	02/21/2014 11:20 AM	02/21/2014 05:04 PM
Parent - Bio/Adopt or Guardian Contact (Includes face to face)	Miller, Cynthia S. (2642851)	Children's Administration Office	05/27/2014 10:20 AM	05/27/2014 10:22 AM
Transfer/Closing Summary	Miller, Cynthia S. (2642851)	Children's Administration Office	05/29/2014 01:28 PM	05/29/2014 01:30 PM
Transfer/Closing Summary	[REDACTED] (2780411)	Children's Administration Office	05/29/2014 01:28 PM	05/29/2014 01:30 PM
Transfer/Closing Summary	[REDACTED] (100462526)	Children's Administration Office	05/29/2014 01:28 PM	05/29/2014 01:30 PM

RECORDS REVIEWED		
Type of Record	Date Reviewed	Comment
Medical/ Dental Records	03/06/2014	Medical summary via assigned CFWS worker.
Referral History	02/20/2014	
School Records	02/21/2014	Attendance

SAFETY ASSESSMENT		
Assessment Date	Safety Decision	Final Safety Plan
02/20/2014	Unsafe	No Safety Plan Required

GENERAL DETAILS	
Living Arrangement of the Child(ren) Non-parent relative caregiver household (includes relative foster care)	
Family Characteristics/Conditions Blurred roles and boundaries within family	Developmental Stages School Age Children

DISPOSITION

Disposition: Case Remains Open for Services **SDM Risk Score:** Moderately High

Explain:
Cynthia Miller is alleged to have physically abused and neglected her granddaughters; [REDACTED] and [REDACTED]. Cynthia is alleged to have wrapped [REDACTED] in plastic from her neck down and tied a garbage bag around her head. Cynthia is alleged to have held [REDACTED] down in a bathtub with her foot. Cynthia is alleged to have performed this act in the presence of [REDACTED].

[REDACTED] and [REDACTED] reported their grandmother was "mean" and would "hurt" children in her care. [REDACTED] and [REDACTED] were unable to provide additional details regarding what abuse occurred, who participated, when abuse occurred, where abuse occurred and the situation leading up to abuse.

Both [REDACTED] and [REDACTED] remain in State foster care. Neither child has contact with Cynthia Miller. Both [REDACTED] and [REDACTED] are enrolled in elementary school where they both have strong attendance. Both children are observed daily by mandated reporters who will contact CPS should safety threats arise.

Due to an unclear narrative by both girls, and no specific disclosure of abuse, this social worker is unable to substantiate a finding of physical abuse or neglect by Cynthia Miller against [REDACTED] and [REDACTED]. This investigation is therefore concluded with a determination that the allegations of physical abuse and neglect by Cynthia Miller against [REDACTED] and [REDACTED] are UNFOUNDED. This case remains open for ongoing Department monitoring through CFWS.

Ms. Miller poses a safety threat to the children.

SERVICES

6

Is the family being referred to ongoing services that require Children's Administration to monitor? <input type="checkbox"/> Yes	Program Type: Child and Family Services (CFWS)
Reasons services are not being provided to the family by Children's Administration:	



CHILDREN'S ADMINISTRATION

INTAKE REPORT

Intake Type:
CPS

Intake Received: 04/24/2014 6:32 PM

Intake ID: 2998297

Case: MILLER, CYNTHIA (1594422)

Final Decision: Screen Out	Response Time: N/A	Reason: Third Party-Referred to Law Enforcement
Date of Alleged Maltreatment: 04/24/2014		

INTAKE

Intake Name: Miller, Cynthia

<p>ADDRESS 7245 32nd Ave NE Apt 19B Olympia, WA 98516</p> <p>Home: (360) 438-1290</p> <p>Driving Directions: [REDACTED] and [REDACTED] live at: [REDACTED]</p>	<p>INCIDENT 7245 32nd Ave NE 19B Olympia, WA 98516</p>
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ALLEGATIONS

VICTIM	SUBJECT	SUBJECT RELATIONSHIP TO VICTIM	CA/N
[REDACTED] (2780411) [REDACTED] 9 years, 7 months	Unknown, Kenneth (101606444) 01/01/1980 34 years, 3 months	Other	Sexual Abuse

NARRATIVE - ALLEGATION/CONCERN

Describe the nature and extent of the alleged maltreatment or concerns. Describe the surrounding circumstances accompanying the maltreatment or concerns.

Referrer: [REDACTED] Foster Mother to the
Identified Child: [REDACTED] 9 years old
Reference Person: Grandmother Unknown; identifying details unknown
Alleged Subject: Kenneth Unknown, in early 30's; no other identifying details unknown
Collateral: Uncle Sean (?) Unknown; no other identifying information known

[REDACTED] reported that:
[REDACTED] told her that when she was 6-7 years old and living with her grandmother in Lacey, WA, a man named Kenneth (Unknown) touched her between her legs over her clothing on several occasions.
[REDACTED] told Kristen that she screamed, "people came running, "and that her Grandmother called the police and that Kenneth Unknown went to jail eventually.

[REDACTED] told [REDACTED] that:
These sexual assaults happened in Uncle Sean's bedroom and in her own bedroom.
During these sexual assaults, Uncle Sean and Grandma were in the living room
Kenneth Unknown is a repeat child molester.
[REDACTED] is in weekly counseling and is discussing these sexual assaults with her therapist.

RISK AND PROTECTIVE FACTORS

Child(ren) receiving MH services at time of Intake? Yes No Unknown

Describe how the child(ren) function on a daily basis.

Referrer reported that:

Identified Child lives with foster mother, [REDACTED] and
Attends Ranier Elementary School.
[REDACTED] receives 1Xweekly Mental Health Counseling.

Caregiver receiving MH services at time of Intake? Yes No Unknown

Describe how the parent(s)/caregiver manages his/her own life on a daily basis. Describe the overall parenting/child care practices used by the parent(s)/caregiver. Describe how the parent(s)/caregiver disciplines the child.

Referrer reported that:

Identified Child lives with foster mother, [REDACTED]
No information available from Referrer on Unknown grandmother.
No Information available on Unknown Uncle Sean (?).

Social/Economic Factors:

Per Barcode, the family is not eligible for benefits.
Per Famlink, there is no Information on family of Unknown Grandmother.

Additional Risk Factors and Prior CA/N History:

Per Famlink:
There are no Prior CPS Intakes on this family.

DOMESTIC VIOLENCE

Has anyone used or threatened to use physical force against an adult in the home? Yes No Unknown

Was the child assaulted, injured or threatened during the DV incident? Yes No Unknown

Was the child in danger of physical harm during the DV incident? Yes No Unknown

Was the child's parent or caregiver killed by the DV perpetrator or incapacitated such that the child's parent or caregiver is unable to meet the needs of the children? Yes No Unknown

INDIAN CHILD WELFARE(ICW)

Is there information indicating the child or any relative of the child may be Native American, Alaska Native or Canadian First Nations Ancestry? Yes No

Is there information indicating a Tribe, Band or Native American Organization considers the child(ren) to be a member? Yes No

Is there information indicating the child(ren) is/are currently or in the past a ward or wards of any tribal court? Yes No

Is there information indicating the residence or domicile of the child(ren) or parent/custodian is known to be a predominantly Indian community or within the bounds of a reservation? Yes No

Has the Washington State Tribe(s) been contacted regarding this referral? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Please list others we can contact regarding the Child(ren)'s Native American Ancestry				
Please see family members.				
INTAKE PARTICIPANTS				
Roles: AP = Alleged Perpetrator; CL = Client; CO = Collateral; CS = Courtesy Supervisor; FAR = Family Assessment Response; HM = Household Member; IC = Identified Child; IN = Intake Name; NM = Non-Household Member; PR = Parent/Parental Role; ST = Staff; SB = Subject; V = Victim; WT = Witness				
Name: Miller, Cynthia, S (2642851)		Relationship to Ref Person: Reference Person		Role(s): HM, IN, PR
				S.E. <input type="checkbox"/> M.H. <input type="checkbox"/>
AKA: MILLER, CYNDI, SUE		Date of Birth: 03/12/1960	Gender: Female	Age: 55 years, 4 months
				L.E.P
Race: White/Caucasian		Ethnicity: Not Hispanic/Latino		Primary Language: English
Address: 7245 32nd Ave NE Apt 19B Olympia WA 98516				
TELEPHONE NUMBER(s)				
Home (360) 438-1290				
Warning Indicators: <input type="checkbox"/> Danger to Worker <input type="checkbox"/> RSO <input type="checkbox"/> SAY <input type="checkbox"/> PAAY <input type="checkbox"/> Sexual Behavior <input type="checkbox"/> High Risk Behavior				
Name: Unknown, Kenneth (101606444)		Relationship to Ref Person: Other		Role(s): AP, SB
				S.E. <input type="checkbox"/> M.H. <input type="checkbox"/>
AKA:		Date of Birth: 01/01/1980	Gender: Male	Age: 35 years, 6 months
				L.E.P
Race:		Ethnicity:		Primary Language: English
Address:				
TELEPHONE NUMBER(s)				
Warning Indicators: <input type="checkbox"/> Danger to Worker <input type="checkbox"/> RSO <input type="checkbox"/> SAY <input type="checkbox"/> PAAY <input type="checkbox"/> Sexual Behavior <input type="checkbox"/> High Risk Behavior				
Name: [REDACTED] (2780411)		Relationship to Ref Person: Child Birth/Adoptive		Role(s): HM, V
				S.E. <input type="checkbox"/> M.H. <input type="checkbox"/>
AKA: [REDACTED]		Date of Birth: [REDACTED]	Gender: Female	Age: 10 years, 10 months
				L.E.P
Race: White/Caucasian		Ethnicity: Not Hispanic/Latino		Primary Language: English
Address: [REDACTED]				
TELEPHONE NUMBER(s)				
Warning Indicators: <input type="checkbox"/> Danger to Worker <input type="checkbox"/> RSO <input type="checkbox"/> SAY <input type="checkbox"/> PAAY <input type="checkbox"/> Sexual Behavior <input type="checkbox"/> High Risk Behavior				
INTAKE DECISION				

<p>INTAKE WORKER: Price-Feinstein, Iona, S (101546410)</p> <p>Response Decision: Screen Out</p> <p>Reason:</p> <p>Response Time: N/A</p> <p>Basis For Screening Decision:</p> <p>Historic reporting of child sexual abuse which occurred over three (3) years ago. Child in foster care and receiving counseling. Sexual perpetrator has no access to the child.</p>	<p>Intake Supervisor: SOULE, TOM (151532)</p> <p>Supervisor Decision: Screen Out</p> <p>Reason: Third Party-Referred to Law Enforcement</p> <p>Response Time: N/A</p> <p>Basis For Screening Decision:</p> <p>No evidence that there was ever a report of these assaults.</p>
<p>CPS SUPERVISOR DECISION</p>	
<p>Final Screening Decision:</p> <p>Intervention Type: Third Party-Referred to Law</p>	<p>Date/Time Decision Made:</p> <p>Response Time:</p>
<p>Reason For Override:</p>	
<p>Explain:</p>	

REFERRER INFORMATION

CONFIDENTIAL

REFERRER IDENTIFICATION			
Name of Referrer: [REDACTED] (2824895)		Primary Language: English	L.E.P.
Referrer Type: Foster Care Provider	Intake Method: Phone	LE Report Number:	<input type="checkbox"/> Mandated Reporter <input type="checkbox"/> Call Back Requested <input type="checkbox"/> Requests Confidentiality
TELEPHONE NUMBER(S)			
Home:	[REDACTED]		

APPENDIX I

TCSO Case # 13-5963

Victim: [REDACTED] *DOB:* [REDACTED]

Suspect: Miller, Cynthia S. DOB: 03/12/1960

Statement of

[REDACTED]

THURSTON COUNTY SHERIFFS OFFICE

ORI #: WA0340000

STATUS: CLOSED

OWNER: MONTGOMERY J 1V330

SUPPLEMENTAL OFFENSE REPORT 13-005963.4

Report Type OFFENSE REPORT	Report Date/Time 12/17/2013	Reporting Officer GALLAGHER J 1130	
Incident Type CHILDREN (NEGLECT/ABI	Incident Date/Time 11/18/2013 11:52:00	Originator (if different) MONTGOMERY J 1V330	
Occurred From Date/Time	Occurred To Date/Time	Arresting Officer	
Location	Address	Beat	Location Grid: X Y
Short Synopsis RECORDING & TRANSCRIPT OF V/ [REDACTED] ATTACHED. CC: DET GALLAGHER, CASE MANAGER			

Additional Case Data

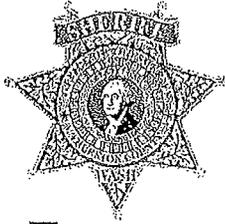
Case NO. 13-005963.4	Title	Case Type	Court File Date
Case Group	OCA No.	Case Manager MONTGOMERY, IVA J 1V330	Assign Date 12/17/2013 14:15:
Crime Report No.	Lead Prosecutor		
Copies Sent To	Case Status CLOSED	Clearance ARREST [DATE] 12/23/2013	Disposition VALID [DATE] 12/23/2013
Reviewed By	Reviewd By Date		
Consolidation File No.	Prosecutor	Further Action	

Narrative Data

No.	Description	Author
	13-5963 SL [REDACTED]	MONTGOMERY, IVA J

References

Num.	Title	Description
1	13-5963 SL [REDACTED]	1-TRANSOUT.MP3 V/ [REDACTED] PART 1
2	13-5963 SL [REDACTED]	2-TRANSOUT.MP3 V/ [REDACTED] PART 2



13-5963

THURSTON COUNTY SHERIFF'S OFFICE

Suspect
 Victim
 Witness

Case #: 13-5963
Date: 11-18-2013
Time: 1152 Hours

NAME: [REDACTED]

DATE OF BIRTH: [REDACTED]

ADDRESS:

INTERVIEWING OFFICER: Detective Jamie Gallagher

INTERVIEW LOCATION: Rainier Elementary School

ALSO PRESENT: Candice Christensen, Rainier Elementary School Counselor

- 1 Q So, once again [REDACTED] are you aware this is being recorded? You know I'm recording
2 this right?
3 A Yeah.
4 Q Okay. Is that okay with you?
5 A I guess so.
6 Q Okay. But you prefer to go by [REDACTED] is that right?
7 A Yeah.
8 Q Okay. So I'm going to call you [REDACTED] instead. So, tell me about where you're living right
9 now.
10 A I'm living at a foster parent's house. Her name is [REDACTED]
11 Q Yeah, is she nice?
12 A Yeah. She has a dog, and she lost her cat.
13 Q Oh.
14 A Because it was up in a tree and then someone called, some, I think it was like the police
15 on it.
16 Q On the cat?
17 A You know, that -- because that way they can take it to the pound.
18 Q Oh. Okay.
19 A Because it was crying too much. She was trying to get down.
20 Q Oh.
21 A And then they just caught it and now we can't have it back.

22

- 1 Q Oh. Isn't that funny how a cat can get up a tree but it can't get down a tree?
2 A Yeah. It did -- it's done that before and then now it's this time it didn't. It's probably
3 because it was too excited -- excited to see me.
- 4 Q Yeah. Do you get along with the cat?
5 A Yeah. He always slept with me.
- 6 Q What's his name?
7 A Roni (ph). And then the dog's -
- 8 Q Roni?
9 A Roni.
- 10 Q Oh, Roni. Okay.
11 A And then the dog's name is Mack.
- 12 Q Yeah?
13 A Uh-huh.
- 14 Q What is your favorite thing to do with [REDACTED]?
15 A Well me and her draw a lot -
- 16 Q Yeah?
17 A -- together and we eat popcorn, watch TV and stuff.
- 18 Q You do? That sounds like a lot of fun.
19 A And we drink hot cocoa.
- 20 Q Is there any other kids there right now?
21 A No.
- 22 Q No?
23 A Just me and her.
- 24 Q Well that's good. Is there anyone else that lives there?
25 A No.
- 26 Q Any other people? No? I've talked to her on the phone a couple times and she seems
27 like she's really nice.
28 A Uh-huh.
- 29 Q Do you have any rules at that house?
30 A Um, yeah, we can't feed the dog, um, the dog anything unless it's just dog food unless we
31 can give it to him.
- 32 Q Yeah.
33 A If she says.
- 34 Q You can't feed the dog, is that what you said?
35 A Yeah.
- 36 Q Oh. Okay.
37 A Unless, um, unless it's like just dog food, something that's little.
- 38 Q Is it a big dog or a little dog?
39 A He's only four.

1 Q So what kind of breed is it? Do you know?
2 A Huh?
3 Q Is it a big dog or little dog?
4 A Little.
5 Q Because I saw a little dog.
6 A It's only -- it's only -- it's only like that big.
7 Q Oh. Okay. I have a little dog.
8 A And it's like that - and it's like that tall.
9 Q Oh.
10 A Like that.
11 Q Well that's cool. I have a little dog too. My little dog is like that big and then I go like
12 off the table.
13 A Oh, he's really little.
14 Q What's your breed?
15 Q He is a Jack Rat, so he is half -
16 A Oh, mine has a short tail.
17 Q He does?
18 A Yeah.
19 Q Do you know what - what breed it is?
20 A Breed? What's that mean?
21 Q That's the kind of dog it is.
22 A No.
23 Q So that brings me to one of our rules because I have rules just like everybody else has
24 rules, right?
25 A Uh-huh.
26 Q So one of my rules, and you just demonstrated it perfectly to me, is that when I ask you a
27 question and if you don't understand what I am saying, I want you to say, what does that
28 mean? Just like you did. So obviously you understand that rule, right?
29 A Uh-huh.
30 Q Okay. Good job. You're going to breeze right through my rules. So another rule that I
31 have is that if I say something and you don't know the answer to it or I ask you a
32 question, um, it's okay to say I don't know or I don't remember. Okay.
33 A Uh-huh.
34 Q I know you went over these rules. Do you remember talking to Miss Lisa when you went
35 for your medical examination?
36 A Uh-huh?
37 Q And I know she has the same rules, right?
38 A Yeah.
39 Q Do you remember when you were talking to her what the most important rule is?
40 A No.

- 1 Q The most important rule is that we only talk about what really happened and that you
2 only tell me the truth.
- 3 A Uh-huh.
- 4 Q Do you remember that rule? Did you talk to Miss Lisa about that rule?
- 5 A I think so.
- 6 Q Okay. So, do you know the difference between the truth and a lie? So if I said, it's
7 raining in this room, would that be the truth or would that be a lie?
- 8 A Lie.
- 9 Q Why's that
- 10 A Because it's not.
- 11 Q Because it's not raining in this room. If I said the play dough you have in your hand is
12 yellow, is that the truth or is that a lie?
- 13 A It's the truth.
- 14 Q Oh. Okay. Does something happen if you tell a lie?
- 15 A I get in trouble.
- 16 Q Oh. Okay. What happens when you get in trouble?
- 17 A I have to sit on the couch or in time out.
- 18 Q Oh. Okay. And are you talking about at Miss [REDACTED] house or are you talking about
19 somewhere else?
- 20 A At my ex-grandma's.
- 21 Q Okay. So, do you know why everybody is talking to you about stuff?
- 22 A No.
- 23 Q Do you know, um, do you know why you're living with Miss [REDACTED] right now?
- 24 A No.
- 25 Q So, I know that you've been seeing a lot of doctors lately, right?
- 26 A Yeah.
- 27 Q Do you know why that is that you've been seeing all those doctors?
- 28 A Uh-uh.
- 29 Q It's because they're concerned about some stuff that may or may not have happened to
30 you.
- 31 A Uh-huh.
- 32 Q And they're concerned about your safety and everyone wants to make you feel safe and
33 happy and loved because everyone deserves to feel safe and happy and loved, right?
- 34 A Yeah.
- 35 Q So, tell me about, you said that you, when you got in trouble you sat on the couch or took
36 a nap over at your grandma's house, right?
- 37 A Uh-huh.
- 38 Q Do you call her Grandma?
- 39 A Yeah.
- 40

- 1 Q Okay.
- 2 A She is my Grandma.
- 3 Q She is your Grandma, I know she's your Grandma. So, um, does sometimes people call
4 them like Oma or mammy (ph) or something like that, you know. So I was just curious
5 what name you call her.
- 6 A Uh-huh.
- 7 Q Like granny. Sometimes people call their grandma, granny.
- 8 A Sometimes.
- 9 Q Isn't that kind of funny?
- 10 A Uh-huh.
- 11 Q Um, so tell me about your grandma. What'd you do at your grandma's house that was
12 fun?
- 13 A Um, well she would let us play outside.
- 14 Q Okay. And who did you play with when you're playing outside?
- 15 A My cousins and my sister.
- 16 Q Okay. What are their names?
- 17 A Um --
- 18 Q Oh, hang on just a second. Couldn't we do that when we're done talking?
- 19 (Pause: Intercom interruption, lunch questions.)
- 20 Q So, your cousins' names are what?
- 21 A [REDACTED] and I have a baby cousin that's named [REDACTED]
- 22 Q Yeah. And he's, you know what, [REDACTED] looks exactly like my son. Do you want to see
23 this?
- 24 A Wait a minute, do you guys have him?
- 25 Q No we don't have him. He's staying with his other grandma.
- 26 A Oh, that's, not my grandma though?
- 27 Q Just a second.
- 28 A He's not with my grandma anymore?
- 29 Q He's not with your grandma right now while we try to figure out some stuff.
- 30 A And I was still trying to figure out why I got taken away.
- 31 Q Okay. We'll talk about that in just a minute. So, this is my little guy. Don't you think he
32 looks like [REDACTED]?
- 33 A Yeah.
- 34 Q He's making a pretty funny face there. He put makeup on his face in that one. He's a
35 goofball.
- 36 A [REDACTED] is too.
- 37 Q So, tell me about, you said you play with your cousins at your house, right?
- 38 A Yeah.
- 39

- 1 Q What are some of the games you guys play?
2 A Um, sometimes we play duck, duck, goose and stuff.
- 3 Q You do what?
4 A We play duck, duck, goose.
- 5 Q Oh duck, duck, goose. Okay.
6 A And, um, we play tag, hide-n-seek, we play Barbie's.
- 7 Q Okay. And, tell me about [REDACTED] What's a - what's something that you really like about
8 [REDACTED]
9 A Um, she's always playing with me the most.
- 10 Q Yeah?
11 A Uh-huh.
- 12 Q What do you guys play?
13 A Well, Barbie's.
- 14 Q Oh. And tell me about [REDACTED] What do you like about [REDACTED]
15 A She colors with me -- she colors with me.
- 16 Q Okay. And, do you have a favorite picture that you color? Like I like to draw flowers
17 and hearts and rainbows.
18 A Me too.
- 19 Q You do?
20 A I like doing hearts and flowers and stars. Do you want me to show you how good I can
21 do stars?
- 22 Q I do. I was just going to ask you if you would show me what they look like when you
23 draw them. Ms. Christensen gave me a bunch of bookmarks. I don't know why she gave
24 me the bookmarks.
25 A Here?
- 26 Q Yeah. It's not really fancy. It's just - I don't know.
27 A It's okay.
- 28 Q Okay. So, what about, did I, was it [REDACTED] that I asked you about or I haven't asked you
29 about [REDACTED] right?
30 A No.
- 31 Q So tell me about [REDACTED]. She's your sister, right?
32 A Yeah.
- 33 Q So what do you like to do with [REDACTED]?
34 A Um, play with her.
- 35 Q To play with her?
36 A Yeah, because she's one of my favorites.
- 37 Q Oh. Okay. If you could change anything about [REDACTED] what would you change?
38 A Um, nothing.
- 39 Q You wouldn't change anything?
40 A Uh-uh.

- 1 Q Oh. Okay. Well that's nice that's your sister. Oh, those are cool stars. So, what would
2 you change about [REDACTED] if you could change anything about [REDACTED]
- 3 A Um, well, sometimes she kind of mean at me. Sometimes she's like mean to me when
4 she gets mad at [REDACTED] or [REDACTED]
- 5 Q Oh. Okay. Do you guys, I know my house is like completely chaotic because I have
6 three little guys. Does your house ever get chaotic and loud?
- 7 A Yeah. Always.
- 8 Q Always?
- 9 A Yeah. Because neighbors gets mad.
- 10 Q Oh. The neighbors in the same building?
- 11 A Yeah.
- 12 Q What do they do when they get mad?
- 13 A They just tell us that you guys - that we're being too loud.
- 14 Q Oh.
- 15 A I'm one of the quietest.
- 16 Q You are?
- 17 A When I go back to my grandma's I get a dollar because I clean the bird cage for her.
- 18 Q Oh, that's nice. What does everyone else get? Does [REDACTED] get an allowance?
- 19 A Yeah. If they - if they, um, help her for like a couple days -
- 20 Q Uh-huh.
- 21 A - they get money.
- 22 Q How much money do they get?
- 23 A I'm not sure.
- 24 Q Oh.
- 25 A They still have to get it.
- 26 Q Oh. Okay.
- 27 A Because she doesn't have it right now.
- 28 Q Oh. Okay. So, oh, those are great stars. So, tell me about what you would change or
29 what you like about your grandma. You said you like her because she plays with you,
30 right?
- 31 A Yeah.
- 32 Q What would you change about your grandma if you could change anything?
- 33 A Ah, sometimes she's mean to me.
- 34 Q Yeah? What happens when she's mean to you?
- 35 A I just go in my room and stay in there for a little bit.
- 36 Q What does she do when she's mean to you?
- 37 A She tells me that I'm grounded or something.
- 38 Q Okay. So, I've talked to your grandma and you know sometimes adults, sometimes they
39 make mistakes.
- 40 A Uh-huh. What'd she say?

- 1 Q Um, I need to get your side of it and then we'll talk about that stuff, okay?
2 A Okay.
- 3 Q Sometimes adults do things, well, she's going to bring you your lunch. Sometimes adults
4 do things because they need help.
5 A Uh-huh.
- 6 Q Right?
7 A Yeah.
- 8 Q Like sometimes I make mistakes and maybe I'm not the nicest person because when it
9 comes down to it, we're all kind of human, right?
10 A Yeah.
- 11 Q And so, in order to get people the kind of help that we need to get them, remember we
12 talked about telling the truth?
13 A Uh-huh.
- 14 Q So, in order to get help, sometimes to get people help that they need so they can stop
15 making those mistakes, we have to know exactly what happened.
16 A What the heck? That's a star.
- 17 Q Oh, that's pretty cool.
18 A That's a plate up in the air like an L.
- 19 Q So, I've heard some things about some stuff that happens at your house to you
20 sometimes. That bell, man, every time I talk to you, I get that bell. And I know that
21 there's some stuff going on with your body or that was going on with your body before
22 that maybe isn't the nicest thing. Right?
23 A Uh-huh.
- 24 Q So, that's the stuff that we kind of need to talk about so that we can make sure that we get
25 whoever did that to you the kind of help that they need so that they can be a better person.
26 Right?
27 A Uh-huh.
- 28 Q So let's talk about -
29 A Are you actual sheriff?
30 Q What's that?
31 A A sheriff, are you actual one?
- 32 Q I am an actual sheriff, yes. So, kind of - so, one of the things that we're concerned about
33 is some of those marks that are on your body.
34 A Some of those what?
- 35 Q Some of the marks and stuff that are on your body.
36 A Uh-huh.
- 37 Q Like your - like your bum, right?
38 A I just call it my bottom.
39

- 1 Q You call it your bottom? Okay. Different people call it different things. So, remember
2 we talked about telling the truth?
- 3 A Uh-huh.
- 4 Q And I know sometimes it's hard to answer questions when people are asking you stuff
5 that maybe you don't want to remember or that's kind of painful for you, right? We're
6 just making good progress, so – that's cool. What's that? Oh, I was going to draw.
- 7 Q I'm going to go ahead and stop the recording. We can talk about this when you're done
8 eating.
- 9 Recording Paused
- 10 Q Okay. The recorder was stopped briefly and – and now it's started again. The starting
11 time is 1224 hours. So we didn't talk about anything about your grandma or Chris or
12 anything like that when the tape recorder was off did we?
- 13 A Huh?
- 14 Q When the tape recorder was off, just while you were eating your lunch, we didn't talk
15 about anything, right? We just talked about stuff, right?
- 16 A Right.
- 17 Q Okay. Um, so we were talking about, whoops, what do you think? My S got a little bit
18 messed up but I can fix that I think. We were talking about some of the concerns that
19 people had about some stuff that was on your body, right?
- 20 A Uh-huh.
- 21 Q Um, and we were also talking about how sometimes grownups make mistakes. Do you
22 remember that?
- 23 A Uh-huh.
- 24 Q When the tape recorder was on before? So I want to talk about, so you said you call your
25 bottom, your bottom, right?
- 26 A Uh-huh.
- 27 Q So what -
- 28 A Bum, bum.
- 29 Q Your bum, bum. Okay. What, where is that part of your body on you? Can you point to
30 that for me? I know it's a silly question. And you're pointing to the part of your body
31 that you're sitting on, is that right? Okay. You nodded your head. Is that, the people
32 that type this, because what happens is, I take this little tape recorder and I give it to some
33 people to type and they have to type what we say and so if you nod your head or go like
34 this, they don't understand what you're saying, so I have to have you use your words? So
35 when you went like this -
- 36 A Yeah.
- 37 Q – you meant yes?
- 38 A Uh-huh.
- 39 Q Okay. Um, so do you remember when you talked to Miss Lisa and there was some stuff
40 going on, on your bum, bum?
- 41 A Uh-huh.

- 1 Q So tell me about that. How did that stuff happen?
2 A Um, I'm not really sure.
- 3 Q Okay. And I know like I said before, I know that this stuff is -- is hard for you to talk
4 about because you might be afraid of something, right? So when you say that you're not
5 sure does that mean that you're not sure or that you don't want to talk about it?
6 A I'm not sure.
- 7 Q Okay. Um, so I did talk to your sister. And I talked to, um, your cousins and they kind
8 of told me some stuff that happened at your house.
9 A What?
- 10 Q With maybe some times that you got in trouble. Do you remember, do you remember
11 that kind of stuff?
12 A No.
- 13 Q You don't remember anything like that?
14 A Uh-uh.
- 15 Q Okay. Um, so tell me what happened when Brother Aylesworth came over? Told you I
16 talked to some people. Who is Brother Aylesworth first of all?
17 A He was one of the Jehovah's witnesses.
- 18 Q Okay. And what do you think of Brother Aylesworth?
19 A I like him.
- 20 Q Yeah? What do you like about him?
21 A He bought me, he bought me earrings and I didn't even wear them.
- 22 Q What's - you didn't get to wear them? How come?
23 A Because he got them when he came over, he bought me some earrings and he gave them
24 to me and I didn't - I didn't get to wear it, wear any.
- 25 Q You didn't get to wear them because you weren't allowed to or because of something
26 else?
27 A Because of something else. Because I was at school.
- 28 Q Oh. Okay.
29 A And then I got taken away and now I can't even have my earrings.
- 30 Q Oh. So he gave them to you right before you guys got taken away?
31 A Yeah.
- 32 Q Oh. Okay. Um, so I heard some other stuff about maybe some stuff that happened when
33 you would get in trouble or some concerns that your grandma had. Do you know some of
34 the concerns that your grandma had? What was she worried about?
35 A That I couldn't run off or some things. Or, a couple times I ran off.
- 36 Q You ran off a couple times?
37 A Like down the street because I went down the street and there's like a whole bunch of
38 houses and they had a park there and that's where I ran off to.
- 39 Q Oh. Okay. Why'd you run off to there?
40 A Because I'm not really sure.

- 1 Q Okay. Has anyone ever told you not to talk to anyone about stuff that happens at your
2 house?
- 3 A Yeah.
- 4 Q Who told you not to talk about it?
- 5 A Um, my grandma.
- 6 Q Oh. Okay. And what was it that she didn't want you to talk about?
- 7 A Um, I'm not really sure. I don't remember.
- 8 Q Okay. So your grandma told me something about a belt.
- 9 A A what?
- 10 Q A belt.
- 11 A A belt.
- 12 Q Uh-huh. Do you remember a belt at the house?
- 13 A What belt?
- 14 Q Like a plastic belt.
- 15 A No.
- 16 Q You don't remember anything about a belt?
- 17 A Uh-uh.
- 18 Q Okay.
- 19 A Was it a - did she say I had - it was a pink?
- 20 Q I don't know. I can't remember what color she said it was.
- 21 A Well, I remember a plastic belt and it was pink because we only had one plastic belt and
22 it was pink and it had hearts on it.
- 23 Q Oh. Okay.
- 24 A I only wore it a couple times and then I took it off.
- 25 Q Oh. Okay.
- 26 A At school.
- 27 Q So [REDACTED], how come you go by [REDACTED] and not [REDACTED]?
- 28 A Because I like that better.
- 29 Q Yeah? Um, because your grandma told me something else and your sisters and your
30 cousins told me something else about [REDACTED] and [REDACTED]. That there's a different
31 reason that you go by [REDACTED]. Do you know what that reason might be?
- 32 A Yeah. Because when all, when, every time I'm good they call me [REDACTED] and every time
33 I'm bad - every time I'm bad, they call me [REDACTED].
- 34 Q Ok. So what's the difference between [REDACTED] and [REDACTED]?
- 35 A I'm not sure.
- 36 Q Okay. So, how do you know when you're being bad?
- 37 A They tell me. Or - or I know when I get in trouble that means I'm bad. That I'm not
38 being good.
- 39 Q Okay.
- 40 A Sometimes I just steal for, I don't know.

- 1 Q Yeah.
2 A Sometime -
3 Q Sometimes you just steal just because you want whatever it is that's there?
4 A Yeah.
5 Q Oh. Okay. Like what?
6 A Well, I'm not really sure why I steal, but (inaudible 0:06:16) sometimes I would hide my
7 [REDACTED] my baby cousins bottles.
8 Q Oh. Do you know why you did that?
9 A No.
10 Q Was it for fun or something else?
11 A Um, I'm not sure.
12 Q Okay. What would happen when you would hide baby [REDACTED] bottles?
13 A I would get in trouble.
14 Q From who?
15 A My grandma.
16 Q Okay.
17 A She would -- because every time before we go to bed, they would check under the bed
18 and right there and check if there were any bottles or anything that's taken and they
19 usually find bottles under the bed.
20 Q Oh. Okay. And so, what happened when you got in trouble for doing that?
21 A Um, I go in my room. I would go in my room or sit on the couch or take a nap.
22 Q Oh. Okay.
23 A Then I can't watch TV for a couple of days.
24 Q Tell me about when you had to stand in a corner. Why was it that you had to stand in the
25 corner and have people yell stuff at you?
26 A Yell stuff?
27 Q Uh-huh. Like they said one name over and over again.
28 A I don't know.
29 Q You don't know? Okay. So, um, your sister and your cousins also told me something
30 about a demon.
31 A A what?
32 Q A demon. Do you know anything about a demon?
33 A Yeah.
34 Q Tell me about that.
35 A Well every time, for some -- for some reason they think I have a demon in my body.
36 Q Who thinks that?
37 A Um, my mom, my grandma, my cousins and my sister.
38 Q Oh. Okay. Why do they think that?
39

1 Q That's odd.
2 A Yeah.
3 Q What? Are you smiling at this? Okay.
4 Q Why do they think that?
5 A I don't know.
6 Q You don't know?
7 A No.
8 Q What do they do, what do they do when they think that the demon is there?
9 A They, nothing.
10 Q Nothing? Is there anything that they do to protect you from the demon or to protect
11 themselves from the demon?
12 A Um, well, they just try to say Jehovah. Every time they say Jehovah, that's when they
13 start to come talk and it comes out.
14 Q Okay. So, do you think that you have a demon in you?
15 A No.
16 Q Okay. How does that make you feel when they say that you do?
17 A Angry.
18 Q Yeah? And -
19 A But I don't tell them.
20 Q You don't tell them that you feel angry?
21 A Uh-uh.
22 Q How does that make them - make you feel when they're yelling Jehovah at you?
23 A I don't know.
24 Q You don't know? Are you happy about it?
25 A No.
26 Q Are you sad about it?
27 A Uh-huh.
28 Q Are you mad about it?
29 A Yeah.
30 Q Okay. Yeah, you said?
31 A Uh-huh.
32 Q Oh. Okay. Um, there was some other kind of stuff that happened to your body.
33 Because, do you remember going up to the hospital and getting the x-rays of your whole
34 body?
35 A Yeah.
36 Q Do you remember that?
37 A Uh-huh.
38 Q So there was some stuff that showed up in there. Hang on just a second.
39 A What was it?

- 1 Q Hang on just a second. Okay. I think that was all we had for that bell. There was some
2 injuries to your hands. Like right here and right here on your wrists.
- 3 A Uh-huh.
- 4 Q Do you remember, ever remember that being hurt?
- 5 A No.
- 6 Q You don't remember that?
- 7 A Uh-uh.
- 8 Q Okay. Because what showed up on the x-rays, it showed that you had a broken wrist on
9 each hand at some point in your life.
- 10 A A broken wrist?
- 11 Q Uh-huh. It also showed that you had an owce to your elbow.
- 12 A I don't remember that.
- 13 Q You don't remember that?
- 14 A No.
- 15 Q Do you ever remember having pain in those parts of your body?
- 16 A A what?
- 17 Q Pain in that part of your body?
- 18 A Sometimes.
- 19 Q Yeah? When was that?
- 20 A Sometimes when I be sleeping.
- 21 Q Oh. Okay. Do you remember your -- your wrists hurting?
- 22 A No.
- 23 Q No? Okay. Um, tell me about, you said that you eat breakfast here, right?
- 24 A Yeah.
- 25 Q And you eat breakfast at Chris's house?
- 26 A Uh-huh.
- 27 Q And you eat lunch here, obviously because you had lunch just a couple minutes ago.
28 And, what else do you eat when you're at Chris's house?
- 29 A Well, last night we made a stew.
- 30 Q That sounds good. What was in it?
- 31 A Um, we had put onions, chop - chopped up, I helped her with all of it.
- 32 Q You did?
- 33 A And, there was mashed potatoes, potatoes in it, carrots, onions, um, what else was in it?
- 34 Q Celery?
- 35 A No.
- 36 Q That sounds really good. It must have smelled amazing.
- 37 A Uh-huh. I didn't really like it - I didn't really like it because the meat.
- 38

- 1 Q Yeah? Well that - that's okay. You don't have to like everything. So, do you get snacks
2 over at Miss Chris's house?
- 3 A Yeah.
- 4 Q What do you get for snacks?
- 5 A Um, crackers and granola bars.
- 6 Q Okay. So, tell me about your grandma's house. Did you eat your breakfast at your
7 grandma's house?
- 8 A Uh-huh.
- 9 Q What did you have for breakfast over at your grandma's house?
- 10 A Cereal, oatmeal, toast.
- 11 Q Did you get to eat breakfast at school?
- 12 A Yeah.
- 13 Q Okay. And what about, what'd you have for breakfast at school?
- 14 A We would have cereal and stuff.
- 15 Q Okay. And did you get snacks at school?
- 16 A No.
- 17 Q What about lunch?
- 18 A Yeah.
- 19 Q Okay. And, did you, when you get home, did you get a snack when you got home?
- 20 A Uh-huh?
- 21 Q What did you have for a snack?
- 22 A We would get sandwiches.
- 23 Q Okay. When you got home from school, you got a sandwich?
- 24 A Yes.
- 25 Q Oh. Okay. Did you get to eat the same stuff that the other girls got to eat?
- 26 A Yeah.
- 27 Q Oh. Okay. Um, okay. Tell me about where you slept.
- 28 A I would sleep with my -- my grandma.
- 29 Q Okay. In the same bed as your grandma or somewhere else?
- 30 A Somewhere else. I would sleep on this little Dora bed.
- 31 Q Oh. Okay.
- 32 A It's like, almost like a pouch.
- 33 Q Okay. And was it long enough for you to stretch out on and get comfortable?
- 34 A Uh-huh.
- 35 Q Okay. Did you sleep there by yourself or with somebody else?
- 36 A Uh, it was only like a, it was only like a little couch. Like this is how wide it was.
- 37 Q Oh. So -
- 38 A Only one person.
- 39

- 1 Q Oh. Okay.
2 A And then it turns into a couch, turns into a little bed.
3 Q So that, I think I saw that when I walked through your grandma's house and is that the
4 one that [REDACTED] sleeps on too?
5 A What, is it the, was it a Dora?
6 Q I don't remember. I remember that it was kind of one of those beds that used to be a crib.
7 Did it used to be a crib and then it turned into a bed?
8 A That was [REDACTED]
9 Q Oh. Okay. You don't sleep on that one?
10 A No.
11 Q Oh. Okay.
12 A That's a baby bed.
13 Q That is a baby bed. So you slept on a couch kind of thing?
14 A Yeah.
15 Q Okay. Where did the other girls sleep at?
16 A They slept in the same room. My, my cousins -
17 Q As each other, right? Not as you?
18 A Right.
19 Q Oh. Okay. So your cousins slept in there. How come you didn't sleep in there?
20 A Um, because there was only three beds. There was a bunk bed and my sister's bed.
21 Q Oh. Okay.
22 A For me?
23 Q So do you remember when Miss Lisa was doing her medical exam on you and you had
24 some owee's kind of down by your bum, bum?
25 A Yeah.
26 Q Kind of in between your legs a little bit?
27 A Who was it? Was it a black girl or something?
28 Q Uh, Miss Lisa is the one that was at the clinic. And so she was the one that was kind of
29 loud. Do you remember her?
30 A Oh, yeah.
31 Q The first one that you talked to.
32 A Uh-huh.
33 Q So, she showed me some pictures of some owee's that you had, kind of near your bum,
34 bum, kind of in between your legs.
35 A Like right here, right?
36 Q No. Kind of like right in here. Like in the back though. Like right back in the back
37 there.
38 A Uh-huh.
39 Q And they were kind of red kind of spots.
40 A Uh-huh.

- 1 Q Do you know what spots I'm talking about?
2 A Yeah. I still have those.
- 3 Q How did that happen?
4 A Um, I think those are just scars.
- 5 Q Yeah? That's kind of an unusual place to get some scars.
6 A Yeah, because before I used to sometimes I pee my pants at night.
- 7 Q Okay.
8 A I don't know why. Sometimes when I get really happy, when we're going somewhere
9 special -
- 10 Q Uh-huh.
11 A - I, sometimes I get so excited that I pee my pants.
- 12 Q Okay. Okay, [REDACTED] is there anything else that you can think of that you want to tell me?
13 A No.
- 14 Q Okay. I'm going to go ahead and end the recording now and the ending is 1240 hours.
15
16
- 17 Ending Time: 1240 hours

APPENDIX J



THURSTON COUNTY SHERIFF'S OFFICE

- Suspect
- Victim
- Witness

Case #: 13-5963
Date: 12-31-2013
Time: 1415 hours

NAME: [REDACTED]

DATE OF BIRTH: 09-14-2004

ADDRESS:

INTERVIEWING OFFICER: Detective Jamie Gallagher, Thurston County Sheriff's Office

INTERVIEW LOCATION: Monarch Child Justice and Advocacy Center

ALSO PRESENT:

- 1 Q [REDACTED] do you know this is being recorded?
- 2 A Yes.
- 3 Q Is that okay with you?
- 4 A Yes.
- 5 Q Okay. Okay, so do you remember the last time we talked there was some rules about, do
- 6 you remember what the rules were about us talking?
- 7 A Uh-uh.
- 8 Q Okay. So all, how about I review them with you, is that okay? Okay. So, the first rule is
- 9 that if I ask you something that you don't understand, that it's okay to say I don't
- 10 understand, do you remember that?
- 11 A Mm-hmm.
- 12 Q So if I ask you what is your gender what would you say?
- 13 A I don't know.
- 14 Q Yeah, see that's exactly what I want you to do. So I would just change the question and I
- 15 would say something like are you a boy or a girl. And then you would understand the
- 16 question, right? Okay. So the next rule that I have is that if you don't know the answer
- 17 to something or you don't remember it, it is okay to say that you don't know or you don't
- 18 remember. Do you remember that rule?
- 19 A Yeah.
- 20 Q Okay.
- 21 A Can I use the top of this (inaudible)?
- 22

- 1 Q You absolutely can. And then do you remember what the most important rule was last
2 time we talked?
- 3 A Oopsy.
- 4 Q That's okay, we can pick that up. Do you remember what the most important rule was
5 last time we talked?
- 6 A No.
- 7 Q It was a rule about telling the truth, do you remember that?
- 8 A Oh, yeah.
- 9 Q Tell me about that rule. Was it to only tell the truth?
- 10 A Uh-huh.
- 11 Q You remember that? Okay. So what is the difference to you between the truth and a lie?
12 I think you told me a pretty good definition last time, right?
- 13 A I don't remember.
- 14 Q How about I give you some examples, would that help you?
- 15 A Yeah.
- 16 Q Okay. So if I said it is raining in this room, is that the truth or is that a lie?
- 17 A That's a lie.
- 18 Q And if I said your pajamas are lavender, is that truth or is that a lie?
- 19 A That's a lie.
- 20 Q Are your pajamas lavender?
- 21 A No.
- 22 Q What color are your pajamas?
- 23 A Purple.
- 24 Q Purple, oh, okay. Purple. How about if I said your blanket is black and has hearts and
25 butterflies on it. Is that the truth or is that a lie?
- 26 A A lie.
- 27 Q Okay. So does something happen if you tell a lie?
- 28 A Huh?
- 29 Q Does something happen if you tell a lie?
- 30 A No.
- 31 Q Is it okay to tell a lie?
- 32 A No.
- 33 Q And how come that is? Do you think if you told a lie that it would be a good thing or a
34 bad thing?
- 35 A A bad thing.
- 36 Q Okay. Are you allowed to tell a lie at [REDACTED] house?
- 37 A Uh-uh.
- 38 Q Does something happen at [REDACTED]
- 39 A She would just talk to me.

- 1 Q She'll just talk to you, okay. Why do you think that is when she talks to you when you
2 tell a lie and not when you tell the truth?
- 3 A I don't know.
- 4 Q Okay, that's okay. I'm glad that you said that you don't know because I don't want you
5 to guess at stuff so that was really good. So, how's school?
- 6 A Good.
- 7 Q What's your favorite subject now?
- 8 A I don't know, still the same thing, play outside.
- 9 Q Oh, that's not a subject. I bet you like art, is that true?
- 10 A Yes.
- 11 Q Because I know that you colored a ton of pictures when I went and saw you last, didn't
12 you? You had colored a bunch of pictures for your sister and your cousins.
- 13 A Mm-hmm.
- 14 Q Were you ever able to give those to them?
- 15 A Not yet.
- 16 Q Have you seen them?
- 17 A I saw my sister.
- 18 Q Oh yeah, how did that go?
- 19 A Good.
- 20 Q Yeah, tell me about that visit what did you guys do?
- 21 A Well we went to play, (inaudible 00:03:46) to see her mom.
- 22 Q Uh-huh. Did you see your mom? Was it a good visit or how did that go?
- 23 A Good. Um, every Friday we get to see her.
- 24 Q Oh, okay. And how is that going?
- 25 A Good. She's bringing us presents every time she comes.
- 26 Q She's bringing you presents?
- 27 A Mm-hmm.
- 28 Q Oh, that's cool. What kind of presents are you getting?
- 29 A I got - I got, um, was it iPod.
- 30 Q She got you an iPod?
- 31 A Mm-hmm.
- 32 Q Wow. Have you put anything on it?
- 33 A Not yet but there's, we put some games and stuff in there.
- 34 Q Okay.
- 35 A I have it because it has, you know, the - what is it, I forgot what it was called.
- 36 Q Oh, is it a music thing that it has on it that you're not supposed to have?
- 37 A No.
- 38 Q Oh. So who has it then?
- 39 A Chris.

1 Q Oh, [REDACTED] has it.
2 A (Inaudible 00:04:48) to give it back to her.
3 Q Oh, okay, that's kind of a big present, isn't it?
4 A Mm-hmm.
5 Q And so you and [REDACTED] (ph) are both going to see your mom when you visit?
6 A Mm-hmm.
7 Q Well that's good. I know that you heard something about your grandma too, right?
8 A Yeah.
9 Q What did you hear about your grandma?
10 A That she went to jail.
11 Q Yeah. She did, she's out right now though.
12 A Huh?
13 Q She's out right now though.
14 A Where is she?
15 Q She's at her house.
16 A Where she lives?
17 Q Mm-hmm. How does that make you feel to hear that she is out of jail?
18 A Better.
19 Q What's that?
20 A Better.
21 Q Why does that make you feel better?
22 A I don't really want her going to jail.
23 Q Yeah, you know sometimes when people go to jail it just gets them kind of the help that
24 they need, right? Remember we talked about that before?
25 A Yeah.
26 Q That sometimes people get in trouble and then there's some stuff that, some
27 consequences that they have to do. Just kind of like when somebody tells a lie, right?
28 A Mm-hmm.
29 Q That they have some consequences that they have to meet up to because they made a
30 mistake, right?
31 A Mm-hmm.
32 Q Um, and so, like if you tell a lie, Miss Chris will help you to do the right thing, right?
33 A Yeah.
34 Q And so, just because she went to jail that doesn't mean that she is a bad person it just
35 means that maybe she needs some help, right?
36 A Yeah.
37 Q Okay. How did you feel when you heard that she went to jail?
38 A Not really happy. I don't know why.
39

1 Q Yeah, not really happy?
2 A Mm-hmm.
3 Q Like mad, sad?
4 A Sad.
5 Q Yeah, what were you sad about?
6 A My grandma.
7 Q Yeah, your grandma's okay. She has -- she has Dean (ph) to support her and so.
8 A What's that mean?
9 Q You know who Dean is right?
10 A Yeah.
11 Q Yeah. So Dean has been by her side and he has been helping her out so she is not alone,
12 okay?
13 A Mm-hmm.
14 Q I don't want you to think that your grandma is alone. But you know, we should probably
15 talk about some of the stuff that got her there, right?
16 A Mm-hmm.
17 Q Because I want to make sure that we get her all the help that we can possibly get her,
18 right?
19 A Yeah.
20 Q Yeah. Because I think that we all agree that maybe sometimes people make maybe not
21 the best choices and they just maybe need somebody to help them make the right choices,
22 right?
23 A Yeah.
24 Q So I know that we talked about some stuff before. Do you remember last time that we
25 talked, when we were at the school and you told me about what happened in the bathtub?
26 A Yeah.
27 Q I kind of wanted to talk to you about that a little bit more.
28 A Why?
29 Q Because I think that's maybe one of the things that she might need some help with. So,
30 when we talked before you said that you thought that your grandma tried to drown you in
31 the bathtub.
32 A Mm-hmm.
33 Q Do you remember that?
34 A Yeah.
35 Q Okay. So tell me about how that happened. Were you taking a bath or how did that --
36 how did you get into the bathtub?
37 A I was taking a bath.
38 Q Okay. And were you by yourself?
39 A Mm-hmm.
40

- 1 Q And was somebody helping you take that bath?
2 A Yeah.
- 3 Q And who was helping you take that bath?
4 A My sister sometimes does.
- 5 Q So [REDACTED] helps you sometimes.
6 A Mm-hmm.
- 7 Q And what does she do when she is helping you?
8 A She just like helps me do my hair and stuff.
- 9 Q Okay. And did your grandma come in at some point, is that what you said?
10 A Yeah.
- 11 Q So tell me about that. How did your grandma come into the bathroom?
12 A Because we get, (inaudible 00:08:15) sometimes we get to unlock the door.
- 13 Q Okay. So the door was unlocked or was it -
14 A It was locked.
- 15 Q It was locked.
16 A Yeah.
- 17 Q Okay.
18 A We were supposed to lock it every time we go to pcc or bath but sometimes we forgot to
19 lock it.
- 20 Q Okay. And so what happened after she came into the bathroom?
21 A She tried to drown me.
- 22 Q How did that happen?
23 A I don't want to talk about it.
- 24 Q I think it's really important that we talk about that [REDACTED] Just because I think that it's
25 going to help get your grandma maybe some of the help that she needs to get. And I
26 know that it is not easy to talk about and I promise that after I talk about - talk about it
27 today, that I won't ask you these questions anymore okay?
28 A Mm-hmm.
- 29 Q I'll just come out and see you and I'll look at your drawings and I'll look at all the stuff
30 that you have been doing out there and we can just do that stuff rather than me asking you
31 questions, okay?
32 A Mm-hmm.
- 33 Q So, you said that she tried to drown you. So what made you think that she was trying to
34 drown you?
35 A Because she put her hand on my head and pushing my head in the water.
- 36 Q She was? Where at on your head was her hand?
37 A In the middle.
- 38 Q Like on the top in the middle, in the middle there? Up on the top there?
39 A Yeah.
- 40

- 1 Q Did she say anything when that was happening?
2 A No.
- 3 Q What was her personality? Was she happy, sad, something else?
4 A Mad. I don't know why.
- 5 Q She was mad, okay. Do you know why she was mad?
6 A No.
- 7 Q Okay, and did you have soap in your hair at the time?
8 A Yeah.
- 9 Q So was it possible that she was just trying to rinse the soap out of your hair?
10 A I don't know.
- 11 Q Okay. And do you remember when you said that her hand was on your head?
12 A Mm-hmm.
- 13 Q And that she pushed your head, right?
14 A Yeah.
- 15 Q Did your face go in first or did the back of your head go in first?
16 A My face.
- 17 Q Okay. Could you breathe when your face was in the water?
18 A Uh-uh.
- 19 Q How long do you think it was there?
20 A A couple of minutes.
- 21 Q A couple minutes?
22 A Mm-hmm.
- 23 Q Did you do anything with your arms or your hands or anything?
24 A Tried to move to push myself up but she, and I couldn't.
- 25 Q Okay. And [REDACTED] was in the room when that happened?
26 A Yeah.
- 27 Q Okay. Did [REDACTED] say anything?
28 A My sister was trying to stop her.
- 29 Q Okay. How did that make you feel when that happened?
30 A I don't know, not very good.
- 31 Q Yeah. Okay. Well I appreciate you talking to me about that. I know it's not easy.
32 A Mm-hmm.
- 33 Q I know that you are probably really, really tired about talking about this stuff, huh?
34 A Mm-hmm.
- 35 Q And I promise soon we'll stop talking to you about this stuff unless you want to talk
36 about it, okay?
37 A Mm-hmm.
- 38

- 1 Q So there's some other things that I've learned since I talked to you last that -- that your
2 uncle Seth (ph) has told some of the neighbors that what that had happened.
- 3 A Yeah?
- 4 Q And so I think it's kind of important for us to talk about some of that stuff too, okay?
- 5 A Mm-hmm.
- 6 Q Tell me about like when you would go to bed at night.
- 7 A I would be fine.
- 8 Q Where would you sleep at?
- 9 A In my, there's like this little couch that turns into a bed.
- 10 Q Is that in that back part of the apartment?
- 11 A Mm-hmm.
- 12 Q Okay. Do you feel like when you went to bed at night that you were free to get up out of
13 bed?
- 14 A Yeah.
- 15 Q Okay. Was there ever a time when you didn't feel like you were free to get up?
- 16 A No.
- 17 Q Okay. Because Seth said something about maybe at night they would do something to
18 keep you from getting into the refrigerator to get food and it would make you really mad.
19 Do you know what I'm talking about?
- 20 A No.
- 21 Q Okay. I can't tell you what he said either.
- 22 A Why?
- 23 Q Because I can't tell, I have to have you tell me what happened. So you were always able
24 to get up and get out of bed.
- 25 A Uh-huh.
- 26 Q Was there ever a time that maybe you were tied to your bed?
- 27 A Sometimes, yeah.
- 28 Q Sometimes? When was the last time that happened?
- 29 A I don't really remember.
- 30 Q Okay. Was it a long time before you left the house or before they came and took you
31 guys out of the house or was it before that-
- 32 A Yeah. Long time.
- 33 Q Okay. How did that make you feel at night when that happened?
- 34 A Not very nice.
- 35 Q Yeah. Why did that happen?
- 36 A I'm not sure.
- 37 Q Did they ever tell you?
- 38 A They always think that I steal stuff and I don't really.
- 39

- 1 Q Oh, is that what it was about?
2 A Mm-hmm. I wish she could have been, but she could have did that by herself and she
3 blamed it on me.
4 Q When you say she, who are you talking about?
5 A Huh?
6 Q Who are you talking about when you say she?
7 A My grandma.
8 Q Oh, so maybe she was stealing stuff and blaming it on you.
9 A Yeah.
10 Q Maybe losing stuff and thinking that you were stealing it or something?
11 A Mm-hmm.
12 Q Yeah.
13 A One time she found bottles on her vanity and she was trying to blame it on me and I'm
14 like no, I didn't really do that.
15 Q Like baby bottles?
16 A Yeah.
17 Q Oh, okay. Okay. So do you know -
18 A One time I was sleeping on the couch and she was blaming something on me for because
19 I (inaudible 0:13:34) I steal something, I steal something (inaudible 00:13:36) do
20 anything.
21 Q Yeah
22 A She could – she could have done that that herself or something.
23 Q What did she think you stole?
24 A Like a cookie or something or like -
25 Q Is that right?
26 A Yeah.
27 Q So what happened then? When she thought that you took that?
28 A She tied me up.
29 Q Yeah, tied you up how?
30 A Like tie my hands where I couldn't get up.
31 Q Describe that to me. So she would tie your hands together, behind your back or like on
32 top of your head or what?
33 A Like she would tie my hands to the bed like this.
34 Q Okay. Do you ever remember that happening and something happening to your wrist that
35 hurt?
36 A I don't think so.
37 Q Do you ever remember a time when your wrists hurt for a long time?
38 A Oh yeah.
39

- 1 Q Tell me about that.
2 A Because she would use - she would use tight straps and she was tying it really bad where
3 my wrist were red.
- 4 Q Yeah? What did the straps look like?
5 A You know right?
- 6 Q Uh-uh, I don't know. Are they just like strings or are they belts or like a bathrobe, you
7 know, like a bathrobe kind of tie, I don't know what you are talking about when you say
8 tight straps.
9 A You don't?
- 10 Q I don't. What color were they?
11 A Black. And they have these little things that you just pull a string and tie it as good as
12 you could.
- 13 Q Oh, how many times do you think that happened?
14 A A lot of times.
- 15 Q A lot of times?
16 A Mm-hmm.
- 17 Q Okay. And so do you remember when I took you guys out of school?
18 A Yeah.
- 19 Q So do you think that it was a day before that or two days before that or something else?
20 A Something else.
- 21 Q Okay. Is she the only one that ever did that to you?
22 A Mm-hmm.
- 23 Q Okay. Well I appreciate you talking to me about that. I know that's not an easy thing for
24 you to talk about but like I said it is going to help her get some help that she might need,
25 right?
26 A Mm-hmm.
- 27 Q So I appreciate you telling me the truth about that and I could tell that was hard for you to
28 talk about, so thank you.
29 A Mm-hmm.
- 30 Q So, let me ask you about when you first came here. Do you remember when you first
31 came here and they took all of those pictures of you?
32 A Yeah.
- 33 Q You were like a super model, do you remember that?
34 A Mm-hmm.
- 35 Q So you had some bruises on your bottom on your, what do you call that part of your
36 body?
37 A My bottom.
- 38 Q Your bottom. So, do you remember them taking pictures of that?
39 A Yeah.
40

- 1 Q Do you remember how those marks got there?
2 A No.
- 3 Q Okay.
4 A Was it right here on my head?
- 5 Q Yeah, there was one kind of on your hip there.
6 A Yeah, because she would like-she would, (inaudible 00:16:29).
- 7 Q Oh, okay. Was that something with her hand or was it -
8 A On the belt.
- 9 Q Okay. What did the belt look like?
10 A I mean it wasn't a belt, it was like this little, um, hard stick, it was very long and it was
11 very hard and it hurts really bad.
- 12 Q Oh, okay. Where did that come from?
13 A I don't know she got it from the store.
- 14 Q Oh, okay. Okay. And so when did that happen? So like when I took you guys out of the
15 house do you remember was that a day before that happened or two days before that
16 happened or something else?
17 A Um, probably days or something.
- 18 Q Okay. So you had some other marks on you and these are kinda probably gonna be a
19 little bit embarrassing for you to talk about but I would really appreciate kind of knowing
20 how they happened just so I know so that in the future if I see these marks on somebody I
21 might know where they come from, okay?
22 A Um-hmm.
- 23 Q So kind of on your-right in here this area -
24 A Uh-huh
- 25 Q - you have a couple marks right there?
26 A Not anymore.
- 27 Q Okay, but you had them back then when we took the pictures of it. Do you remember
28 that?
29 A No.
- 30 Q Oh okay. Well, you had some marks right there. Do you remember having some pain
31 right there?
32 A Uh, yeah.
- 33 Q Tell me about that.
34 A I couldn't really sit down.
- 35 Q You couldn't sit down?
36 A Uh-uh.
- 37 Q How long did you have that? How long could you not sit down for?
38 A Probably four or five days.
- 39 Q Okay. How did those marks get there?
40 A I don't know.

- 1 Q Okay.
2 A Sometimes I would have accidents in my bed like too many times and then it would get
3 like really sore.
- 4 Q Oh, so when you say accidents, what are you talking about?
5 A Pee accidents.
- 6 Q Oh, okay. So it could be that those marks were maybe an infection from going pee in
7 your bed.
8 A Yeah.
- 9 Q Oh, okay. Okay. So tell me about, um, I just, I really appreciate you talking to me. I'm
10 just going to tell you that right out - out front there, that you are doing outstanding. Tell
11 me about, um, the Jehovah's thing and people yelling at you.
12 A Huh?
- 13 Q So, when I talked to your cousins and your sister, they said that there were some times
14 where you would be standing in a corner and they would be yelling something at you.
15 A What?
- 16 Q I can't tell you. I know that we talked before, remember when we talked before and you
17 told me that - that they were saying that you had a demon and you didn't believe them.
18 A Yeah.
- 19 Q You remember that?
20 A Uh-huh.
- 21 Q Did they ever do anything to get that demon out?
22 A I don't remember.
- 23 Q You don't remember. Okay. Well I appreciate you telling me that you don't remember.
24 Um, okay. So, at this point would you feel safe going back to your grandma's house?
25 A Yeah.
- 26 Q You would?
27 A Mm-hmm.
- 28 Q Okay. What about staying at Chris' house, would you feel safe there?
29 A Yeah. Sometimes I feel safe at my grandma's too, but sometimes no.
- 30 Q You kind of feel safe at your grandma's?
31 A Mm-hmm.
- 32 Q Even though she tied you to the bed sometimes and (inaudible 0:19:34).
33 A Yeah. It's probably because she sometimes isn't really thinking and she just isn't thinking
34 and she's just doing it.
- 35 Q You think sometimes she just reacts?
36 A Yeah.
- 37 Q So tell me about when you were in second grade and you didn't go to South Bay. What
38 did you do for that year?
39 A It was just a home school.
40

- 1 Q Okay. Did [REDACTED] go to school that year?
2 A No, none of us did, we just had home school.
- 3 Q Okay. Who was living at the house then?
4 A Me and my sister, my two cousins and (inaudible 00:20:11).
- 5 Q Okay. So you guys were all living there, nobody went to school?
6 A Uh-uh.
- 7 Q Okay.
8 A How do you know this?
- 9 Q I know lots of stuff. That's part of my job is to learn all of this stuff. Do you remember --
10 do you remember if you ever went to the doctor?
11 A Mm-hmm.
- 12 Q What was your doctor's name, do you know?
13 A No I forgot.
- 14 Q Okay. When do you think the last time you went to the doctor was?
15 A Um, I don't know.
- 16 Q Oh, okay. Long time before I got you or before that.
17 A Probably that.
- 18 Q Long time?
19 A Yeah.
- 20 Q Okay. Do you think that you were treated the same as the other kids in the house?
21 A I don't think so.
- 22 Q Yeah? What do you think was different?
23 A I don't know.
- 24 Q Were you treated better?
25 A Huh.
- 26 Q Were you treated better than them?
27 A Uh-uh. They were treated better than me.
- 28 Q Okay. Do you know were they ever tied to their bed?
29 A No.
- 30 Q Okay. How come do you think it was just you?
31 A I don't know.
- 32 Q Okay. And you can put this on your wall too (inaudible 0:21:26).
33 A Why?
- 34 Q It's kind of a goofy N. I'll color it though. Okay.
35 A I like pink.
- 36 Q I'll do pink. Tell me about the food in your house?
37 A Huh?
- 38 Q Did you get to eat whenever -- oops, did you get to eat whenever you wanted to eat?
39 A No.

- 1 Q Tell me about that.
2 A I would have to not eat for a couple of days, I don't know why.
- 3 Q How come. Was that something that happened to all the kids?
4 A No, just me. I don't know why it was – I don't why it was always me.
- 5 Q When was the last time that happened?
6 A Actually it was for a long time.
- 7 Q It was?
8 A Mm-hmm.
- 9 Q Okay. And, so you say a couple of days. How do you – how do you get a couple days?
10 How are you measuring that? Like a couple bedtimes is that how your measuring that?
11 A Yeah, uh-huh.
- 12 Q Okay. Because I noticed in your school pictures, oops this isn't pink this is orange. I
13 noticed in your school pictures that from your kindergarten picture to your third grade
14 picture, there was a big change.
15 A What do you mean?
- 16 Q Like in your kindergarten picture your face was fuller and you looked happier and then in
17 your third grade picture, it looked like you had lost some weight.
18 A That's because I haven't been eating.
- 19 Q You hadn't been eating?
20 A Uh-uh.
- 21 Q Okay. Did you get any food during that time period?
22 A No.
- 23 Q Nothing at all?
24 A Mm-hmm. He says like a little bit, piece of carrot.
- 25 Q Oh okay. What about water? Did you get water during that time?
26 A Yeah. I always get water but if I'm really hungry I have to get a piece of carrot or
27 something.
- 28 Q Just a piece of carrot? Anything else?
29 A I was sneaking.
- 30 Q How big was the piece of carrot?
31 A Like an actual, regular, not like one of those little ones, just this whole big ones.
- 32 Q Oh, okay so is that all that you would eat during that time?
33 A Sometimes I would eat broccoli or something.
- 34 Q Oh, okay so just vegetables kind of during that time?
35 A Yeah.
- 36 Q Okay. And then what would make it stop? What would make it where you could eat
37 normal again?
38 A Like if I would ask her, I see and they would always make, ask her but sometimes she
39 just would not let me eat.

- 1 Q Oh, okay. Was there anything that kept you from eating? Like could you go to the
2 refrigerator and get the food that you wanted to get?
- 3 A No.
- 4 Q How come?
- 5 A I don't know.
- 6 Q Oh, okay. Okay. So today is there anything else that you think is important for me to
7 know [REDACTED]
- 8 A No.
- 9 Q No.
- 10 A Huh?
- 11 Q No. Okay.
- 12 A Do you want a cookie?
- 13 Q Is it a sand cookie?
- 14 A You don't really have to eat it right here.
- 15 Q What's this made out of?
- 16 A Um, I believe sand, I guess.
- 17 Q That's pretty cool. Is it just sand or does it have something else in it?
- 18 A Just sand.
- 19 Q That's pretty cool. Have you ever gone to the sand in the city stuff downtown?
- 20 A Huh?
- 21 Q Have you ever gone to the sandcastle thing downtown when they're making the
22 sandcastles?
- 23 A No.
- 24 Q You should go to that in the summertime. They make these really cool big sandcastles
25 that are really cool.
- 26 A How big?
- 27 Q Like big. Like up to the ceiling big. They're really cool. You should go this summer.
28 Okay, I'm gonna be right back, okay?
- 29 A I'm coming with you.
- 30 Q No stay right here, I'll be right back. I only going to put my shoes on. I'll be right back.
31 Oops I dropped this thing. Where did you go? There you are. I see your pajamas under
32 there. So did I ever tell you that my son, that he was adopted from foster care?
- 33 A Mm-mm.
- 34 Q That he had some issues with his mommy that she wasn't nice to him and so he used to
35 hide under stuff too. My oldest son.
- 36 A (Inaudible 00:27:13).
- 37 Q He would hide behind the couch and he liked to play hide and seek a lot. So can I play
38 with your sand?
- 39 A Mm-hmm.

- 1 Q Okay. So I want to ask you a couple more questions. So let's talk about your wrists stuff
2 again, about being tied to the bed, okay. I know, I promise I'll be done with this soon.
3 This is really weird sand. It's like clay almost, it's kind of weird. So was that before you
4 were living with your grandma or was that after you were living with your grandmother
5 that happened?
6 A Um, when I was.
- 7 Q When you were living with your grandma? What grade were you in?
8 A Third.
- 9 Q Third grade, okay. And, what did it feel like when that happened?
10 A It didn't really feel good.
- 11 Q Was it painful, pleasurable, something else?
12 A Painful.
- 13 Q Okay. So after that happened, after your wrists got tied there, with the tie strap you said,
14 after those were taken off, how did your wrists feel after that?
15 A Very sore.
- 16 Q Okay. For how long do you think they were sore?
17 A Five or six days.
- 18 Q Okay, were you able to move them around and pick up stuff?
19 A Kind of.
- 20 Q Kind of? Okay. Was there one time in particular that you remember that happening
21 more than another time?
22 A No.
- 23 Q Okay. And so, um, oh that's cool. I was gonna cut that out but I kind of like the triangle
24 on that. Let's go back to the bathtub thing. I know.
25 A Why?
- 26 Q Because I have to. And then I'm done, I promise I won't ask you any more questions
27 after we talk today. I'll just come out and visit you.
28 A And can you play for a little bit after you're done?
- 29 Q Yeah, we can do that. So, when your head was under the water in the bathtub, could you
30 breathe?
31 A No.
- 32 Q Okay. What grade were you in when that happened?
33 A Um, like second.
- 34 Q Oh, okay. So that was, were you going to school then, were you going to South Bay?
35 A No.
- 36 Q Oh, okay.
37 A What does that mean.
- 38 Q What's that?
39 A What does that mean?
40

1 Q You'll see.
2 A Oh, is that an M?
3 Q Yeah. So I want to talk a little bit more about, and I know you're not going to want to talk
4 to me about this, but were going to try it anyway okay. I want to talk a little bit more
5 about those marks that you have kind of on your butt. Okay.
6 A Bottom.
7 Q On your bottom. On your bottom. So, you said that those marks are probably because
8 you had an accident in bed.
9 A Mm-hmm.
10 Q Have you ever seen those marks? Do you know what they look like?
11 A No.
12 Q What do they feel like to you?
13 A Bumpy.
14 Q Okay.
15 A When I have those sores I could never sit down until they were feeling better.
16 Q Okay. That's kind of a weird spot to have that kind of a sore at. Um, do you remember
17 when they showed up?
18 A No.
19 Q Okay. But they are gone now you said?
20 A Yeah. They're just like, (inaudible 0:30:33). I don't like scars. But they still feel bumpy
21 though.
22 Q Are you still going by [REDACTED]?
23 A Mm-hmm.
24 Q How come you're going by [REDACTED]?
25 A Cause I like [REDACTED].
26 Q Because you like [REDACTED]? And where did that name come from?
27 A I don't know.
28 Q Oh, okay.
29 A (Inaudible 0:30:44).
30 Q Oh, okay. So you don't want to talk about those marks that are on your bottom do you?
31 A Uh-uh.
32 Q Uh-uh. Are those marks that you did yourself or that somebody else did to you?
33 A I did.
34 Q Okay. And, okay. So you have another one that looks like it's kind of an old mark on
35 your tummy.
36 A Oh, yeah.
37 Q Tell me about that one.
38

1 A Um, because I was in a chair sitting down and I had -- and I had this like little heater thing
2 and I had water in it, it was really hot try to comb it kind of because it was really close
3 and it was turned like this, and I dropped it and I burnt -- and I burnt on my tummy and it
4 was burning.

5 Q Oh no.

6 A (Inaudible 00:31:31).

7 Q Oh, okay. So when was that, what grade were you in when that happened?

8 A Um, third grade.

9 Q Okay. Third grade?

10 A Mm-hmm.

11 Q Okay. It sounds like you had a couple accidents there, huh?

12 A Yeah.

13 Q Okay. So tell me about, you are doing awesome by the way. Tell me about your hair.
14 How come your hair was cut so short?

15 A What do you mean so short.

16 Q It was pretty short when I -- when I got you guys out of the school and now it's starting to
17 grow back and get curly again.

18 A You mean it was like this short?

19 Q Yeah, it was really short. You remember that?

20 A Oh, because she gave me a haircut I think. I think they messed up and they really cut
21 really short.

22 Q Who cut your hair?

23 A We went to this place and the hair place where they cut your hair.

24 Q Oh, okay. So you said that sometimes you think your grandma just does stuff because
25 she's not thinking.

26 A Mm-hmm.

27 Q So how often do you think that happens?

28 A I don't know.

29 Q Like a lot or a little bit?

30 A Probably like a lot.

31 Q Okay. And does she just do stuff when she's not thinking with you or with the girls too?

32 A Just me.

33 Q Just you. Okay.

34 A Mm-hmm.

35 Q How come you think it's just you?

36 A How do you spell [REDACTED], [REDACTED], [REDACTED] (ph) and -

37 Q Oh I don't know if I'll put all of them in here. Um, why do you think that it's just you
38 that that happens with?

39 A I don't know.

40

1 Q Okay. And, is there anyone else that's hurt you at the house?
2 A No.

3 Q Okay.
4 A Maybe [REDACTED] and [REDACTED] right here.

5 Q Let's see if I can fit that in here.
6 A Ashley and those are -- are right there. They're right here.

7 Q (Inaudible 0:33:07) sand stuff. Where did you get this sand stuff from?
8 A I got it for Christmas.

9 Q You lay it right here?
10 A Mm-hmm.

11 Q Okay. So tell me about, maybe I asked you this already. Maybe I asked you this already.
12 Remember we talked about the demon thing.
13 A Uh-huh.

14 Q Do you remember where that came from? Who started that?
15 A My grandma.

16 Q Your grandma did?
17 A Yeah.

18 Q And do you remember the first time that somebody told you that was what was what was
19 going on?
20 A No.

21 Q Okay. And was there anything that happened to or do you think that they liked having
22 the demon around?
23 A Uh-uh.

24 Q [REDACTED] um --
25 A [REDACTED]

26 Q Oh, okay. And then we got to put you over here.
27 A Uh-huh. (Inaudible 0:34:11).

28 Q Oh, that's a good idea. So, what makes you think that they don't -- that they didn't like
29 having the demon?
30 A I don't know.

31 Q Did they do anything to make the demon go away?
32 A No.

33 Q No?
34 A I think that it just goes away by itself.

35 Q Oh, okay. Do you think that you have the demon?
36 A No, not anymore.

37 Q Okay. When do you think it went away?
38 A Huh?

39

1 Q When do you think it went away?
2 A I don't know.

3 Q Before you guys left the house or after you guys left the house?
4 A After.

5 Q Okay, so since you've been with [REDACTED]
6 A Mm-hmm.

7 Q Have you ever felt like it was there when you were with [REDACTED]?
8 A Uh-uh.

9 Q Okay. How are you eating now?
10 A Good.

11 Q Yeah.
12 A Where is my name?

13 Q I haven't written it yet. I was starting to and it didn't look very good.
14 A [REDACTED]

15 Q So the bathtub thing was when you were in third grade you said, right?
16 A Mm-hmm.

17 Q Okay. Did that ever happen before that?
18 A No.

19 Q Okay. And what was, ah, what was going on with your grandma at the time was she -
20 A What are you doing?

21 Q I was trying to smooth it out a little bit. Was that one of those times that she wasn't just
22 thinking or was she okay?
23 A She was okay.

24 Q Oh, okay. Okay. And everything that we have talked about today is - is what really
25 happened and not what you're - not anything else right?
26 A Right.

27 Q Okay. Cool. Like I said, I appreciate you talking to me.
28 A Uh-huh.

29 Q And so if somebody makes you feel unsafe now, who do you talk to?
30 A You.

31 Q You talk to me? Good. And I gave you my card didn't I? No.
32 A I think I lost it.

33 Q Here's my card. Okay. Well, let me go turn that off and I'm going to turn this off and
34 then we'll just come play with sand for a little bit, how about that? Okay?
35 A Do you still have the cards?

36 Q Um, I think I can probably find one, so hang on just a second. The ending time is 1451
37 hours.
38

39 Ending time: 1451 hours

APPENDIX K

TCSO Case # 13-5963

Victim:

[REDACTED]

DOB:

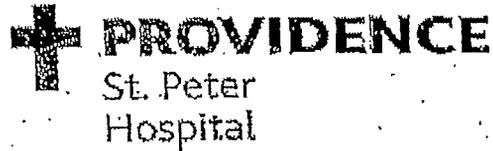
[REDACTED]

Suspect: Miller, Cynthia S. DOB: 03/12/1960

Sexual Assault Examination Report

[REDACTED]

13 - 5963 -



You have received a Fax from Providence St. Peter Hospital.

Date: 11/12/13 Time: 1415
 Number of pages including cover sheet: 9

Protected Health Information Enclosed
 Protected Health Information is personal and sensitive information related to a person's healthcare. It is being faxed to you after appropriate authorization from the patient or under circumstances that do not require patient authorization. You, the recipient, are obligated to maintain it in a safe, secure and confidential manner. Re-disclosure without additional patient consent is prohibited, except as permitted by law. Unauthorized re-disclosure or failure to maintain confidentiality could subject you to penalties described in federal and state law.

To: Tara Kessel
TL CPS
 Fax number: 360 725 6770

From: Sexual Assault Clinic & Child Maltreatment Center
Providence St. Peter Hospital
Olympia, Washington
 Phone: 360-493-7469
 Fax number: 360-459-2023

Sexual Assault Clinic & Child Maltreatment Center
 413 Lilly Road NE - LLH16
 Olympia, WA 98506
 Fax 360-459-2023
 Tel 360 493-7469

MEDICAL REPORT ATTACHED

Please call us at 360-493-7469 if you wish to receive a copy by mail, or if you have any questions regarding this medical consult.

Thank you!

Important Notice: This message is intended for the use of the person or entity to which it is addressed and may contain information that is privileged, confidential and is exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this information is STRICTLY PROHIBITED. If you have received this message by error, please notify us immediately and destroy the related message.

13 - 5963 -

SEXUAL ASSAULT CLINIC AND CHILD MALTREATMENT CENTER EVALUATION



IDENTIFYING DATA-

Date of Service: 11/1/13

Patient's Name: [REDACTED]

Patient's Age: 9 years old

Date of Birth: [REDACTED]

Gender: Female

Ethnicity: Caucasian

Examining Clinician: Lisa Wahl, ARNP

Patient Accompanied By: David Reinke, CPS

Patient Referred By: Detective Jamie Gallagher, Thurston County Sheriff's Office (TCSO)

Information Obtained From:

1. Case synopsis presented by the Sexual Assault Clinic's medical social worker from information obtained telephonically from Detective Jamie Gallagher and Tara Kessel, CPS
2. Medical history and physical exam performed at today's appointment
3. Face to face conversation with [REDACTED] and David Reinke, CPS at today's clinic visit.
4. Records from ABC Pediatrics dated [REDACTED] 12/15/10; Providence Health Systems; Mary Bridge Hospital Clinic Radiology, 11/1/13; Tehachapi News article, dated 3/21/07.

CPS Involvement: Tara Kessel, Thurston County Social Worker

Law Enforcement Involvement: Detective Jamie Gallagher with TCSO

Case Number: 13- 5963

HISTORY OF CONCERN OF ABUSE-

Current Concern: [REDACTED] her younger 1/2 sister and 2 cousins were removed from their paternal grandmother, Cynthia Miller's, care and placed into protective custody on 10/31/13. Ms. Miller, the suspect, admitted to "whipping" [REDACTED] with a belt on 10/30/13. Cynthia had reported locks on her freezer and on her refrigerator, and was withholding food from [REDACTED] but not the other children. The suspect instructed [REDACTED] school to withhold all but lunch (no breakfast, no snacks) because the suspect said [REDACTED] has an eating disorder without supportive documentation.

Forensic Interview: None at this time

Prior Concerns of Abuse: None

Last Probable Contact with Alleged Offender: 10/30/13

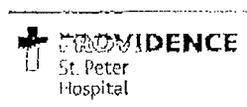
BEHAVIORS: Sexually inappropriate with the other girls in the home. [REDACTED] had reportedly touched the other girl's vaginas. [REDACTED] reportedly put a Barbie doll in her sister's vaginal area to the point where it caused pain.

MEDICAL HISTORY-

Primary Medical Provider: Per record review, [REDACTED] has been seen at Providence Emergency Center, ABC Pediatrics and Pediatrics Associates.

Past Medical History: [REDACTED] birth history is unknown.

Allergies: There are no known allergies to foods or medications.



SEXUAL ASSAULT CLINIC AND
CHILD MALTREATMENT CENTER
EVALUATION

Form Number: 7251-41-NH-01 FCC: 11/13/08

Patient
Identification:

DOB: [REDACTED] - 9 YRS
MRN: 60001246194
CSN: 10057761867

11/1/2013 OUTPATIENT



13-5963-

Current Medications: There are no ongoing prescribed medications. [redacted] takes no herbs, supplements or over the counter medications.

Immunizations: According to record reviews, immunizations are reported up to date.

Family Health History: Parents are reported to have a history of drug dependence.

REVIEW OF SYSTEM-

General: No history of any major medical problems.

Neurological: There is no history of seizures, loss of consciousness, or unusual headaches.

HEENT: There is no history of vision problems, no recent otitis, no hearing problems, no chronic rhinitis and no dental problems. [redacted] complained of a runny nose recently.

Respiratory: There is no history of chronic cough, asthma or recurrent pneumonia.

Cardio vascular: There is no history of congenital heart disease or exercise intolerance.

Gastrointestinal: There is no history of chronic stomachaches, heartburn, nausea, vomiting, diarrhea, encopresis, or constipation.

Genital Urinary: There is no history of dysuria.

Musculoskeletal: Per the Tehachapi News, dated 3/21/07, [redacted] was placed into foster care after an emergency room visit diagnosed a spiral fracture of her leg under suspicious circumstances. A skeletal survey and bone age for nutrition and bone growth was ordered by this clinician at Mary Bridge Radiology. Dr. Khan reported multiple old and healing fractures. Dr. Khan noted periostitis along the radial aspect of the left 5th metacarpal suggesting a healing fracture. There is a nearly completely healed nondisplaced fracture of the left distal ulnar diaphysis with mature periosteal new bone formation evident laterally. Periostitis is noted along the right distal ulnar diaphysis. There is periostitis along the lateral aspect of the left distal humerus with evidence of a lateral condylar fracture. There is an oblique Salter-Harris type II mildly comminuted fracture of the proximal phalanx of the left 5th toe with mild sclerosis and periostitis suggesting a subacute injury. "The presence of so many fractures is concerning for nonaccidental trauma." Dr. Khan stated.

Skin: [redacted] was noted to have multiple bruises and sores that prompted CPS and law enforcement to place her in protective custody. [redacted] would not say what happened to her body. The suspect reportedly said she had 'whipped' [redacted] on 10/30/13 with a plastic belt.

Hematologic: There is no history of anemia, easy bruising, or bleeding problems.

Endocrine: There are no reported problems with growth. A bone age for nutrition and bone growth was ordered due to reported concerns of food withholding both at home and at school. Bone age corresponds most closely to 7 year 10 months standard of Greulich and Pyle. Two standard deviations for age is 18 months.

Savannah's current age of 9 years 1 month demonstrates skeletal age as low normal but concordant with chronologic age.

Psychiatric/Behavioral: The suspect reported an eating disorder. Exhaustive medical record review of all medical histories has no record of any eating disorder. There is consistent documentation of eating and drinking well. [redacted] had reportedly been sexually acting out with a Barbie doll towards her sister and cousins.

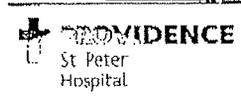
[redacted] had reportedly been stealing, example given of finding the suspect's bra under her bed, and stealing food while in the suspect's home.

DEVELOPMENTAL HISTORY-

[redacted] is on an IEP in school. Her medical records indicate speech therapy, physical therapy and occupational therapy historically.

SOCIAL HISTORY-

[redacted] biological mother is [redacted] aka [redacted] and her biological father is [redacted]. [redacted] was later involved with [redacted] (deceased). They had [redacted] 1/2 sister, 7 year old [redacted]. Heather and Sonny lost custody of both children when [redacted] was an infant and [redacted].



SEXUAL ASSAULT CLINIC AND CHILD MALTREATMENT CENTER EVALUATION

Patient Identification:

DOB [redacted] F 9 YRS
MRN: 60001246194
CSN: 10057761867

11/1/2013 OUTPATIENT



13-5963-

was approximately 2 years old due to reports of child abuse to [redacted] They were placed into foster care while living in California. Reports of abuse while in state custody were investigated. Cynthia Miller [redacted] paternal grandmother, assumed care of the children and moved to WA from CA. Also in the home were 7 year old [redacted] and 9 year old [redacted] [redacted] cousins. Their parents are Belinda and Seth Wright (Cynthia Miller's son.) Per CPS, they were removed from the parents when the children were found begging money in a Wal-Mart parking lot while their father was under the influence (unknown substance to this clinician) in his car in same parking lot with a gun in his possession. The children's 2 year old cousin, [redacted] son of Cynthia Miller's son, Shawn Wright and Jessica Hargrave), was reported to be in the home as well (unknown circumstances to this clinician.) The suspect lives in a 3 bedroom apartment. [redacted] and [redacted] share one room. [redacted] shares an infant crib/bed with [redacted] in the suspect's room. The 3rd bedroom is for storage. [redacted] attends South Bay Elementary School and is on an IEP as stated above. The children do not attend after school or day care. [redacted] is in no after school programs to include sports. [redacted] mother and father currently live separately in Shelton. When [redacted] was 5 years old, medical chart documentation indicates reported supervised visitations with her mother. Since allegations of abuse, all children have been removed from the suspect's care. [redacted] is in foster placement separate from the other 4 cousins.

HISTORY FROM CHILD-

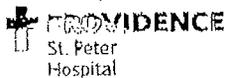
The following is a general summation of the interview. For complete interview, please refer to the audio taped version. I spent several minutes talking to [redacted] with Kim Bowdish, RN assisting with note taking [redacted] was eating the whole time we were talking from a bag of food she brought with her. She was somewhat shy, nervous appearing and at times avoidant with answers. We explained that we record our talk and take notes prior to beginning our history taking. The first part of our conversation was directed towards making [redacted] comfortable with what we would be doing at the clinic today. We talked about favorite activities, school and home life. I then asked in a head to toe direction about any health concerns and the names of the various body parts I was asking about.

[redacted] said she is Jehovah Witness and they do not celebrate holidays or birthdays. She likes to play hide and seek with her cousins, [redacted] [redacted] and [redacted]. She has a sister, 7 year old [redacted]. They all live together with her grandma. She likes to paint at school.

[redacted] slept good last night. I asked if she had any owies, lumps or bumps she wanted me to look at today. She showed me her left thigh, left leg, left hip. "I don't know how I got it!" I asked her about the scratches on her face. She pointed to her right cheek and said, "This is a rug burn." Her nose is from a "nose drip" and she scratched her nose and she does not remember how she got the scratch on her left cheek. She did not remember how she got the rug burn. She takes ibuprofen when she gets a stomach ache.

One time she had pus pop out of her ear lobe. She does not wear glasses. She went to a dentist and was told she had 4 cavities. She had them cleaned. [redacted] has 2 baby teeth missing and the permanent ones are growing in. [redacted] has not had any cough or colds. "Today I threw up." [redacted] said the banana she was currently eating helped. She does not throw up much. [redacted] has not had diarrhea or fever. Before she threw up she ate crackers, and 'a little bit came up.' She feels better now and she is eating okay now. She took a nap and the banana is helping. She has not had a problem with her tummy in the past. She pees (number 1) and poops (number 2) okay.

[redacted] calls her genitals her crotch and her buttock a bum bum. It never hurts or burns to go number 1. When she goes number 2 aka stool it is okay. She does not ever remember breaking a bone. "My actual mother, not my grandma but my actual mother, when I was a baby, she threw me out of a 2 story house." [redacted] said she almost broke her arm, but she does not remember which one. She does not remember wearing a cast or going to the hospital. [redacted] said she does not remember, and it is hard for her to remember. Her actual mother's name is Heather and she does not know her last name. The judge will not allow [redacted] to see her mother or father because they used to smoke and do drugs around them (her sister.) "So they gave us to our grandma." Sometimes she calls her grandma "Mom." It was a long time ago. At her grandma's home there are



**SEXUAL ASSAULT CLINIC AND
CHILD MALTREATMENT CENTER
EVALUATION**

Patient
Identification:

DOE [redacted] F 9 YRS
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11/1/2013 OUTPATIENT



13 - 5963 -

also 1 dog, 2 cats, fish and 2 love birds that bite. [redacted] chore at home is to clean the bird cage and she gets a dollar.

They live in an apartment. [redacted] sleeps in her grandma's room with her baby cousin [redacted] [redacted] shares a bed with [redacted]. The crib made into a bed and she sleeps there with [redacted]. [redacted] said that she wants to go back home. [redacted] said that she does not know why she was taken. She was at school, and then they were taken to a different place. Her sister and her cousins got to go together and she did not get to go with them. It's not fair because "I'm part of the group, too."

I went through each child in the home and asked her to tell me something she likes and something she does not like about each child. [redacted] is the best. She plays with [redacted] more than anybody. [redacted] is in the 4th grade and [redacted] is in the 3rd so they are not in school together.

I asked why [redacted] was not in the room with the other girls and she said, "Because there are not four beds." I said that she sleeps with [redacted] already, and [redacted] said it is because she likes to. [redacted] said that nothing bugs her about anybody. She has no worries about anybody. Nobody scares her. [redacted] likes scary movies. She does not get nightmares.

After school she goes home and then goes to dinner. [redacted] has a grandpa who is Dean and lives somewhere else. There is Brother Elseworth who lives somewhere else and come visit them.

I asked what she plays with at home. She has a cell phone for important things. She can call 911 and play games. Sometimes she texts or calls, "if it is important." [redacted] and her grandma have cell phones. The other kids are too young. [redacted] brought out her Barbies that are from where she is staying at now. She has Barbies at home, too. Belle is her favorite. She has a lot of dolls in her bedroom.

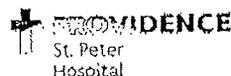
I asked if she knew what 'private parts' are and what the words mean. [redacted] said no. I explained what the words meant. [redacted] interrupted me to ask for things for her dolls.

I asked if there was ever a time if someone wanted to touch her privates or wanted her to touch theirs. She said no. I asked, if that happened, who would be a good person to tell. [redacted] identified her parents. I said, since she cannot talk to her parents right now, who someone else would be. She was quiet. I suggested a teacher or her principal or a police person or someone from school. I asked who else. [redacted] said, 'her uncle.' She does not have an uncle, but we clarified her meaning another grown up. I talked about the difference between secrets and surprises. [redacted] denied anyone wanting her to keep a secret that may feel like it was going to get her in trouble or someone else in trouble. Her voice got small and she started playing with the puppets.

I asked about all the sores on her body. I asked what really happened to her. "I don't know." I said that it had to hurt, with those big bruises on her side. [redacted] said, "I don't remember." I asked if by her saying 'I don't remember', she is meaning I don't want to talk about it and she said, "Yeah." I assured her that was okay. I asked if it involved one person or more than one person. Her face got red, her eyes teared up and she said quietly that she did not want to talk about it.

Kim asked about eating at home. Sometimes [redacted] helps cook dinner. If 'they' want a snack grandma will get 'them' one. I asked, if she came home after school, and everyone was busy, and she was hungry. [redacted] interrupted and said, "I would just go get water." I asked if she was allowed to get into the cupboards by herself and she said, no. I asked about the refrigerator and she said, "I don't know." I asked about the freezer. "I don't know." [redacted] said this is a house rule, not a [redacted] rule. [redacted] is the baby and so he gets anything he wants. [redacted] said that if she is hungry 'water works' for her. If she is hungry and she gets herself a drink of water, it stops the hunger. At school she gets to eat breakfast and lunch. They eat in the class room. Cinnamon rolls and waffles are [redacted] favorite breakfast. During our talking she ate M and Ms, Fritos, a banana, a sandwich, a water bottle and a juice box. I asked what her favorite thing was for dinner and she said she was tired of talking.

After concluding the history taking we then explained why we were doing a physical examination and reassured [redacted] that the exam would not hurt. Throughout our discussion [redacted] seemed to have excellent language skills and appeared to understand all questions asked. We ended this part of the discussion and went on to the examination room.



Patient Identification:

DOB [redacted] F 9 YRS
MRN: 60001246194
CSN: 10057761867

11/1/2013 OUTPATIENT



SEXUAL ASSAULT CLINIC AND
CHILD MALTREATMENT CENTER
EVALUATION

13-5963-

PHYSICAL EXAM-

Persons Present During Exam: Kim Bowdish, RN assisting, and myself.

General: [redacted] is alert and oriented in no apparent distress.

Weight: 58 lbs. (25th-50th Percentile for age)

Height: 132 cm. (Below the 50th Percentile for age)

Demeanor: [redacted] was pleasant, relaxed, friendly, and cooperative through-out the exam. During the exam, [redacted] repeated that "I play hard, get crazy and bump my head a lot when I see [redacted]. I love [redacted]." Her scars are from scratches, with no elaboration.

General Physical Appearance: [redacted] had weather appropriate clothes on. She had visual injuries on her face and arms. Her hair is cut (1 inch long) very short in an unprofessional appearing style, and she is wearing hair barrettes in the front to either side. [redacted] stated her grandma cuts her hair.

HEENT: She has a 3 inch diameter swollen nontender area on her left parietal skull. There is a lower border of erythema well demarcated through the hair line. Eyes are PERLA. The tympanic membranes and landmarks are clearly visualized with no erythema, discharge, or swelling. The oropharynx is healthy with no signs or symptoms of infection. There is no tenderness or palpable abnormalities of TMJ. The teeth are without obvious caries. There is an abraded and scabbed region to the bony prominence of her right cheek bone. There is a small lateral scratch mid brow line on her nasal upper bridge. Both nares are erythemic proximally. Under her nares is a scabbed sore. There is a small scabbed sore on her left jaw line and right jaw line, v shaped.

SKIN:

See photo documentation. [redacted] has a left parietal closed head injury with swelling and erythema. [redacted] has healed scars on her left forearm, left scapula, mid spinous process scattered linear patterns on her back. She has a 3 part scar on her right mid abdomen and a scar proximal and wrapping left malleolus. [redacted] has bruising to her scapulas, left arm, bilateral flanks, bilateral hips, and bilateral buttocks, bilateral groin and left abdominal wall. [redacted] has scabbed lacerations and abrasions on her face and left forearm. [redacted] has patterned bruising to her left buttock, left thigh and groin.

Right axilla with a 2 cm bruise, discrete, poorly demarcated and brown colored. Left clavicle mid nipple line with a 1 cm brown bruise. 1/2 inch pink scar left posterior deltoid not on a bony prominence. Left arm with lateral forearm bruising distal to elbow, brown, poorly demarcated. There are multiple small linear lateral scratches that are superficial and similar marks appearing to be scars on same region. Her right arm appears uninvolved.

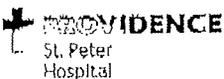
[redacted] abdomen has a prominent scar in 3 linear sections to the right periumbilicus, 1.25 inches long and 1-3 cm wide. The 3 scars are lateral linear in shape, with the proximal scar mid size to smaller central scar, and longest distal scar in a patterned layout. The skin is pink, not raised, with well demarcated borders.

[redacted] back had multiple hyper pigmented linear scar marks diffusely noted, with prominence up the spinal column, all approximately 1/2 to 2 inches in length. Overlying the scars are scattered bruises of varying colors, blue, brown and red. At her pant line there are lateral linear scars noted just superiorly. Her coccyx is bruised purple.

[redacted] right flank has petechial bruising with underlying blue/purple bruising over ribs. This starts at the thoracic mid region extending to lower mid back.

Left flank has similar petechial bruising with underlying yellow/purple/brown bruising from lower rib cage at flank with approximately 4 inches of bruising running length of child's torso. Left anterior hip has a well demarcated 3x2 in. red bruising over the bony prominence. Left lateral/anterior thigh has several (possibly as many as 5-6) lateral linear bruises 2-3 in. in length, wider at the lateral thigh and pink/blue/purple in color.

[redacted] right buttock has lateral discrete wrap around patterned around gluteus, circular brown bruises, 3 total, in finger print pattern. Right buttock fully involved with a large rectangular appearing bordered bruising purple, blue, green, yellow, brown and red. This extended proximally at 80 degrees with corner at proximal mid gluteal extending distal and laterally to just medial of flank with no discernable border at the lower corner. This wound measured approximately 4 inches from the corners in length. There is a 4th similar circular brown bruise



SEXUAL ASSAULT CLINIC AND CHILD MALTREATMENT CENTER EVALUATION

Patient Identification:

[redacted] 9 YRS
MRN: 60001246194
CSN: 10057761867

11/11/2013 OUTPATIENT



6

mid distal gluteus, dime sized. On her left buttock [redacted] had 2, ¼ inch by 2 inch linear bruising pattern and one more proximal running in a lateral pattern.

Lying in a supine frog leg position, there is bilateral medial gluteal involvement of a separate appearance than the above descriptors. Bilaterally there is sparing at the gluteal fold. Her left shows purple, blue and red bruising in a 4 x 3 mm size, sparing centrally, with bright red erythemic borders in a triangle pattern. This wound has sharply demarcated borders with vesicular raised borders. More proximally the erythema tissue becomes an elongated shape with a discrete brown circular bruise medially toward the thigh as noted above. The vulva is spared. There is purple bruising in the groin fold and upper medial thigh.

Her right medial proximal buttock has a triangular shaped wound. This is also bright red erythemic with raised borders and vesicular non draining fluid pockets are noted at the proximal tip of the shape, again sparing at the gluteal fold with erythemic mirrored injury to the left inner gluteus. The borders are sharply demarcated. No discharge noted. Vesicles are intact. No signs or symptoms of cellulitis. The skin is warmer to touch than other injuries documented bilaterally.

On [redacted] left ankle there is a 1 inch by ¼ inch scar that is pink, non raised, proximal and wrapping around the bony malleolus process, with no bony prominence involvement.

Neck: There are no unusual masses or adenopathy in the neck. No palpable thyroid.

Breasts: Tanner Stage II without masses or discharge.

Lungs: The lungs are clear to auscultation bilaterally with no adventitious sounds noted.

Heart: The heart has a regular rate and rhythm with no murmur. S1 and S2 noted

Abdomen: The abdomen is soft with no masses, organomegaly or tenderness. Bowel sounds noted in all four quadrants. See above.

Neurological: There are no apparent neurological deficits.

Extremities: Symmetrical, no swelling or deformities noted. The spine is without obvious deformity. Palpable pedal pulses noted bilaterally with good circulation, movement, and sensation.

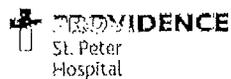
COLPOSCOPIC EXAM: [redacted] genital and anal areas were examined and photographed with the aid of a video colposcope and Kim Bowdish, RN assisting with traction. The child was Tanner Stage II [redacted] was first examined in the supine frogleg position then supine knee chest position. The labia majora, clitoral hood, and fossa navicularis appear normal. The posterior fourchette has a mild labial adhesion noted posterior. There is a prominent mid line fusion with shiny pink, irregular borders from the fourchette into the anus. Hymenal shape was annular with thick smooth borders. No discharge noted. The anus was examined in the supine knee-chest position. The anal muscle tone was normal. The rugal pattern was normal. The perianal skin was healthy with midline fusion noted medial and anterior. There were no scars or fissures noted.

Labs Obtained: None indicated

Imaging obtained: Skeletal survey with bone age for nutritional and bone growth assessment. Results indicate non accidental trauma, low normal bone age. See above.

ASSESSMENT-

1. Presenting History: [redacted] her younger ½ sister and 2 cousins were removed from their paternal grandmother, Cynthia Miller's, care and placed into protective custody on 10/31/13. Ms. Miller, the suspect, admitted to "whipping" [redacted] with a belt on 10/30/13. Cynthia had reported locks on her freezer and on her refrigerator, and was withholding food from [redacted] but not the other children. The suspect instructed [redacted] school to withhold all but lunch (no breakfast, no snacks) because the suspect said [redacted] has an eating disorder without supportive documentation.
2. [redacted] gave no history of sexual or physical victimization at today's clinical visit.



Patient Identification:

DOB [redacted] F 9 YRS
MRN: 60001246194
CSN: 10057761867

11/1/2013 OUTPATIENT



13 - 5963

3. [redacted] physical examination demonstrates current and historic trauma indicative of physical abuse. [redacted] skeletal survey demonstrates 5 fractures in varied healing stages to her upper and lower extremities consistent with child inflicted trauma.

It is important to understand that a normal or nonspecific genital or anal exam cannot prove that past sexual abuse did or did not occur. Following a report or concern of sexual abuse, the exam may be normal because:

- 1) No sexual contact occurred,
- 2) Sexual contact occurred but caused no physical injury and therefore no scar

Or:

- 3) Sexual contact occurred, physical injury occurred, but this has healed without any residual physical changes or abnormalities

DISCUSSION-

[redacted] made no verbal disclosures today of what has been happening to her body. Her composure and body language changed visually when asked specific questions concerning abuse. [redacted] did say that when she says, "I can't remember" she really means, "I don't want to talk about it."

[redacted] physical exam demonstrated literally head to toe trauma in varied stages of healing. She has old scars and new bruises in classic patterned bruising of abuse. The suspect told CPS that she had 'whipped' [redacted] injuries demonstrate whipping, beating and unknown torture that fractured her left arm, wrists, left finger and toe.

[redacted] was abused by her mother and/or mother's partner. [redacted] was abused while in foster care (both per documentation and suspect statements.) [redacted] has been isolated and made to share a crib/bed with her 2 year old cousin while the other 3 female cousins have their own bed. [redacted] has been denied food both in school (South Bay Elementary) and at home, with CPS finding locks on cold storage. [redacted] has been accused of 'stealing food' The more likely scenario is a starving battered child trying to get food.

It is important to appreciate that the risk of complications and morbidity is high in most cases of physical and sexual assault. The morbidity may include adolescent and adult addictive disease, unplanned pregnancy, psychosomatic complaints, somatic disease and serious mental health and behavioral disorders. Multiple adverse childhood experiences are indicative of a disorder of social environment. Current studies indicate that there is a linear relationship between the number of adverse childhood experiences and poor health and psychiatric outcomes.

Factors that contribute to the delay in disclosure are impacted by the relationship of the child to the offender and the relationship of the offender to the family system.

It is typically in the best interest of the child's emotional and physical well being to not have any contact with an alleged suspect while there is an open investigation of suspected abuse. I recommend no contact with Cynthia Miller, including any vulnerable children in the home.

[redacted] will benefit from therapy. This will provide a safe outlet for her feelings about what has happened, and provide the opportunity to increase her abilities to manage her life through changing circumstances. A therapist trained in trauma focused therapy will be able to assess the impact of [redacted] experiences, develop a therapeutic plan and provide anticipatory guidance regarding personal body safety, in part.

RECOMMENDATIONS:

- 1. Medical treatment: None indicated at this time.
- 2. Lab: None ordered.
- 3. Follow-up medical care: Any further medical issues should be followed by the primary care provider.
- 4. Counseling: Strongly recommended and referral names and phone numbers provided.



SEXUAL ASSAULT CLINIC AND CHILD MALTREATMENT CENTER EVALUATION

Patient Identification:

DOB: [redacted] F 9 YRS
MRN: 60081246194
CSN: 10057761867

11/11/2013 OUTPATIENT



8

13-5963

Signature: Lisa Wahl, ARNP
Lisa Wahl, ARNP, FNP, NP-C

Date: 11/12/13 Time: 1400



SEXUAL ASSAULT CLINIC AND
CHILD MALTREATMENT CENTER
EVALUATION

Patient
Identification:

DOB: [REDACTED] 9 YRS
MRN: 60001246194
CSN: 10057761867

11/1/2013 OUTPATIENT



APPENDIX L

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF THURSTON

STATE OF WASHINGTON,)	COURT OF APPEALS NO.
)	48672-5-II
Plaintiff,)	
)	
vs.)	
)	
CYNTHIA SUE MILLER,)	SUPERIOR COURT NO.
)	13-01891-1
Defendant.)	
)	NON-JURY TRIAL
)	VOLUME I

VERBATIM REPORT OF PROCEEDINGS

BE IT REMEMBERED that on January 11, 12 and 13, 2016, the above-entitled and numbered cause came on for hearing before JUDGE CAROL MURPHY, Thurston County Superior Court, Olympia, Washington.

Pamela R. Jones, Official Court Reporter
Certificate No. 2154
Post Office Box 11012
Olympia, WA 98508-0112
(360)786-5571
jonesp@co.thurston.wa.us

SCANNED

1 you got those?

2 A. Well, she didn't really hit me, it was -- I don't
3 remember how I got -- well, I don't remember how I
4 got them there. I had them on my belly but they're
5 gone now.

6 Q. Was there other scars that Cynthia gave you?

7 A. I don't think so, no, not that I've been seeing.

8 Q. ██████████, did you ever have to go without food for a
9 long period of time in Cynthia's house?

10 A. Yes. I think so, yeah.

11 Q. How long did Cynthia not feed you?

12 A. I don't remember, but I know that it was long.

13 Q. Did you ever have to go -- were you locked in a room?

14 A. Yes, I was locked in. Me and my sister used to share
15 that bedroom because we didn't -- because ██████████
16 wasn't sleeping with Cynthia and then some people
17 would sleep in there, but I give up the room that I'd
18 be sleeping in.

19 Q. How long were you left in there?

20 A. Not very long, I'd say.

21 Q. And, ██████████ all the things that we just talked
22 about, those are things that Cynthia did to you,
23 right?

24 A. Yeah.

25 Q. Were there other people who hurt you as well in that

1 house?

2 A. Yeah. There was a person name Dean and he used to
3 roll me in the carpet and slammed me on the floor.
4 Dean used to roll me up in the carpet, rug, carpet,
5 and then he would throw me on the floor.

6 Q. Was he playing when he did that?

7 A. I don't know.

8 Q. Do you not remember or --

9 A. No, I don't remember.

10 Q. Were you laughing at the time?

11 A. No.

12 Q. Did it hurt?

13 A. Yeah. Hurt right on my side because he would throw
14 me on my side.

15 Q. [REDACTED], was there anybody else that hurt you when
16 you lived at this house?

17 A. I don't remember, no.

18 Q. But all the things that we've just talked about were
19 things that Cynthia did to you?

20 A. Yeah.

21 Q. Did she do anything else to you that you remember?

22 A. No.

23 Q. Not that you remember?

24 A. Uhn-uhn, not that I remember.

25 Q. Okay. And how old were you about when she was doing

CERTIFICATE OF REPORTER

STATE OF WASHINGTON)

COUNTY OF THURSTON)

I, PAMELA R. JONES, RMR, Official Reporter
of the Superior Court of the State of Washington, in and
for the County of Thurston, do hereby certify:

That I was authorized to and did
stenographically report the foregoing proceedings held in
the above-entitled matter, as designated by counsel to be
included in the transcript, and that the transcript is a
true and complete record of my stenographic notes.

Dated this the 6th day of April, 2016.

PAMELA R. JONES, RMR
Official Court Reporter
Certificate No. 2154

APPENDIX M

Incident Report Additional Name List

Lacey Police Department

OCA: 2016-01131

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) IO 1	MILLER, CYNTHIA SUE		03/12/1960	55	W	F
	Address 7245 32nd Ave Ne Apt. 19b, Lacey, WA 98516-		H: 360-888-5701			
	Empl/Addr		B: 360-426-3200			
			Mobile #: - -			
2) RP 1	STEPHENS, STEPHON D		01/06/1966	50	W	
	Address 1411 Se Direweed Rd, Shelton, WA 98584-		H: 360-259-7458			
	Empl/Addr		B: - -			
			Mobile #: - -			
3) VI 4	[REDACTED]	1,	[REDACTED]	11	W	F
	Address 155 Chapman Rd, Morton, WA 98356-		H: - -			
	Empl/Addr		B: - -			
			Mobile #: - -			

REPORTING OFFICER NARRATIVE

Lacey Police Department

OCA
2016-01131
Date / Time Reported
Thu 03/03/2016 19:30

Victim	Offense
[REDACTED]	RAPE OF A CHILD

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

On March 3rd, 2016 at approximately 1933 hours, I responded to a phone detail sex offense call which occurred at 7245 32ND AVE 19B Lacey WA 98516. The reporting party told dispatch that his granddaughters had just disclosed to him that two years ago they had been sexually assaulted.

I called (RP-1) Stephon D Stephens, who stated that his two granddaughters (VI-1) [REDACTED] DOB [REDACTED] and (VI-2) [REDACTED] DOB [REDACTED] had been sexually assaulted. Stephon told me that [REDACTED] and [REDACTED] used to live with (IO-1) Cynthia Sue Miller about two years ago. Cynthia was convicted and sentenced to 35 years in prison on March 2nd 2016 for abusing her grandchildren.

Stephon was told by his granddaughters that while they lived with Cynthia, a male named (OF-1) Kenneth Spears sexually assaulted them. Stephon told me that Kenneth used to babysit [REDACTED] (VI-3) [REDACTED] DOB [REDACTED] and (VI-4) [REDACTED] DOB [REDACTED]. [REDACTED] and [REDACTED] are cousins to [REDACTED] and [REDACTED]. Stephon told me that he asked [REDACTED] and [REDACTED] how they were sexually abused by Kenneth, to which they stated "with him" regarding to Kenneth. Stephon then asked them "with his penis?" to which they answered "yes." When Stephon asked them how many times, they told him that it was frequent. Stephon believed that it was every time that Kenneth visited the house. They also stated that [REDACTED] and [REDACTED] were also sexually assaulted by Kenneth in the same manner.

Stephon stated that [REDACTED] and [REDACTED] lived with Cynthia for approximately 2 years. [REDACTED] and [REDACTED] were also living with Cynthia at the time. [REDACTED] and [REDACTED] are now in the care of Stephon. [REDACTED] and [REDACTED] are in the care of DSHS and are currently placed in a safe home.

I asked Stephon when he believed the first incident occurred, to which he stated that he thought it was shortly after [REDACTED] and [REDACTED] moved in with Cynthia.

Stephon did not know Kenneth's middle name or date of birth, but did state that he was approximately 21 years old.

I located two possible suspects in a local police database. The first male is Kenneth Charlie Spears, DOB 06-16-1953. He works at Timberline High School and has no criminal history. The second subject is (OF-1) Kenneth Lee Spears, DOB 12-29-1989. His DOL returns to 13316 278th ST E, Graham WA. His most recent felony conviction is rape of a child 1st degree, and is a supervised person. This subject matches the age and criminal history of the suspect. I was unable to link either subject to Cynthia in a local police database. I also attempted to establish a link in a local police database between both Kenneth Spears to Belinda Wright [REDACTED] and [REDACTED] but was unsuccessful.

Stephon told me that Megan Winder in the Thurston County prosecuting office has more information in regards to the sex offense.

REPORTING OFFICER NARRATIVE

Lacey Police Department

		OCA 2016-01131
Victim [REDACTED]	Offense RAPE OF A CHILD	Date / Time Reported Thu 03/03/2016 19:30

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case status: Refer to detectives

I certify under penalty of perjury under the laws of Washington that I have completed this in Lacey, Washington on the date above, the foregoing is true and correct, and I am entering my authorized user ID and password to authenticate it.

Phone: 360-496-8447

Victim 4

Name: [REDACTED]
DOB: [REDACTED]
Address: 121 Pleasant Views Dr, Morton WA 98356
Phone: 360-496-8447

Guardian Victim 1 & 2

Name: Stephon D. Stephens
DOB: 01-06-1966
Address: 1411 SE Fireweed Rd, Shelton WA 98584
Phone: 360-259-74589

Guardian Victim 3 & 4

Name: Jackie Dunlap
DOB: [REDACTED]
Address: 121 Pleasant View Dr, Morton WA 98356
Phone: 360-496-8447

SYNOPSIS

On March 3, 2016, [REDACTED] and [REDACTED] disclose to their grandfather that they were sexually assaulted by Kenneth Spears.

INVESTIGATION

05-16-2016

On May 16, 2016, I was assigned case #16-01131. After reviewing the case, I contacted Stephon Stephens. Stephon explained he has custody of his two grandchildren, [REDACTED] and [REDACTED]. Stephon said the children used to live with their grandmother Cynthia Miller. Stephon said both girls disclosed to him that they were sexually assaulted when they lived with Cynthia. Stephon said Cynthia's nephew, Kenneth Spears is the perpetrator. Stephon said that Kenneth had several hours of access to the girls and babysat them frequently.

Due to the age of the girls, I explained to Stephon I would contact the Children advocacy Center to schedule a forensic interview. Stephon said he's familiar with the center and would take the girls in when it's scheduled.

I contacted Forensic Interviewer Sue Batson. Batson said her next available time to interview will be on March 23rd. I provided Batson with a copy of the initial report from patrol and Stephon's contact information. Batson stated she would provide me with a report and the recorded statement when it's completed.

I attempted to contact Jackie Dunlap with the number provided, 360-496-8447. Jackie did not answer and I left a voice message.

During the week of May 17th and May 21st, I attempted to call Jackie several other times. On all the occasions, I left a detailed message to call me back. I did not receive a return call.

03-23-2016

On May 23 2016, I emailed CPS Supervisor Amy Boswell and asked her who was assigned the [REDACTED] and [REDACTED] case. CPS Boswell replied and stated CPS Worker Lisa Johnson was assigned the case.

Through email, I explained to CPS Johnson that I have been trying to contact Jackie Dunlap for over a week. I confirmed Jackie's information which was correct. I asked CPS Johnson to reach out to Jackie and have her return my call. CPS Johnson stated she would find out what the problem was and get back to me.

04-06-2016

On April 6, 2016, I received Sue Batson's forensic interview report.

Summary of [REDACTED] statement;

Batson asked [REDACTED] if she knew why she was speaking with her. [REDACTED] said she was there to talk about what happened with Kenneth. [REDACTED] identified Kenneth as Cynthia's nephew who used to babysit her. During the interview, [REDACTED] described many incidents of penile/vaginal and penile/anal contact with Kenneth in two different residents. [REDACTED] said this occurred when she was between the ages of 6-8 years old. [REDACTED] said she reported the sexual assaults to Cynthia, but she did not believe her and she was punished.

I attached a copy of Sue Batson's report to my case packet. See Batson's report for detailed information on [REDACTED] forensic interview.

Summary of [REDACTED] Statement;

Batson asked [REDACTED] if she knew why she was speaking with her today. [REDACTED] said she did not know why she was there. [REDACTED] then explained she was caught recently "Looking at things not my age". [REDACTED] said her grandfather asked her to explain where she learned that behavior. [REDACTED] said she does not remember. [REDACTED] then went on to say [REDACTED] told her that she learned it from Kenneth. [REDACTED] said [REDACTED] told her that Kenneth touched her vagina when she was 4 years old. [REDACTED] said [REDACTED] told her that Kenneth did the same thing to her. [REDACTED] said she had no memories of anyone touching her vagina.

I attached a copy of Sue Batson's report to my case packet. See Batson's report for detailed information on Saria's forensic interview.

04-12-2016

On April 12, 2016, I was contacted by Sue Batson. Batson stated that she was able to contact Jackie Dunlap and scheduled an interview with [REDACTED] and [REDACTED]. Batson stated she would forward her report when it's completed.

04-22-2016

On April 22, 2016, I received Sue Batson's report. Sue conducted a child forensic interview with [REDACTED] and [REDACTED]. [REDACTED] and [REDACTED] lived with [REDACTED] and [REDACTED] when the sexual abuse was occurring.

During the forensic interview, [REDACTED] and [REDACTED] did not disclose any sexual abuse. Both girls stated that they did not know why they were being interviewed by Batson. See Batson's report for further details. Batson's report was placed in the scan box to be added to my report.

04-28-2016

On April 28, 2016, I received the report from St. Peter's Hospital Sexual Assault Clinic. The report was completed by examining clinician Lisa Wahl, ARNP.

Summary of Lisa Wahl's report;

The report explained the history of [REDACTED]. [REDACTED] younger sister was caught looking at porn on a tablet. When [REDACTED] was confronted by her grandfather, Stephon Stephens about the content she was viewing [REDACTED] over heard the conversation. Wahl explained that [REDACTED] spoke out and said they learned the actions from Kenneth Spears. Wahl said, [REDACTED] pointed to her private area and said, "He did all of us". [REDACTED] indicated sexual assaults happened many times while they lived with their grandmother, Cynthia Miller. [REDACTED] disclosed that Kenneth frequently babysat them and lived in the home with them. Kenneth Spears is known to be Cynthia Miller's nephew.

When [REDACTED] was speaking with Lisa Wahl, she disclosed that Kenneth would touch her in different areas. [REDACTED] said Kenneth would put his hands on her front private and rub it. [REDACTED] said, "It felt weird". [REDACTED] said Kenneth would put his fingers in her back private area. [REDACTED] said "It felt weird, it felt bad". [REDACTED] said Kenneth would try to put his penis in her back private area which hurt. [REDACTED] said Kenneth told her not to tell anyone about the incidents or he would kill her mom and family. [REDACTED] said these incidents have happened more than 10 times.

[REDACTED] explained to Wahl that she told Cynthia Miller about the abuse. [REDACTED] said she got punished and the abuse never happened again.

I placed Dr. Gilberts and Lisa Wahl's report in the scan folder at the Lacey Police Department to be added to my report. See the sexual assault clinic's report for additional details.

06-06-2016

On June 6, 2016, I received the report from St. Peter's Hospital Sexual Assault Clinic on [REDACTED]. The report was completed by examining clinician Lisa Wahl, ARNP.

Summary of Lias Wahl's report;

When the interview started, [REDACTED] was reluctant to speak. Once Wahl gained trust and insured [REDACTED] that she will not get into trouble for telling the truth, [REDACTED] disclosed.

[REDACTED] explained to Wahl that Kenneth did "Yucky things" to her. [REDACTED] said Kenneth did something to have a baby. Wahl asked [REDACTED] to explain and [REDACTED] said Kenneth put his private part into hers. Wahl gained more details, which confirmed that Kenneth placed his penis inside [REDACTED] vagina. Wahl asked follow-up questions, which [REDACTED] said afterwards, it felt different when she peed. [REDACTED] said it stung. [REDACTED] stated this happened when she was 4 years old in Cynthia's residence. [REDACTED] said it happed 3 to 4 times.

I placed the sexual assault report in the scan folder at the Lacey Police Department to be added to my report. See Wahl's report for further details.

Criminal History of Kenneth Spears;

I searched several law enforcement databases and located information on Kenneth Spears. On January 11, 2012, Spears was arrested in King County for rape of a child in the 1st degree (RCW 9A.44.073). On May 13, 2013, Spears was convicted of the crime. Spears served 12 months in jail and sentenced to 5 years of sex offender treatment. Spears was placed on the SSOSA sentence.

Due to the criminal history check, I discovered Spears was under court supervision with DOC. I attempted to contact Parole Officer Kimberly Carrillo. Carrillo did not answer so I sent her an email stating I would like to coordinate help picking up Spears for questioning.

06-08-2016

On June 8, 2016, I was contacted by parole Officer Kimberly Carrillo. PO Carrillo stated she would set up a meet with Spears so I could contact him. PO Carrillo stated Spears next check in will be on June 15 2016 at 10Am. I advised PO Carrillo I would come to her office to contact Spears on that day. PO Carrillo provided her address at 10109 South Tacoma Way Bldg C4, Lakewood WA 98499.

06-15-2016

On June 15, 2016 at approximately 1015 hours, I contacted Spears at the DOC office in Lakewood. Spears was detained at my request. I explained to Spears he was being transported to the Lacey Police Department for questioning. Spears stated he understood and would cooperate.

On the same day at approximately 1030 hours, Spears was transported and arrived at the Lacey Police Department. I escorted Spears to the detective division interview room. At 1058 hours, Spears agreed to a recorded audio/video statement. I read Spears his Miranda rights in which he stated he understood. Spears said he would speak freely and voluntarily to me.

Summary of Kenneth Spears' statement:

I started the interview by asking Spears to tell me about himself. Spears said he's unemployed and lives with his father. Spears said he was planning on getting his GED but was excluded from going to Clover Park Technical College. Spears said due to him being a sex offender he cannot be around youths at the college. I asked Spears to explain why he dropped out of high school. Spears said he was bullied in the 9th grade to the point he did not want to attend anymore.

I asked Spears if he knew Cynthia Miller. Spears explained that Miller was his aunt and she lived in Lacey. Spears said he would visit Miller with his father because he was Miller's caretaker. I asked Spears if he was aware of why Miller is in jail. Spears said he understood and knows she was arrested on 6 counts of child neglect. Spears said he was aware and have even witnessed the abuse. I asked Spears to give me the names of the children that lived with Miller. Spears provided the names, [REDACTED] and [REDACTED]. I asked Spears if he seen anything inappropriate with any of the children. Spears asked me to define inappropriate. I rephrased the question and asked Spears if he did anything inappropriate with the kids. Quietly, Spears said, "No". I asked Spears to define inappropriate. Spears said physical violence. I said what about sexual. Spears said he did not see any of that. I asked Spears to explain what he got into trouble for or why he was on DOC supervision. Spears said he was convicted of rape of a child 1st degree. I asked him if it was a female or male. Spears said it was a male. I asked Spears if he preferred a female or male. Spears said he was bi-sexual and did not have a preference.

I explained to Spears that he was speaking to me today because one of the children he mentioned earlier disclosed sexual misconduct between them. I asked Spears to explain. After denying the allegations, spears admitted he sexually touched [REDACTED]. Spears said with his bare hand, he touched [REDACTED] vagina and breasts. I asked Spears to explain an encounter. Spears said they would usually have their clothing on and his pants would be pulled down to his knees. Spears said he would place his hand on [REDACTED] vagina and rub. Spears said [REDACTED] would have her clothing on and her

pants would be pulled down to her knees. Spears said while he was rubbing [REDACTED] vagina he would masturbate until he ejaculated. I asked Spears if it would happen any other ways. Spears said sometimes he would have [REDACTED] rub his penis. Spears denied any vaginal penetration occurred with his penis or fingers. I asked Spears if he penetrated [REDACTED] anus. Spears said "No". I asked Spears to explain how many times this occurred. Spears did not want to answer the question so I rephrased the question to, did this happen 1 time or more than 1 time. Spears replied with "More than 1 time".

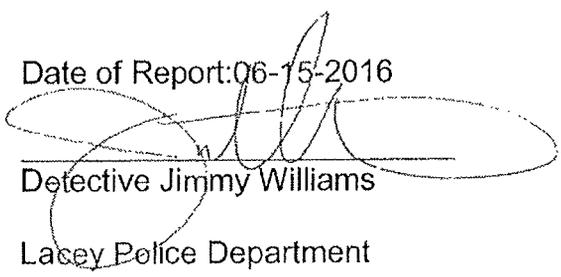
During the interview, Spears denied all allegations on touching [REDACTED] or [REDACTED]. I copied the recorded statement into the digital evidence locker. See recorded statement for further details.

Due to the statements made, Spears admitting he sexually touched [REDACTED] more than 1 time, and [REDACTED] stating Spears sexually penetrated her vagina and anus, I advised Spears that he was being placed under arrest for 2 counts of rape of a child 1st degree. I am requesting the prosecutor to review charges involving [REDACTED].

Spears was handcuffed and transported to the Thurston County Jail by CSO Craudell.

Case Status: Closed with arrest.

Date of Report: 06-15-2016



Detective Jimmy Williams

Lacey Police Department

APPENDIX N

Megan Winder

From: Megan Winder
Sent: Friday, March 4, 2016 5:24 PM
To: Jimmy Williams
Subject: FW: Cynthia Miller case

Hi Jimmy – This is for 2016-01131.

Hopefully it will be helpful.

Would you please touch base with me next week on this?

Thanks,
Megan

From: Boswell, Amy M (DSHS/CA) [mailto:BosweAM@dshs.wa.gov]
Sent: Friday, January 08, 2016 1:27 PM
To: Megan Winder <Winderm@co.thurston.wa.us>
Subject: Cynthia Miller case

Hi Megan,

I wrote down some details of this case while you were talking because I am a little familiar with it. I never supervised any of the investigations but I've heard people discuss the case off and on and when I was a DLR/CPS investigator I investigated one of the foster homes that the girls were placed in subsequent to our involvement. Anyway- you may already know this but just in case- in looking at Famlink I believe that Kenneth is Kenneth L. Spears DOB 12/29/89. He lives at 13316 278th St E Graham, WA 98338-6983 and his number is 253-548-7316. In looking at the ACES system there is a notation that he was arrested on 5/13/13 for "Rape of a child in RJC". So far I can't figure out who Melissa is but if you would really like to know I can continue to dig in, ya know, my "spare" time. I assume you already know all the info on Dean as he is Cynthia's husband. Both he and Cynthia are living in Morton now but were trying to act like they weren't living in the same apartment in October when Belinda went to jail and he was taking care of [REDACTED] and [REDACTED] in Morton. I don't know what the specific allegations against him are from [REDACTED] but now it looks like the girls are back with Belinda and living in Tumwater which is good because now they are in my county and I can keep an eye on it if we get any intakes.

Amy Boswell, MSW
CPS Supervisor
DSHS Children's Administration
6860 Capitol Blvd Bldg 2, F12
PO Box 45715
Tumwater, WA 98504-5717
MS: 45715
360-725-6707

APPENDIX O

SEXUAL ASSAULT CLINIC AND CHILD MALTREATMENT CENTER EVALUATION



IDENTIFYING DATA-

Date of Service: 4/14/16

Patient's Name: [REDACTED]

Patient's Age: 11 years old

Date of Birth: [REDACTED]

Gender: Female

Ethnicity: Caucasian

Examining Clinician: Lisa Wahl, ARNP

Patient Accompanied By: Her great grandmother Judy Stephens, step grandfather Stephon Stephens, and 1/2 sister [REDACTED]. A Mason County victim advocate arrived separately.

Patient Referred By: Detective Williams, Lacey Police Department

Information Obtained From:

- 1. Case synopsis presented by the Sexual Assault Clinic's medical social worker from information obtained telephonically from Sue Batson, forensic interviewer, Detective Williams, Lacey Police Department, Judy and Stephon Stephens.
2. Medical history and physical exam performed at today's appointment.
3. Face to face conversation with Savannah, her step great grandmother and step grandfather at today's clinic visit.
4. Records from Washington State Vaccination Summary; Lacey Police Department, dated 3/3/16.

CPS Involvement: Lisa Johnson, Tumwater CPS

Law Enforcement Involvement: Detective Williams, Lacey Police Department

Case Number: 16-1131

HISTORY OF CONCERN OF ABUSE-

Current Concern: [REDACTED] younger sister, [REDACTED] was watching pornography on a Nook about a year ago. A niece of the grandparents looked at the Nook recently and was searching for something and went into the history. She found the history of sexual content (the Nook had not been used for a year). The step grandfather, Stephon Stephens and step great grandmother, Judy Stephens, questioned [REDACTED] who admitted she had looked it up, started to cry and stated the alleged offender; 26 year old Kenneth Spears, 'entered' her and pointed to her "private." [REDACTED] overheard the conversation and stated "he did all of us." The girls indicated sexual assault happened many times while they lived with their grandmother, Cynthia Miller. Cynthia Miller is currently serving 35 years in prison for convictions of physical abuse and torture of [REDACTED]. The alleged offender was frequently the girl's babysitter and he lived in the home at one time. He is related as a nephew of Cynthia Miller.

Forensic Interview: Disclosures were made on 3/23/16 to Sue Batson, forensic interviewer.

Prior Concerns of Abuse: Yes.

Last Probable Contact with Alleged Offender: 10/31/13, the date the children were removed by CPS and placed into protective custody from the care of Cynthia Miller

HIV Risk Factors: Possible exposure to bodily fluids of alleged offender unknown due to nature of disclosure.

BEHAVIORS: [REDACTED] was emotionally withdrawn when she first came to live with her current family. Sometimes she uses baby talk.



Patient Identification:

DOB [REDACTED] F 11 YRS
MRN: 60001246194
CSN: 10098064678

4/14/2016



PHYSICAL SYMPTOMS: [REDACTED] has scar tissue around her groin as a result of severe physical abuse and torture by her paternal step grandmother, Cynthia Miller, causing [REDACTED] ongoing discomfort. She has been seen at Children's Hospital in Seattle by a dermatologist [REDACTED] had past frequent complaints of stomach aches with no founded organic etiology.

MEDICAL HISTORY-

Primary Medical Provider: Dr. Jiang

Past Medical History [REDACTED] was a full term pregnancy without complications, and [REDACTED] was born via Cesarean birth. [REDACTED] and her younger sister were placed into foster care when she was an infant related to physical abuse to [REDACTED] (femur fracture) with subsequent sexual abuse while in foster care. [REDACTED] was placed with her sister into the care of Cynthia Miller, her step grandmother. This clinician saw [REDACTED] when CPS placed her into protective custody when suspicious bruising was noticed at school. [REDACTED] was 9 years old at the time. She was diagnosed with 5 healing fractures and was battered head to toe. She had bruising, burns, scars, and was later revealed she had been tied up, tortured, starved and singled out by Cynthia Miller who convinced the two cousins and [REDACTED] younger sister of [REDACTED] having a demon in her. Cynthia Miller was charged and convicted of multiple charges of child abuse, child torture and aggravator to include starving, attempted drowning, and was sentenced to 35 years in prison on 3/2/16 [REDACTED] has had no other major medical problems or illnesses, accidents, injuries, or hospitalizations. There has been reported exposure to tobacco smoke, alcohol, and drugs. Her parents are addicts.

Allergies: There are no known allergies to foods or medications.

Current Medications: There are no ongoing prescribed medications. [REDACTED] takes vitamins.

Immunizations: The Washington Vaccine Data Base indicates she has both past due and due now vaccines.

Family Health History: Paternal health history is positive for addiction (father). Maternal health history is positive for fibromyalgia, endometriosis, depression, anxiety (mother), hypochondriasis (grandmother), addiction (mother, grandmother).

REVIEW OF SYSTEM-

General: No history of any major medical problems other than stated above.

Neurological: There is no history of seizures, loss of consciousness, or unusual headaches.

HEENT: There is a history of vision problems with corrective lenses, no recent otitis, no hearing problems, no chronic rhinitis and no dental problems.

Respiratory: There is no history of chronic cough, asthma or recurrent pneumonia.

Cardio vascular: There is no history of congenital heart disease or exercise intolerance.

Gastrointestinal: There is no history of chronic stomachaches, heartburn, nausea, vomiting, diarrhea, encopresis, or constipation.

Genital Urinary: There is no history of dysuria or current symptoms. [REDACTED] s premenarche.

Musculoskeletal: There is a history of multiple fractures from physical abuse of left elbow, bilateral wrists, left 5th digit, leg, and left 5th toe, with no residua, no joint swelling or tenderness.

Skin: Scarring causing pain in her groin related to physical abuse; multiple scars diffuse related to childhood physical abuse. [REDACTED] noted a red rash and bumps that started yesterday on her abdomen, side, groin and private. Healing abrasion/scabbing on her left knee from a bicycle accident 3 weeks prior.

Hematologic: There is no history of anemia, easy bruising, or bleeding problems.

Endocrine: There are no problems with growth.

Psychiatric/Behavioral: There have been no psychiatric diagnoses. [REDACTED] s not having any appetite problems, nightmares, sexual play, aggression or excessive masturbation. See page one for pertinent behaviors and emotions reported by family.



Patient Identification:

DOB [REDACTED] F 11 YRS
MRN: 60001246194
CSN: 10098064678

4/14/2016



DEVELOPMENTAL HISTORY-

According to her great grandmother and step grandfather, [REDACTED] is on schedule with all developmental milestones.

SOCIAL HISTORY-

[REDACTED] lives with her step great grandmother and step grandfather, Judy and Stephon Stephens. Also in the home is her 9 year old half-sister, [REDACTED] father, [REDACTED], has two felony drug convictions and several misdemeanor theft charges in Thurston and Mason County. He has not been in her life. [REDACTED] mother, 29 year old [REDACTED] has a 2 hour supervised visitation weekly through a third party. The family has court 4/22/16 for determining parental rights relinquishment. Their mother is an addict and consistently demonstrates inconsistent to no parenting ability due to chronic drug induced impairment. [REDACTED] had lived with Judy Stephens, her husband and son, Stephon, since she was 5 years old. Heather is one of three children of Virginia Mang ([REDACTED] maternal grandmother). Virginia Mang lost all 3 children, including [REDACTED] due to sexually assaulting her children while involved in a cult.

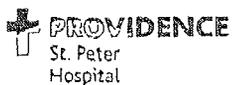
After [REDACTED] was born, [REDACTED] moved back to Judy Stephen's home, and Judy babysat while [REDACTED] mother worked. Her mother met [REDACTED] father and son of Cynthia Miller). While pregnant with [REDACTED] the couple moved with [REDACTED] to Tehachapi, CA. [REDACTED] was physically abusive. [REDACTED] and [REDACTED] were initially placed into foster care in CA when [REDACTED] was accused of breaking [REDACTED] leg as a toddler [REDACTED] mother failed to protect [REDACTED] was then sexually abused while in foster care. The sisters were placed into [REDACTED] paternal grandmother's (Cynthia Miller) custody. Cynthia Miller also had custody of [REDACTED] two female same aged cousins. While in Cynthia Miller's care, [REDACTED] was singled out by Cynthia Miller, physically abused, tortured, deprived of food, drowned in the bathtub, burned, tied up, and found with 5 healing fractures, in part. Cynthia Miller convinced [REDACTED] and the 2 cousins that [REDACTED] had a demon in her, lied and stole things like food. She exploited the children into complicity and ritual religious acts to purge [REDACTED] of the demon [REDACTED] had said was green and could be seen in [REDACTED] throat. Cynthia Miller ultimately was sentenced to approximately 35 years in prison on 3/2/16, and [REDACTED] and [REDACTED] were placed with their current family members. Judy Stephens is retired and Stephon Stephens works security at the Lucky Dog Casino. Both girls are in mental health therapy at Monarch Children's Justice and Advocacy Center. [REDACTED] goes to South Side Elementary School in the 5th grade. She is on an IEP and has a B+ average. Her favorite subjects are math and science. Last week during spring break she worked in the yard and helped put down new lawn with her family.

HISTORY FROM CHILD-

The following is a general summation of the interview. For complete interview, please refer to the audio taped version. I spent several minutes talking to [REDACTED] with Julie Parkert, RN, assisting. [REDACTED] was calm, frank, and age appropriate. We explained that we record our talk and take notes prior to beginning our history taking. The first part of our conversation was directed towards making [REDACTED] comfortable with what we would be doing at the clinic today. We talked about favorite activities, school and home life. I then asked in a head to toe direction about any health concerns and the names of the various body parts I was asking about. She knows the words and anatomy of penis and vagina, and refers to these parts on both sexes as private parts.

[REDACTED] said that things are going good at her grandma and grandpa's. She is still in contact with her foster mom [REDACTED] which makes her happy. [REDACTED] said she has scar tissue on her bottom from Cynthia. She went to Children's Hospital and got a shot to treat her scar tissue 3 times, the last one being one or two months ago.

I asked why she was here today. [REDACTED] shrugged and then explained that Ken, (grandmother) Cynthia's nephew, was 17 or 19 years old at the time. This happened when [REDACTED] lived with Cynthia. Ken was "Kind of like my babysitter. He would stay the night when Grandma was gone. I spent 10 nights with him at his house one time." The first time something happened [REDACTED] was 6 or 7 years old. She does not know how old she was



Patient Identification:

DOB: [REDACTED] F 11 YRS
MRN: 60001246194
CSN: 10098064678

4/14/2016



the last time something happened. She has not seen him because "Grandma kicked him out because he stole things." I asked what happened. [REDACTED] said he "was touching me in different parts." I asked for clarification. Ken put his mouth to her mouth, without tongue insertion. He did not put his mouth on her privates. Ken put his hands on [REDACTED] front private on her skin and was rubbing it. "It felt weird." [REDACTED] tried to stop him by kicking him without success. Ken put his hands on her back private on her skin. He put his finger in her back private. "It felt really weird. It felt bad. He did it lots of times, constantly." Ken tried to put his penis in [REDACTED] butt. It hurt when he did it. Again she kicked at him, she remembered. [REDACTED] said sometimes his penis felt soft and sometimes it felt hard. "When it was hard he did it. When it was soft he didn't." It happened more than ten times, "A lot." Ken did not make [REDACTED] touch him. Ken told [REDACTED] not to tell. If she told, Ken would kill her mom and her family. [REDACTED] asked the threat and told Cynthia what Ken had done to her. "She called Ken's dad, Richard. Richard said he wouldn't do that. Cynthia then beat me up, and then had Sean deal with me." Sean is a grown up, in his 30's, another son of Cynthia's. I asked what happened when Sean dealt with [REDACTED] "Punish me." I asked how [REDACTED] described in a very matter of fact tone that Sean would do things like hold her hand over a hot stove burner threatening to burn her hand, or hold her hand down and with a knife in his other hand threaten to cut off her appendage(s). [REDACTED] said that Ken did not do (sexual abuse) anymore after that. [REDACTED] thought it was because he was afraid they would find out. Cynthia kicked him out for other reasons. He did not take any pictures of her. No one else has done these things (sexual abuse) to her before. [REDACTED] is afraid Ken might come back. When she worries her body starts getting tight. She is learning ways to deal with it, like going to a happy place, breathing in and out, and lying upside down.

After concluding the history taking I then explained why we were doing a physical examination and reassured [REDACTED] that the exam would not hurt. We ended this part of the discussion and checked in with her grandparents, and then went on to the exam room. [REDACTED] wanted only us present for her exam. Throughout our discussion [REDACTED] seemed to have excellent language skills and appeared to understand all questions asked.

PHYSICAL EXAM-

Persons Present During Exam: Julie Parkert, RN, assisting, and myself.

General: [REDACTED] is alert and oriented in no apparent distress.

Weight: 116.6 lbs. (90th Percentile for age)

Height: 60.5 in. (75th Percentile for age)

Blood Pressure: 112/72

Pulse: 80

Demeanor: [REDACTED] was pleasant, calm and cooperative through-out the exam.

General Physical Appearance: [REDACTED] was well groomed, well nourished. She has facial acne T- patterned across her forehead.

HEENT: Normocephalic, PERLA. The tympanic membranes and landmarks were clearly visualized with no erythema, discharge, or swelling. The oropharynx is healthy with no signs or symptoms of infection. There is no tenderness or palpable abnormalities of TMJ. The teeth are without obvious caries.

Neck: There are no unusual masses or adenopathy in the neck. No palpable thyroid.

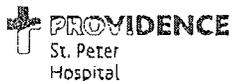
Breasts: Tanner Stage II without masses or discharge.

Lungs: The lungs are clear to auscultation bilaterally with no adventitious sounds noted.

Heart: The heart has a regular rate and rhythm with no murmur. S1 and S2 noted. [REDACTED] enjoyed using a stethoscope to hear her own heartbeat.

Abdomen: The abdomen is soft with no masses, organomegaly or tenderness. Bowel sounds noted in all four quadrants.

Neurological: There are no apparent neurological deficits.



Patient
Identification:

DOB: [REDACTED] F 11 YRS
MRN: 60001246194
CSN: 10098064678

4/14/2016



Extremities: Symmetrical, no swelling or deformities noted. The spine is without obvious deformity. Palpable pedal pulses noted bilaterally with good circulation, movement, and sensation.

Skin: Keloid scarring on her medial posterior buttock/thigh areas bilaterally. Rash: multiple varied sized ringed patterned and overlapping eruptions. There is central skin toned sparing, with raised erythemic borders. There are multiple overlapping rings on her vulva and labia majora, groin folds and upper medial thighs, anterior lower abdomen, with satellite smaller involvement on trunk and under left breast, presenting like tinea corporis.

COLPOSCOPIC EXAM: [redacted] genital and anal areas were examined and photographed with the aid of a video colposcope, saline, swab, and Julie Parkert, RN, assisting with traction. The child was Tanner Stage III. [redacted] was first examined in the supine lithotomy position then supine knee chest position. She was then examined in the prone knee chest position, Rash noted as above. The labia majora, clitoral hood, fossa navicularis, and posterior fourchette were all otherwise normal. Hymenal shape was annular, with redundant thick tissue. The hymen was pale in color from 4-10:00. There was a large tag from 10-11:00 There was normal whitish leukorrheal vaginal discharge thick in the labial folds without odor. The anus was examined in the supine knee-chest position. The anal muscle tone was normal. The rugal pattern was normal. The perianal skin was healthy with moderate fecal debris noted and mild diastasis ani. There were no scars or fissures noted.

Labs Obtained: Urinalysis, urine for Chlamydia, gonorrhea. Results showed negative Chlamydia and gonorrhea; urinalysis showed cloudy appearance; trace mucus.

ASSESSMENT-

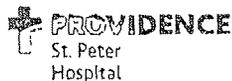
1. Presenting History: [redacted] younger sister disclosed to her step great grandmother that alleged offender Kenneth Spears penile/vaginally sexually abused her, [redacted] overheard the conversation and stated "he did all of us." The girls indicated sexual assault happened many times while they lived with their grandmother, Cynthia Miller. She is currently serving 35 years in prison for convictions of physical abuse and torture of Savannah. The alleged offender was frequently the girl's babysitter and he lived in the home at one time. He is related as a nephew of Cynthia Miller.
2. [redacted] gave a clear and detailed history of sexual victimization by Kenneth Spears at today's clinical visit.
3. Medical history/behaviors are clear and descriptive of inappropriate sexual contact but no physical diagnostic residua are present.
4. Other findings: tinea corporis (ring worm).

It is important to understand that a normal or nonspecific genital or anal exam cannot prove that past sexual abuse did or did not occur. Following a report or concern of sexual abuse, the exam may be normal because:

- 1) No sexual contact occurred,
 - 2) Sexual contact occurred but caused no physical injury and therefore no scar
- Or:
- 3) Sexual contact occurred, physical injury occurred, but this has healed without any residual physical changes or abnormalities

DISCUSSION-

[redacted] described digital/vaginal and digital/anal penetration as well as penile/anal penetration "constantly" by alleged offender Kenneth Spears. He had both lived with [redacted] and her sister (who has disclosed sexual abuse as well) and provided child care for their abusive grandmother, Cynthia Miller. [redacted] remembered a time when she stayed 10 nights with him. If [redacted] told, Kenneth Spears threatened to kill her mom and her family. [redacted] risked it, and told her grandmother, who "beat me up and then had Sean deal with me", meaning she was first beat for telling, and then was "punished" by Cynthia Miller's adult son. He would hold



Patient Identification:

DOB: [redacted] F 11 YRS
MRN: 60001246194
CSN: 10098064678

4/14/2016



hand over a hot burner with threats of burning, and hold her hand down while he used a knife to mime/threaten to cut off her finger(s) or hand.

It is known that the alleged offender recently served a sentence on rape of a child conviction.

exam does not demonstrate any acute or chronic residual from the reported contacts. This is not surprising in light of the nature of the time that has passed since her last contact with the alleged offenders. We also know that in at least 95% of proven cases of sexual abuse they have normal subsequent physical exams, even those involving penetration. This is due to the fact that the mucosal tissues of the genital area heal quickly and thoroughly following trauma.

Factors that contribute to the delay in disclosure are impacted by the relationship of the child to the offender and the relationship of the offender to the family system. He was her pseudo grandmother's nephew who frequently babysat and lived in the home for a time.

It is clear that supporting, consistent, positive engagement by family members is one of the most powerful healing strategies. Her step great grandmother and step grandfather appear to be appropriately responding in a protective and nurturing manner towards

The best hope of mitigating the severity of these consequences are thought to be prompt intervention, protection and appropriate mental health treatment. is currently in therapy at Monarch Children's Justice and Advocacy Center.

It is important to appreciate that the risk of complications and morbidity is high in most cases of sexual assault. The morbidity may include adolescent and adult addictive disease, unplanned pregnancy, psychosomatic complaints, somatic disease and serious mental health and behavioral disorders. Multiple adverse childhood experiences are indicative of a disorder of social environment. Current studies indicate that there is a linear relationship between the number of adverse childhood experiences and poor health and psychiatric outcomes.

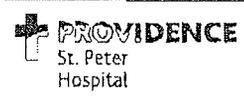
Findings not related to the disclosure/allegations include a fungal infection, tinea corporis, commonly referred to as ringworm.

RECOMMENDATIONS:

1. Medical treatment: Any over the counter anti-fungal medications applied twice daily until rash has cleared .
2. Lab: None indicated.
3. Follow-up medical care: The Center for Disease Control (CDC) recommends any child with alleged sexual victimization begin their HPV vaccine series at 9 years old, which should start.
4. Follow up with Dr. Boos at the Children's Hospital Dermatology Clinic.
5. Counseling: Continue with Monarch.
6. Patient/family education: Several pamphlets on dealing with child sexual abuse were provided to her step great grandmother and step grandfather
7. Crime Victims Compensation application provided.
8. It is typically in the best interest of the child's emotional and physical wellbeing to not have any contact with an alleged suspect while there is an open investigation of suspected abuse. I recommend no contact with the suspect or any of his family, including any vulnerable children in the home.

Signature: Lisa Wahi, ARNP, FNP, NP-C

Date: 4/27/16 Time: 0845



SEXUAL ASSAULT CLINIC AND CHILD MALTREATMENT CENTER EVALUATION

Patient Identification:

DOB: [redacted] F 11 YRS
MRN: 60001245194
CSN: 10098064678

4/14/2016 OUTPATIENT



APPENDIX P

Megan Winder

From: Megan Winder
Sent: Friday, June 17, 2016 3:02 PM
To: William Romaine
Cc: 'Jimmy Williams'
Subject: Cynthia Miller

Hi Bill –

I hope that you are doing well!

I don't know if you are still representing Ms. Miller, but if you are, I have a question for you. First a little background: I just received a case involving Ms. Miller's nephew, Kenneth Spears. He has admitted to sexually assaulting SLK on MULTIPLE occasions; there are also allegations that he sexually offended against the other little girls in the house (aka [REDACTED]).

I understand that your client may have been told about the abuse, and addressed it in some way...

I was wondering if she would be willing to give a statement to law enforcement...

I have cc'd Detective Williams from the Lacey Police Department, as he is the assigned Detective.

Would you please let us know one way or another?

Thank you,
Megan

.....
Megan A. Winder
Deputy Prosecuting Attorney
Thurston County Prosecuting Attorney's Office
Special Victims Team
2000 Lakeridge Dr. SW
Olympia, WA 98502
Phone 360.786.5463
Fax 360.754.3358

CERTIFICATE OF SERVICE

I certify that I served a copy of the State's Response to Personal Restraint Petition Appendices H through P on the date below as follows:

ELECTRONICALLY FILED AT DIVISION II

TO: DEREK BYRNE, CLERK
COURT OF APPEALS DIVISION II
950 BROADWAY, SUITE 300
TACOMA WA 98402-6045

AND VIA E-MAIL

TO: WILLIAM ANTHONY ROMAINE
LAW OFFICE OF WILLIAM ROMAINE
16404 SMOKEY POINT BLVD, STE 302
ARLINGTON WA 98223-8417

WAR@LAWROMAINE.COM

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

Dated this 12th day of December, 2016, at Olympia,
Washington.


CYNTHIA WRIGHT, PARALEGAL

THURSTON COUNTY PROSECUTOR

December 12, 2016 - 12:00 PM

Transmittal Letter

Document Uploaded: 7-prp2-494515-REDACTED APPENDICES H -P.pdf

Case Name: IN RE PRP CYNTHIA SUE MILLER

Court of Appeals Case Number: 49451-5

Is this a Personal Restraint Petition? Yes No

The document being Filed is:

Designation of Clerk's Papers Supplemental Designation of Clerk's Papers

Statement of Arrangements

Motion:

Answer/Reply to Motion:

Brief:

Statement of Additional Authorities

Cost Bill

Objection to Cost Bill

Affidavit

Letter

Copy of Verbatim Report of Proceedings - No. of Volumes:

Hearing Date(s):

Personal Restraint Petition (PRP)

Response to Personal Restraint Petition

Reply to Response to Personal Restraint Petition

Petition for Review (PRV)

Other: REDACTED APPENDICES H-P STATE'S REPOSE

Comments:

No Comments were entered.

Sender Name: Cynthia L Wright - Email: wrightc@co.thurston.wa.us

A copy of this document has been emailed to the following addresses:

RAW@ROMAINELAW.COM