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NO. 50918-1-II

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON  
DIVISION TWO

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STATE OF WASHINGTON,

Respondent,

v.

JOHN HEADRICK,  
Appellant.

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ON APPEAL FROM THE SUPERIOR COURT OF THE  
STATE OF WASHINGTON FOR GRAYS HARBOR COUNTY

Grays Harbor Cause No. 17-1-00032-1

The Honorable Stephen E. Brown, Judge

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BRIEF OF APPELLANT

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A. ASSIGNMENTS OF ERROR

1. The trial court erred when it refused to instruct the jury on Assault in the Fourth Degree.

2. The trial court abused its discretion in prohibiting Headrick's contact with his own daughter as a condition of sentencing.

3. The State failed to prove child molestation in the first degree beyond a reasonable doubt.

B. ISSUES PRESENTED ON APPEAL

1. Whether the trial court erred in refusing to instruct the jury on Assault in the Fourth Degree when all the elements of Assault in the Fourth Degree are included in the elements of child molestation in the first degree and J.L.'s testimony supports an inference that the touching was intentional, without privilege or consent, the touch was offensive and arguably unlawful, but not sexual in nature?

2. Whether the condition of Headrick's sentence that prohibits contact with his biological daughter unconstitutionally interferes with his right to parent when there was no evidence Headrick harmed his daughter in any

way?

3. Whether the State failed to prove child molestation in the first degree when Headrick performed a caretaking role and there is an innocent explanation for the touching?

C. STATEMENT OF THE CASE

1. Procedural History

John Headrick was charged with child molestation in the first degree (RCW 9.44.083) by information on January 25, 2017. CP 1. After trial, a jury convicted Headrick as charged on July 12, 2017, and the court sentenced him to the maximum range on September 15, 2017. CP 113-114.

2. Substantive Facts

- a. Hearing on Child Hearsay Statements

Prior to trial, the State successfully moved to admit child hearsay statements. CP 22; 3/25/17 RP 74.

- b. Trial

Kelsey Badger-Dye met the Headrick family in 2016 through a co-worker, who lived next door to the Headricks. RP 7. Badger-Dye's daughter, J.L., was seven and the Headricks' daughter, E.H., was five. RP 7, 8. The children got to know each other and the two

families started going on play dates to Burger King and to parks. RP 7, 8. Usually Headrick brought E.H. to the play dates. RP 9. The two girls quickly became friends and frequently sent Facebook messages to each other. RP 9.

Sometime in December 2016, Badger-Dye and Headrick arranged a sleep over for December 16 through Facebook messenger. RP 10. On the night of the sleep over, Badger-Dye drove J.L. to the Headricks' house. RP 11. Headrick's wife Shannon was at work from 4:00pm to 12:30am during the sleep over. RP 11, 12, 157. Badger-Dye testified she had limited contact with J.L. and did not receive any Facebook messages from Headrick until the next day. RP 11, 12, 23.

Headrick testified that he contacted J.L.'s mother via Facebook because when he took J.L. and E.H. to Burger King, J.L. had diarrhea and ran to the bathroom 3 to 4 times. RP 159-60. Headrick asked whether he should give J.L. some children's Pepto. RP 160. Badger-Dye offered to bring some to Burger King, but Headrick said he would get some at Safeway. RP 160.

Headrick also testified he told Badger-Dye that J.L. needed clean underwear and Badger-Dye said she packed two pairs with

her. RP 161. Headrick talked to Badger-Dye Friday night and into Saturday through Facebook video chat that was not recorded. RP 161.

The next day Badger-Dye met Headrick, E.H., and J.L. at the Walmart in Chehalis. RP 13. J.L. immediately ran to her mother and asked to go home. RP 14. A few days later, Badger-Dye told J.L. they had planned another sleep over for that Friday. J.L. said she did not want to go. RP 16. When Badger-Dye asked why, J.L. told her mom that something had happened at the sleep over. RP 16, 17. Badger-Dye let J.L. go to sleep and made a police report to the Grays Harbor County Sheriff's office the next day. RP 17. During Badger-Dye's testimony, she never stated what J.L. told her. She only described J.L.'s demeanor while relaying that something had happened. RP 17-18.

Detective Sergeant Darrin Wallace started an investigation. RP 46. Wallace placed a recorder on Badger-Dye and had her confront Headrick; He denied touching J.L. inappropriately. RP 20, 46-47; Exh. 2 at 3.

After the confrontation call, Wallace and Deputy Holms arrested Headrick and took him to the jail to interview him. RP 56,

57, 58. Headrick said J.L. had diarrhea, so he put lotion on her like he does with his own daughter and checked her glands. RP 59. Headrick noted that if he did touch J.L.'s vagina it was not intentional. RP 60.

During trial, J.L. testified that the next morning after the sleep over, she was crying because E.H. was being mean and Headrick picked her up and took her to his room. RP 30. Headrick laid her on his bed, pulled her pants down to her knees, started picking at her peepee with his finger, and rubbed lotion on her. RP 30. When the prosecutor asked J.L. to clarify what her peepee was, she pointed to her crotch area. RP 31. J.L. said he touched her on the inside under her clothes, but he stopped when she told him to. RP 32, 33-34. J.L. told a similar account to Forensic Interviewer, Samantha Mitchell, at the Youth Advocacy Center of Lewis County. RP 116-17, 131-32. J.L. said that when Headrick touched her she felt upset because she did not like people touching her. RP 108.

During her forensic interview with Mitchell on January 4, 2017, J.L. said her clothes and underwear were to her knees because her underwear were dirty from a "poopy accident". RP 127, 132. J.L. said Headrick was trying to get "icky stuff" off of her

“peepee” and she described the touching as “picking”. RP 144. J.L. also said she did not get to clean up until she went home. RP 133. J.L. did not indicate that this incident occurred more than once. RP 34-35.

Judith Presson, an advanced registered nurse practitioner at the sexual assault clinic at St. Peter Hospital, examined J.L. about 11 days after the sleep over. RP 96. Although she found a little bit of redness in J.L.’s genital area this did not prove or disprove that sexual abuse had occurred because if the redness had been related to an incident 11 days before, it would have cleared up by the time Presson saw J.L. RP 112-13, 115-16.

Headrick’s theory of the case was that he picked J.L. up and carried her into the bedroom to clean her up after she had diarrhea for two days because he was worried about her hygiene. RP 164-65. Headrick removed J.L.’s underwear to clean off the diarrhea on J.L.’s private parts, and to apply a barrier cream lotion. RP 164. Headrick learned about the barrier cream from his daughter’s pediatrician, who prescribed it for her. RP 164. He also took a parenting class when E.H. was little to learn the proper treatment of children. RP 154. While he was applying the cream, J.L. became

uncomfortable, so he stopped. RP 165. Headrick testified that he did not get any sexual enjoyment or satisfaction out of it and he never touched J.L.'s vagina. RP 165, 166.

Headrick also checked J.L.'s glands to see if they were swollen. RP 164. While Headrick was in custody, prior to trial, he wrote a letter to his wife and stated that he put lotion on J.L. as a preventative measure due to the diarrhea she was having to prevent a rash. RP 65.

Gregory Sanchez testified that while he was in custody in the cell across from Headrick, he heard Headrick talking about his case to Headrick's cellmate, William Bryant. However, Sanchez's testimony did not match testimony from the other witnesses. RP 76, 79-80. Sanchez said he heard Headrick tell Bryant that during a sleep over for his daughter, he was playing with the girl's bottom and genitals earlier in the day. RP 80. When he realized he left red marks, he put cream on her. RP 80. According to Sanchez, the touching was more than once during the day and went into the night. RP 80, 81. However, Bryant, the other supposed participant in the conversation, testified that Headrick never told him he molested a girl and state that the conversation Sanchez described

never took place. RP 152. And Headrick wrote and researched a lot about his case and often left his writings in the cell, where Sanchez could have accessed them. RP 151-52.

At the close of trial, the defense requested the court instruct the jury on the lesser included charge of assault in the fourth degree. RP 174. The trial court refused on the ground that there was no factual evidence to establish any harmful or offensive conduct other than child molestation in the first degree. RP 175. The defense to the contrary, that the testimony in its entirety supported the assault in the fourth degree. RP 175. The trial court disregarded the testimony in total in favor of relying exclusively on Headrick's testimony in which he stated there was no intentional touching, and therefore there was no evidence to support assault in the fourth degree. RP 175.

The jury found Headrick guilty of child molestation in the first degree. RP 210. The trial court sentenced Headrick to the maximum range under the persistent offender statute (RCW 9.94A.570). As an additional condition of his sentence, the court prohibited any contact with minor aged children under 18 years of age, including those related to Headrick. CP 126.

D. ARGUMENT

1. THE TRIAL COURT ERRED IN REFUSING TO INSTRUCT THE JURY ON ASSAULT IN THE FOURTH DEGREE.

Headrick was entitled to a jury instruction on Assault in the Fourth Degree because the evidence presented at trial from all witnesses, supported an inference Headrick committed assault in the fourth degree.

The trial court commits reversible error when the defendant is entitled to a lesser included instruction and the court fails to give one. *State v. Ginn*, 128 Wn. App. 872, 878, 117 P.3d 1155 (2005). The test to determine whether a lesser included instruction is warranted is two prong: legal and factual. *State v. Workman*, 90 Wn.2d 443, 447–48, 584 P.2d 382 (1978). “A defendant is entitled to jury instructions on lesser included offenses if each of the elements of the lesser offense is a necessary element of the offense charged and the evidence supports an inference that the lesser crime was committed.” *State v. Horton*, 195 Wn. App. 202, 223, 380 P.3d 608 (2016) (*citing Workman*, 90 Wn.2d at 447–48).

The legal prong is reviewed de novo and the factual prong for abuse of discretion. *State v. Walker*, 136 Wn.2d 767, 771–72, 966 P.2d 883 (1998); *Horton*, 195 Wn. App. at 223.

Here, the trial court refused to instruct the jury on assault in the fourth degree based solely on its determination that Headrick failed to meet the factual prong. RP 175. However, it is helpful to discuss both prongs.

Under the legal prong, fourth degree assault is defined as an assault not amounting to assault in the first, second, or third degree, nor a custodial assault. RCW 9A.36.041(1). Because the term assault itself is not statutorily defined, Washington courts apply the common law definition. Washington recognizes three common law definitions of assault: (1) an attempt, with unlawful force, to inflict bodily injury upon another; (2) an unlawful touching with criminal intent; and (3) putting another in apprehension of harm whether or not the actor intends to inflict or is incapable of inflicting that harm. *State v. Stevens*, 158 Wn. 2d 304, 310–11, 143 P.3d 817 (2006) (citing *Clark v. Baines*, 150 Wn.2d 905, 909 n. 3, 84 P.3d 245 (2004)). “[A] touching may be unlawful because it was neither legally consented to nor otherwise privileged and was either

harmful or offensive.” *State v. Jarvis*, 160 Wn. App. 111, 118, 246 P.3d 1280 (2011).

In *Stevens*, the defendant encountered M.G., 13, and H.G., 12, outside a shopping area in Port Townsend where the three of them discussed whether Stevens was in the band Metallica. *Stevens*, 158 Wn.2d at 306. Stevens offered to get the girls something to smoke and he appeared to be drunk. This encounter was brief because Stevens left to catch a bus and the girls went to the ferry terminal. *Stevens*, 158 Wn.2d at 306. About an hour later, Stevens encountered the same girls near the ferry terminal and they asked to have their picture taken with him. *Stevens*, 158 Wn.2d at 306-07. In one of the pictures, Stevens had his hand on H.G.’s breast.

At trial, Stevens testified this was a joke and that he only intended for it to appear like he was grabbing H.G.’s breast. *Stevens*, 158 Wn.2d at 307. However, H.G. testified the touch made her feel “very violated” and that after the picture was taken, Stevens joked, “Hey remember when I grabbed your boob?” *Stevens*, 158 Wn.2d at 307.

Stevens requested the jury be instructed on fourth degree assault, but the trial court declined because, according to Stevens’

testimony, the touch was accidental. *Stevens*, 158 Wn.2d at 311. Stevens was convicted of second degree child molestation based on that touch. *Stevens*, 158 Wn.2d at 307-08.

In reversing the trial court, the Washington Supreme Court applied the “unlawful touching with criminal intent” definition of assault and found child molestation in the second degree legally includes all the elements of assault. *Stevens*, 158 Wn. 2d at 311.

In determining whether the facts of a specific case meet the factual prong, the trial court “must consider all of the presented evidence” and not the defendant’s testimony alone. *Stevens*, 158 Wn. 2d at 311; *State v. Fernandez–Medina*, 141 Wn.2d 448, 456, 6 P.3d 1150 (2000).

*Stevens* met the factual prong because Stevens undisputedly touched H.G.’s on her breast, and the other evidence presented was that Stevens later joked about it, and H.G. felt violated. *Stevens*, 158 Wn.2d at 312. In light of all the presented evidence, the Court of Appeals found a reasonable juror could infer Stevens committed fourth degree assault. Namely, he intentionally touched H.G. without privilege or consent, and the touch was offensive. *Stevens*, 158 Wn. 2d at 312.

Here, Headrick met the *Workman* test's legal prong because fourth degree assault is a lesser included offense to both first and second degree child molestation. *Stevens*, 158 Wn. 2d at 311 (the only difference between first degree child molestation and second-degree child molestation is the age of the victim). RCW 9A.44.083 with RCW 9A.44.086.

Headrick also met the factual prong, because as in *Stevens*, when considering all of the presented evidence, and not just Headrick's testimony, a reasonable juror could infer the touch was intentional, J.L. did not consent to the touch, and J.L. felt violated. It is undisputed that Headrick put barrier cream on or near J.L.'s vagina. J.L. testified that Headrick touched her "peepee", that the touching hurt, and that she asked Headrick to stop. RP 31-32, 34. J.L. told forensic interviewer Mitchell that when Headrick touched her she felt upset because she did not like people touching her. RP 108. Therefore, the evidence supports an inference that Headrick touched J.L. without privilege or consent, the touch was offensive and arguably unlawful. The trial court erred by not instructing the jury on fourth degree assault as a lesser included offense.

2. THE COURT ABUSED ITS DISCRETION BY PROHIBITING HEADRICK'S CONTACT WITH HIS OWN DAUGHTER AS A CONDITION OF SENTENCING.

Prohibiting contact between Headrick and his biological daughter violates Headrick's fundamental right to parent because the prohibition is not reasonably necessary to meet any legitimate State objective.

As a part of any sentence, the court may impose a crime-related prohibition or condition during the term of the maximum sentence. RCW 9.94A.505(9); *State v. Warren*, 165 Wn. 2d 17, 32, 195 P.3d 940 (2008). This court reviews sentencing conditions for abuse of discretion. *Warren*, 165 Wn. 2d at 32; *State v. Torres*, 198 Wn. App. 685, 689, 393 P.3d 894 (2017).

"Crime-related prohibitions" are orders directly related to "the circumstances of the crime" and are usually upheld if reasonably crime related. *Warren*, 165 Wn. 2d at 32. However, when a sentencing condition interferes with a fundamental constitutional right, such as the care custody and management of one's children, it is subject to strict scrutiny. *Warren*, 165 Wn. 2d at 34; *State v. Johnson*, 194 Wn. App. 304, 307, 374 P.3d 1206 (2016); *See also*

*Santosky v. Kramer*, 455 U.S. 745, 753, 102 S.Ct. 1388 (1982) (a parent has a liberty interest in the care, custody and management of their child).

To survive strict scrutiny, a statute must be narrowly tailored to achieve a compelling governmental interest. *State v. Sieyes*, 168 Wn. 2d 276, 294, 225 P.3d 995 (2010). In other words, the sentencing condition must be “reasonably necessary to accomplish the essential needs of the State and public order” and “must be sensitively imposed.” *Warren*, 165 Wn. 2d at 32; *State v. Riley*, 121 Wn.2d 22, 37, 846 P.2d 1365 (1993) (citing *United States v. Consuelo–Gonzalez*, 521 F.2d 259, 265 (9th Cir.1975)).

While prevention of harm to children is a compelling state interest, intervening with a parent-child relationship must be reasonably necessary to protect the child from a parent’s actions or decisions that “seriously conflict with the physical or mental health of the child.” See *State v. Ancira*, 107 Wn. App. 650, 654, 27 P.3d 1246 (2001); *In re Dependency of C.B.*, 79 Wn. App. 686, 690, 904 P.2d 1171 (1995). A sentencing condition that interferes with a fundamental right will only be upheld if there is no reasonably alternative way to achieve the State’s interest. *Warren*, 165 Wn. 2d

at 34–35; See *Ancira*, 107 Wn. App. at 655.

In *State v. Letourneau*, 100 Wn. App. 424, 426, 997 P.2d 436 (2000), as amended (June 8, 2000), a 35-year-old teacher, and mother of four children, was having sexual intercourse with V. F., a 13-year-old student at the school where she taught. She pleaded guilty to two counts of second degree rape of a child. *Letourneau*, 100 Wn. App. at 426, 429.

As part of her conditions of sentence, and upon release, she was prohibited from having contact with any minors without the supervision of a responsible adult having knowledge of the convictions. *Letourneau*, 100 Wn. App. at 426. The court later required supervision for all in-person contact with minor children, including Letourneau's own biological minor children. *Letourneau*, 100 Wn. App. at 426.

Because Letourneau's fundamental right to parent her children was at issue, the no-contact condition could only be sustained if the State proved the condition was reasonably necessary to prevent harm to her children. However, the record contained no evidence of Letourneau sexually molesting any of her children. *Letourneau*, 100 Wn. App. at 439. Letourneau was evaluated by three separate

Special Sexual Offender Sentencing Alternative evaluators who all concluded that Letourneau posed no threat to children in general.

However, one evaluator opined that she posed a danger of harm to her own children because she would “mold” her children’s minds causing them to see wrong as right. One evaluator opined that many sex offenders who have offended a victim other than their biological child, later offend their own child of the same or opposite sex. *Letourneau*, 100 Wn. App. at 440.

The Court of Appeals struck the provision of Letourneau’s judgment and sentence that required supervised in-person contact with her own minor children, because there was insufficient evidence in the record that such restriction was reasonably necessary to prevent Letourneau from sexually molesting her children. *Letourneau*, 100 Wn. App. 427, 441.

The Court of Appeals also noted that family and juvenile courts are better equipped to address visitation issues. *Letourneau*, 100 Wn. App. at 427; *Ancira*, 107 Wn. App. at 654.

Similarly here, because Headrick’s fundamental right to parent is at issue, the no-contact condition can only be sustained if the State proved the condition is narrowly tailored to a compelling

governmental purpose. *Sieyes*, 168 Wn.2d at 294. However, Headrick's no-contact conditions were entered without any evidence that prohibiting Headrick from contact with his biological daughter was reasonably necessary to protect a compelling State purpose.

First, the State did not identify a compelling State purpose on the record. Second, even if the compelling purpose is to prevent harm to E.H., the State failed to present any evidence that Headrick caused any physical or mental harm to E.H. As in *Letourneau*, there was no evidence presented that Headrick sexually molested his own daughter or was at risk for doing so. Further, the State failed to prove that a less restrictive alternative, such as limiting contact to the telephone or to letters, would not achieve the same purpose.

The total prohibition of contact between Headrick and his biological daughter, E.H., is not directly related to the circumstances of the crime of child molestation, nor is it reasonably necessary to meet any compelling State purpose. Therefore, the prohibition is an unconstitutional interference with Headrick's fundamental right to parent which this Court should vacate as a

condition of sentencing. *Warren*, 165 Wn.2d at 34; *Santosky* 455 U.S. at 753.

3. THE STATE DID NOT PROVE  
CHILD MOLESTATION IN THE FIRST  
DEGREE BEYOND A REASONABLE  
DOUBT.

In every criminal case, the State must prove the elements of the crime beyond a reasonable doubt. *State v. Oster*, 147 Wn. 2d 141, 146, 52 P.3d 26 (2002); *State v. Osman*, 192 Wn. App. 355, 369, 366 P.3d 956 (2016). This fundamental right is protected by the due process clause. *Osman*, 192 Wn. App. at 369 (*citing In re Winship*, 397 U.S. 358, 363, 90 S.Ct. 1068 (1970)).

Evidence is sufficient to support a conviction if, when viewed in the light most favorable to the prosecution, it permits any rational trier of fact to find the essential elements of the crime beyond a reasonable doubt. *State v. Salina*, 119 Wn.2d 192, 201, 829 P.2d 1068 (1992). If there is insufficient evidence to prove an element of a crime, the reviewing court must reverse the conviction. *State v. Smith*, 155 Wn.2d 496, 505, 120 P.3d 559 (2005); *State v. Irby*, 187 Wn. App. 183, 204, 347 P.3d 1103 (2015).

To find Headrick guilty of child molestation, the State had to prove beyond a reasonable doubt that Headrick: (1) had, or

knowingly caused J.L. to have, sexual contact with him (2) J.L. was under the age of twelve, (3) J.L. was not married to him and (4) Headrick was at least thirty-six months older than J.L. RCW 9A.44.083.

"Sexual contact" means any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party or a third party. RCW 9A.44.010(2). While sexual gratification is a definitional term, and not an element of the crime of child molestation, the State must establish the defendant acted with a purpose of sexual gratification in order to prove sexual contact. *Stevens*, 158 Wn. 2d at 309-310. Mere contact with the genitals of another person is not sufficient for the crime of first degree child molestation. *State v. A.N.J.*, 168 Wn. 2d 91, 118, 225 P.3d 956 (2010).

The State may argue that a jury may infer that when an unrelated male, with no caretaking function, touches the intimate parts of a little girl it is for the purpose of sexual gratification. *State v. Ramirez*, 46 Wn. App. 223, 226, 730 P.2d 98 (1986). But, when the touching is also susceptible to an innocent explanation, some additional evidence of sexual gratification is necessary. See *State*

*v. Powell*, 62 Wn. App. 914, 919, 816 P.2d 86 (1991).

Here, Headrick was in a caretaking role when the alleged incident occurred and there was no evidence presented to prove the contact was for the purpose of sexual gratification. When J.L.'s mother planned previous playdates, Headrick was the parent she arranged them with and it was Headrick who usually brought E.H. to the playdates and chaperoned. RP 9. Headrick was also involved in planning the sleep over. RP 156-57. Headrick's wife was at work during most of the sleep over and Headrick was the adult in charge. RP 10, 157.

Headrick notified J.L.'s mother she was sick and had diarrhea. RP 160-61. Headrick testified that he was concerned about J.L.'s health and hygiene. RP 165. Although J.L. was seven years old, the record reflects that she pooped in her underwear and had poop stuck to her. RP 144.

J.L.'s testimony supports Headrick's version of events. J.L. testified Headrick was trying to get "icky stuff" off of her "peepee," which is consistent with Headrick trying to clean off dried poop. RP 144. Although the touching involved putting barrier cream on J.L., it was brief and Headrick stopped when J.L. told him to. RP 34.

Headrick did not threaten or bribe J.L., nor did he ask her not to tell. The State relied heavily on the fact that J.L. was not Headrick's child. RP 190, 191, 192, 196. But, mere contact is not enough to prove first degree child molestation and putting barrier cream on someone else's child is not a crime. Instead, the evidence supports Headrick's innocent explanation – that he was concerned for J.L.'s health and hygiene.

Even in the light most favorable to the State, there was insufficient evidence that Headrick acted for the purpose of his own sexual gratification. For this reason, the state failed to prove the crime of child molestation in the first degree.

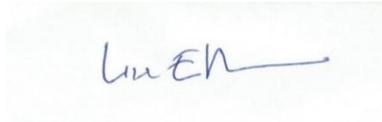
#### E. CONCLUSION

The trial court committed reversible error when it did not instruct the jury on assault in the fourth degree. The trial court abused its discretion when it imposed a sentencing condition that unconstitutionally interferes with Headrick's fundamental right to parent. The State failed to prove first degree child molestation beyond a reasonable doubt. Therefore, this Court should reverse Headrick's conviction and remand for dismissal with prejudice. In the alternative, this Court should remand for a new trial and instruct the

trial court to strike the sentencing condition that prohibits contact with Headrick's biological daughter.

DATED this 7<sup>th</sup> day of March 2018.

Respectfully submitted,



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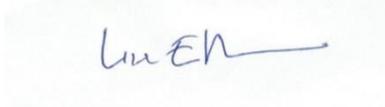
LISE ELLNER, WSBA No. 20955  
Attorney for Appellant



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ERIN SPERGER, WSBA No. 45931  
Attorney for Appellant

I, Lise Ellner, a person over the age of 18 years of age, served the Grays Harbor County Prosecutor's Office [appeals@co.grays-harbor.wa.us](mailto:appeals@co.grays-harbor.wa.us) and John Headrick/DOC#997137, Washington State Penitentiary, 1313 North 13th Ave, Walla Walla, WA 99362 a true copy of the document to which this certificate is affixed on March 7, 2018. Service was made by electronically to the prosecutor and John Headrick by depositing in the mails of the United States of America, properly stamped and addressed.



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Signature

**LAW OFFICES OF LISE ELLNER**

**March 07, 2018 - 11:35 AM**

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**Appellate Court Case Number:** 50918-1  
**Appellate Court Case Title:** State of Washington, Respondent v. John Headrick, Appellant  
**Superior Court Case Number:** 17-1-00032-1

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