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Division II
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No. 51376-5-II

COURT OF APPEALS, DIVISION II
STATE OF WASHINGTON

STATE OF WASHINGTON,

Respondent,

vs.

CLINTON JAMES CALDWELL,

Appellant.

On Appeal from the Pierce County Superior Court
Cause No. 17-1-02807-1
The Honorable Karena Kirkendoll, Judge

OPENING BRIEF OF APPELLANT

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I. ASSIGNMENTS OF ERROR

1. The trial court erred when it denied Clinton Caldwell's motion in limine to exclude testimony that he made a false accusation about the alleged victim.
2. The trial court erred when it concluded that the prejudicial effect of testimony that Clinton Caldwell made a false accusation about the alleged victim did not outweigh its probative value.
3. The State failed to meet its burden of proving beyond a reasonable doubt that Clinton Caldwell's offenses were domestic violence incidents.
4. The term "dating relationship" as used and defined in the domestic violence prevention statutes is unconstitutionally vague.

II. ISSUES PERTAINING TO THE ASSIGNMENTS OF ERROR

1. Did the trial court abuse its discretion when it allowed the State to elicit testimony that Clinton Caldwell made a false accusation about the alleged victim, where its probative value was minimal, it was cumulative of other evidence already admitted, and was highly prejudicial because it painted Caldwell as a person willing to lie to the authorities?

(Assignment of Error 1 & 2)

2. Is a single date between two people sufficient to establish that the two people are in a “dating relationship” for the purpose of proving a charged domestic violence aggravator?

(Assignment of Error 3)

3. Did the State fail to prove beyond a reasonable doubt that Clinton Caldwell’s offenses were domestic violence incidents where he and the alleged victim were simply on a first date?

(Assignment of Error 3)

4. Is the phrase “dating relationship” as used and defined in the domestic violence prevention statutes unconstitutionally vague, when the question of whether or not two people are in a “dating relationship” depends on subjective opinions about dating and relationships and therefore the average citizen would not understand what conduct is proscribed by the domestic violence prevention statute? (Assignment of

Error 4)

III. STATEMENT OF THE CASE

A. PROCEDURAL HISTORY

The State charged Clinton James Caldwell with second degree assault and felony harassment, and alleged both offenses

were domestic violence incidents. (RCW 9A.36.021, RCW 9A.46.020, RCW 10.99.020). (CP 3-4) The jury convicted Caldwell as charged. (RP 806; CP 67-74) Because of the domestic violence finding, Caldwell's offender score was doubled from one to two. (CP 89-90, 91) The trial court imposed a standard range sentence of 12 months plus one day.¹ (CP 92, 95; RP 826) Caldwell filed a timely Notice of Appeal. (CP 105-07)

B. SUBSTANTIVE FACTS

Kaitlin Pappas and Clinton Caldwell met through the online dating website Match.com. (RP 344, 655) They communicated electronically for about two weeks, then agreed to meet for dinner and drinks on Friday, July 21, 2017. (RP 344, 346) They began the evening at the HG Bistro in Sumner, where they each ordered an alcoholic beverage and dinner. (RP 344, 348, 657, 658, 659-60) According to Pappas, Caldwell became frustrated when the service was slow, so they requested their meals to-go and left. (RP 348)

They decided to go to the Ruston waterfront area to walk around and have more drinks at the establishments there. (RP 350, 659) They drove separately to Caldwell's house, which was

¹ The trial court did not offer Caldwell the opportunity for allocution. (RP 819-26) But Caldwell did not object and the court imposed the lowest possible standard range sentence. (RP 819-26; CP 92, 95)

close to Ruston, so that they could leave their cars their and walk. (RP 350, 659) They briefly went into Caldwell's apartment, chatted with his mother, grabbed a skateboard, and left. (RP 352, 650)

Pappas and Caldwell went to several different restaurants and bars, and each drank a number of alcoholic beverages. (RP 350, 353-54, 357, 406-07, 408, 412, 661, 664, 669-70) According to Pappas, Caldwell became irritated when a restaurant waitperson asked him to move his skateboard because it was blocking the path between tables, so he wanted to leave. (RP 354-55) Pappas began to realize that Caldwell was impulsive, but she was still having a good time so she stayed with him. (RP 412-13)

They walked and skateboarded to another bar closer to Caldwell's house, but Caldwell got into a verbal altercation with another patron so they left. (RP 354-55, 358-59, 412) That "put a kind of sour taste on the date," so they walked back to Caldwell's house. (RP 359) Pappas and Caldwell sat in a hammock outside of Caldwell's house and talked for a while. (RP 359-60) Because it was late and Pappas had been drinking, they agreed that she would spend the night at Caldwell's house. (RP 360) They talked for a while, engaged in sexual intercourse, and went to sleep. (RP 361)

During the night, Pappas awoke to a strange sound, and looked up to see Caldwell urinating on the bedroom wall and floor. (RP 361) When she questioned him about it, Caldwell became angry and jumped on top of her. (RP 361-62) According to Pappas, Caldwell punched her repeatedly in the head and strangled her with his hand. (RP 363-66) Pappas testified that Caldwell called her a “dumb bitch” and threatened to “fucking kill” her. (RP 363) Eventually, when Caldwell calmed down and appeared to be sleeping, Pappas gathered her belongings and left. (RP 368)

Once outside, Pappas ran from the house and called 911. (RP 368; Exh. P8) Officers Clayton Grubb and Kristopher Clark responded. (RP 523, 539) Officer Grubb contacted Pappas first, and she appeared to be crying and behaving distraught and panicked. (RP 523)

The Officers went to Caldwell’s house and knocked on the door, and Caldwell’s mother answered. Caldwell came out of the bedroom and the Officers noted that he seemed intoxicated. (RP 530, 543) Officer Grubb testified that Caldwell was agitated, had slurred speech, and was yelling at them. (RP 530-31) Officer Clark testified that he believed Caldwell was intoxicated based on his

physical movements, watery eyes, and general facial expression. (RP 543) Officer Clark also noticed a puddle of what appeared to be urine on the floor in Caldwell's bedroom. (RP 543-44)

Kayla Martin is a student at Green River Community College, and she was participating that night on a ride-along with Officer Grubb. (RP 549) She was sitting in the front seat of the patrol car when Caldwell was placed in the back seat. (RP 550) She believed he was intoxicated based on his behavior and because he smelled of alcohol. (RP 551-52) She testified that he was angry, talking loud, and displayed a "violent rage that just seemed like it was coming from another place, like there was alcohol inducing his rage." (RP 551-52) She testified that Caldwell initially directed his anger towards her because he thought she was Pappas. (RP 551)

Officer Grubb noticed a slight swelling on Pappas' forehead, but no other injuries or redness. (RP 524, 533) The physician assistant who treated Pappas at the hospital that night also did not observe any apparent injuries. (RP 485) But in photographs taken a few days later, some slight discoloration and swelling can be seen on Pappas' face, arms and neck. (RP 451, 456, 458-68; Exhs. P10-38)

A number of witnesses testified on Caldwell's behalf. Bartender Jordan Hurst testified he saw Caldwell and Pappas that night, and they seemed to be having a good time together. (RP 564-65) Pappas seemed affectionate towards Caldwell, and they left with their arms around each other. (RP 565) Susan McAllister-Caldwell is Clinton Caldwell's mother. (RP 574) She was home when Caldwell and Pappas returned for the night. (RP 587-88) She was watching a movie in the living room, about 14 steps away, when Pappas and Caldwell were in the bedroom. (RP 583, 588-89) She did not hear any screaming or yelling or sounds of a struggle. (RP 589)

Caldwell testified that there was no problem with the service at HG Bistro, and that they enjoyed their meal in the restaurant. (RP 658-59) He also testified that he was not upset when the waitperson asked him to move his skateboard. (RP 662) He did exchange words with a patron at one of the bars, but the bouncer escorted the other man out and nothing more came of it. (RP 666-67)

On the way back to Caldwell's house, Pappas fell off the skateboard and hit the ground. (RP 671) Back at his house, they only talked and went to sleep. (RP 673) Caldwell testified they did

not have sex. (RP 673, 700) The next thing Caldwell remembers was waking up and hearing Pappas telling him he was urinating on the wall. (RP 673, 677) He was taken aback and embarrassed, so he told Pappas to “get the F out.” (RP 674)

Caldwell acknowledged being very intoxicated that night. (RP 687) Caldwell denied that he ever jumped on, hit, strangled, or threatened to kill Pappas. (RP 674, 676) He was angry when the police arrested him because he was being arrested for something he did not do. (RP 675, 699-70) He also believed that, because he had a very physically demanding job and was therefore very physically fit, Pappas would have had more significant injuries if he had actually beaten her the way she described. (RP 654-55, 703)

IV. ARGUMENT & AUTHORITIES

- A. TESTIMONY THAT CALDWELL FALSELY CLAIMED TO HAVE BEEN RAPED BY PAPPAS SHOULD HAVE BEEN EXCLUDED BECAUSE ITS MINIMAL PROBATIVE VALUE WAS SUBSTANTIALLY OUTWEIGHED BY ITS POTENTIAL PREJUDICE.

Before trial, Caldwell moved under ER 403 to exclude testimony that he claimed repeatedly during the car ride to the jail that Pappas had raped him. (RP 42-44, 691, 697-98; CP 22) Because of that claim, he was transferred to the hospital for a forensic evaluation but then recanted his claim, acknowledging that

he lied to the police. (RP 42-44, 691, 697-98; CP 22) The State argued that the testimony should be admitted because it was relevant to show “a complete picture of the intoxication” and Caldwell’s “level of anger that he’s showing in his current state.” (RP 43) The trial court allowed the State to elicit this testimony. (RP 44; CP 87) The trial court abused its discretion because the testimony was highly prejudicial and only minimally relevant.²

ER 403 permits exclusion of evidence if the probative value is substantially outweighed by the danger of prejudice or the needless presentation of cumulative evidence.³ State v. Bedker, 74 Wn. App. 87, 93, 871 P.2d 673 (1994); see also State v. Rice, 48 Wn. App. 7, 12-13, 737 P.2d 726 (1987); State v. Ammlung, 31 Wn. App. 696, 700, 644 P.2d 717 (1982).

Evidence likely to provoke an emotional response rather than a rational decision is unfairly prejudicial. State v. Rice, 48 Wn. App. at 13 (citing 5 Karl B. Tegland, WASHINGTON PRACTICE, EVIDENCE LAW AND PRACTICE § 106, at 250 (2d ed.1982)). And the

² A trial court's decision to admit or exclude evidence is reviewed for abuse of discretion. State v. Bedker, 74 Wn. App. 87, 93, 871 P.2d 673 (1994).

³ ER 403 states: “Although relevant, evidence may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury, or by considerations of undue delay, waste of time, or needless presentation of cumulative evidence.”

availability of other means of proof is a factor in deciding whether to exclude prejudicial evidence. State v. Johnson, 90 Wn. App. 54, 62, 950 P.2d 981 (1998) (citing ER 403 cmt.).

The slight probative value of testimony that Caldwell falsely claimed Pappas raped him was vastly outweighed by its prejudicial impact. The testimony was only marginally helpful in establishing Caldwell's intoxication and anger. And there was plenty of other evidence establishing Caldwell's degree of intoxication and angry attitude. In addition to Pappas' testimony about Caldwell's behavior and the number of drinks he consumed (RP 348, 354-55, 358, 361, 406-08), there was testimony from Officers Grubb and Clark that Caldwell was clearly intoxicated and quite agitated. (RP 530, 543) And there was testimony from Martin that, after being placed in the back of the patrol car, Caldwell was extremely angry and obviously intoxicated, mistook her for Pappas, and was loudly talking in what she described as an "alcohol induced rage." (RP 550-52) So not only was the false rape accusation testimony unnecessary, it was highly prejudicial because it did nothing more than paint Caldwell as someone willing to lie to authorities.

The prejudicial impact was exacerbated when, during closing arguments, the prosecutor used this evidence to convince the jury it

should not believe Caldwell's testimony:

Now let's talk about the credibility of the defendant's testimony.... [T]hat night in the back of the patrol car, he lied. He made up a rape allegation against somebody, and he kept it all the way into the car and all the way to the hospital. He maintained his rape allegation. He maintained his lie. This is not the testimony of someone who is credible.

(RP 760, 762) The prosecutor did not use this evidence for the purpose it was admitted--to establish Caldwell's intoxication and angry behavior. Instead the prosecutor used the evidence to question Caldwell's credibility, implying that if he lied to police that night he must have lied to the jury at trial.

Because the jury's determination of guilt or innocence depended entirely on its weighing of Pappas' and Caldwell's credibility, the error in admitting the evidence is not harmless. Caldwell's convictions must be reversed.

B. THERE IS INSUFFICIENT EVIDENCE TO SUPPORT THE JURY'S FINDING THAT THESE OFFENSES WERE DOMESTIC VIOLENCE INCIDENTS.

The State alleged that the two charged offenses were "domestic violence incidents." (CP 3-4) So the jury was instructed to decide whether Caldwell and Pappas were "family or household members." (CP 65, 66, 71, 73) The jury answered in the affirmative, which resulted in an offender score increase, a

domestic violence no-contact order, and an order to participate in a domestic violence evaluation and treatment. (CP 71, 73, 89-90, 91-92, 94, 95, 103-04; RP 806, 826, 831) But the State failed to meet its constitutional burden of proving beyond a reasonable doubt that Caldwell's offenses were domestic violence incidents.

Under RCW 9.94A.525(21), the sentencing court must increase the defendant's offender score when the prosecution has "pled and proven" the allegation of domestic violence "as defined in RCW 9.94A.030."⁴ Any time an additional factual finding increases the standard range, the fact must be found by the jury and proven beyond a reasonable doubt. Blakely v. Washington, 542 U.S. 296, 303-04, 124 S. Ct. 2531, 159 L. Ed. 2d 403 (2004); see State v. Felix, 125 Wn. App. 575, 577, 105 P.3d 427 (2005) (domestic violence designation needs to be proven to a jury if it "increases the defendant's potential punishment"); State v. Nunez, 174 Wn.2d 707, 712, 285 P.3d 21 (2012); U.S. Const. amends. 6, 14; Wash. Const. art. I, §§ 21, 22. Thus, because the jury's special verdict findings of domestic violence increased Caldwell's punishment, the

⁴ RCW 9.94A.030(20) states that "Domestic violence" as used in the sentencing statutes "has the same meaning as defined in RCW 10.99.020." The State alleged that Caldwell's crimes were domestic violence offenses under RCW 10.99.020. (CP 3-4)

State was required to prove this aggravator beyond a reasonable doubt.

Certain crimes, including assault and harassment, are “domestic violence” incidents “when committed by one family or household member against another.” RCW 10.99.020(5). “Family or household members” includes “persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship.” RCW 10.99.020(3).

“Dating relationship” means a social relationship of a romantic nature. Factors that the court may consider in making this determination include: (a) The length of time the relationship has existed; (b) the nature of the relationship; and (c) the frequency of interaction between the parties.

RCW 26.50.010(2).⁵

Even though this was the first time Caldwell and Pappas had met in person, the State asserted that they were in a “dating relationship.” There does not appear to be any Washington cases discussing the quantity or quality of contacts required to rise to the level of a “dating relationship.” But as commonly understood, a “dating relationship” entails more than a single date or encounter. It implies that the parties have engaged in repeated in-person contact

⁵ RCW 10.99.020(4) provides that, as used in that chapter, the phrase “[d]ating relationship’ has the same meaning as in RCW 26.50.010.”

and share at least some emotional commitment to each other. This common understanding is certainly implied by the language of RCW 26.50.010(2), which requires consideration of the “length” and “nature” of the relationship, as well as the “frequency of interaction.”

Other states’ courts have examined the phrase “dating relationship” and determined that more than a single meeting of the parties is required. For example, in Oriola v. Thaler, the California Court of Appeals reviewed various judicial and legislative interpretations of the phrase by other courts, and determined that a “dating relationship” under California’s domestic violence protection statute required proof of a “serious courtship.” 84 Cal. App.4th 397, 412, 100 Cal.Rptr.2d 822, 832 (2000). It further explained:

[A dating relationship] is a social relationship between two individuals who have or have had a reciprocally amorous and increasingly exclusive interest in one another, and shared expectation of the growth of that mutual interest, that has endured for such a length of time and stimulated such frequent interactions that the relationship cannot be deemed to have been casual.

Oriola, 84 Cal.App.4th at 412, 100 Cal.Rptr.2d at 832-33.

Similarly, in Alison C. v. Westcott, the Illinois Court of Appeals held that its State legislature “intended for a ‘dating relationship’ ... to refer to a serious courtship, like that discussed in

Oriola.” 343 Ill. App. 3d 648, 652-53, 798 N.E.2d 813, 816–17 (Ill. App. Ct. 2003). The court found that the parties’ one date did not establish a “dating relationship.” 343 Ill. App. 3d 652-53

So to prove the existence of a “dating relationship,” the evidence must show that the parties engaged in more than just a first date or casual one-night-stand. But that is all that occurred in this case. The “relationship” between Caldwell and Pappas consisted of electronic messages over a two-week period and one in-person meeting. Neither Caldwell nor Pappas testified that they felt the relationship might continue past that one night. Even the trial court doubted the appropriateness of a domestic violence designation, stating at sentencing that “[t]his was not a relationship. It was a date that went terribly wrong, and I’m not sure that the behavior was domestic violence. It seems to me that the behavior was intoxication.” (RP 826)

The interactions between Caldwell and Pappas simply did not rise to the level of a “dating relationship.” The State therefore failed to prove the existence of the domestic violence aggravator beyond a reasonable doubt. The jury’s finding, and any sentencing consequences of the finding, must be stricken.

C. THE STATUTE DEFINING “DATING RELATIONSHIP” IS UNCONSTITUTIONALLY VAGUE.

If this Court does not agree that a single date is insufficient to establish a “dating relationship,” as found by other State courts and as argued above, then this Court must conclude that the statute defining “dating relationship” is unconstitutionally vague. If reasonable judicial minds can differ on the meaning of the term “dating relationship,” then surely the average citizen cannot be expected to understand what behavior the phrase encompasses.

The due process vagueness doctrine under the Fourteenth Amendment and article I, section 3 of the Washington Constitution requires the State to provide citizens with fair warning of proscribed conduct. State v. Bahl, 164 Wn.2d 739, 752, 193 P.3d 678 (2008). The doctrine also protects against arbitrary, ad hoc or discriminatory enforcement. State v. Halstien, 122 Wn.2d 109, 116-17, 857 P.2d 270 (1993).

“Under the due process clause of the Fourteenth Amendment, a statute is void for vagueness if either: (1) the statute ‘does not define the criminal offense with sufficient definiteness that ordinary people can understand what conduct is proscribed’; or (2) the statute ‘does not provide ascertainable standards of guilt to protect against arbitrary enforcement.’”

City of Bellevue v. Lorang, 140 Wn.2d 19, 30, 992 P.2d 496 (2000)

(quoting Halstien, 122 Wn.2d at 117 (quoting City of Spokane v. Douglass, 115 Wn.2d 171, 178, 795 P.2d 693 (1990))).

“A statute is void for vagueness if it is framed in terms so vague that persons of common intelligence must necessarily guess at its meaning and differ as to its applicability.” State v. Lee, 135 Wn.2d 369, 393, 957 P.2d 741 (1998) (citing Douglass, 115 Wn.2d at 177, 795 P.2d 693).

Commonly understood, a “relationship” is “a state of affairs existing between those having relations or dealing.” WEBSTER’S THIRD NEW INT’L DICTIONARY at 1916 (2002). In the context of interaction between people, a “date” means “an appointment or engagement [usually] for a specified time . . . [especially]: an appointment between two persons of the opposite sex for the mutual enjoyment of some form of social activity” or “an occasion (as an evening) of social activity arranged in advance between two persons of opposite sex.” WEBSTER’S at 576. Referring to a person, a “date” is “a person of the opposite sex with whom one enjoys such an occasion of social activity.” WEBSTER’S at 576. Such behavior conceivably covers a large range of human interaction, and leaves the dividing line between a non-dating relationship and a dating relationship blurry.

RCW 26.50.010(2) says that a “dating relationship” means “a social relationship of a romantic nature.” This does not cure the vagueness problem. United States v. Reeves, 591 F.3d 77 (2d Cir. 2010) is instructive. Reeves held a condition of supervision requiring the defendant to notify the probation department upon entry into a “significant romantic relationship” was vague in violation of due process. 591 F.3d at 79, 81. The court observed:

We easily conclude that people of common intelligence (or, for that matter, of high intelligence) would find it impossible to agree on the proper application of a release condition triggered by entry into a “significant romantic relationship.” What makes a relationship “romantic,” let alone “significant” in its romantic depth, can be the subject of endless debate that varies across generations, regions, and genders. For some, it would involve the exchange of gifts such as flowers or chocolates; for others, it would depend on acts of physical intimacy; and for still others, all of these elements could be present yet the relationship, without a promise of exclusivity, would not be “significant.” The history of romance is replete with precisely these blurred lines and misunderstandings.

591 F.3d at 81.⁶ The condition was too vague to be enforceable because it had “no objective baseline,” as “[n]o source provides anyone—courts, probation officers, prosecutors, law enforcement officers, or Reeves himself—with guidance as to what constitutes a

⁶ Citing Wolfgang Amadeus Mozart, *THE MARRIAGE OF FIGARO* (1786); Jane Austen, *MANSFIELD PARK* (Thomas Egerton, 1814); *WHEN HARRY MET SALLY* (Columbia Pictures 1989); *HE’S JUST NOT THAT INTO YOU* (Flower Films 2009).

‘significant romantic relationship.’” 591 F.3d at 81.⁷

Because of the various interpretations that can be and have been given to the term “dating relationship,” a reasonable person would be left to guess at its meaning and to what behavior the statute applied. The statute does not provide a standard by which a reasonable person can understand what qualifies as “dating relationship,” and what does not, in a non-arbitrary manner.

The average citizen has no way of knowing what conduct is included in the statute because each person’s perception of what constitutes a “dating relationship” will differ based on each person’s subjective understanding. The very reason the vagueness doctrine exists is to avoid this quandary. The phrase “dating relationship” is unconstitutionally vague and must be invalidated.

“Ordinarily, only the part of an enactment that is constitutionally infirm will be invalidated, leaving the rest intact.” Guard v. Jackson, 83 Wn. App. 325, 333, 921 P.2d 544 (1996). Severance is preferred over wholesale invalidation of a statute

⁷ In State v. Norris, ___ Wn. App. ___, 404 P.3d 83, 87 (2017), Division 1 found that a special sex offense condition of community custody that required the defendant to inform her community corrections officer of a “dating relationship” was “neither unconstitutionally vague nor subject to arbitrary enforcement.” But the Washington Supreme Court has granted review on this issue. State v. Norris, 190 Wn.2d 1002, 413 P.3d 12 (2018).

where elimination of the invalid portion does not render the remainder of the act incapable of accomplishing the overall purpose.

An act cannot be declared unconstitutional in its entirety by reason of the fact that some one or more of its provisions is unconstitutional, unless the constitutional and unconstitutional provisions are unseverable and are so intimately connected and interdependent in their meaning and purpose that it cannot be believed that the legislature would have passed the one without the other, or unless the part eliminated is so intimately connected with the remainder of the act that the elimination will render the remainder incapable of accomplishing the purposes of the legislature.

State v. Lawton, 25 Wn.2d 750, 766, 172 P.2d 465 (1946); see also Caritas Servs., Inc. v. Dep't of Soc. & Health Servs., 123 Wn.2d 391, 416-17, 869 P.2d 28 (1994); State v. Anderson, 81 Wn.2d 234, 236, 501 P.2d 184 (1972).

There is no indication that the legislature would have refrained from enacting the domestic violence protection laws if it did not include the phrase “dating relationship.” And eliminating the phrase “dating relationship” and its definition from RCW 10.99.020 and RCW 26.50.010 will not render the remainder of the statute unworkable or incapable of accomplishing its purpose. This Court should therefore simply strike the phrase and definition of “dating

relationship” from RCW 10.99.020 and 26.50.010.

V. CONCLUSION

The trial court abused its discretion when it allowed the State to elicit testimony that Caldwell made a false accusation about Pappas, because the probative value was minimal, it was cumulative of other evidence already admitted, and it was highly prejudicial because it painted Caldwell as a person willing to lie to the authorities. For this reason, Caldwell’s convictions must be reversed.

Furthermore, because a single date between two people is insufficient to establish the existence of a “dating relationship,” the State failed to prove beyond a reasonable doubt that Caldwell’s offenses were domestic violence incidents. Alternatively, the phrase “dating relationship” as used and defined in the domestic violence prevention statutes is unconstitutionally vague. The domestic violence offense finding must be stricken.

DATED: June 13, 2018



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CERTIFICATE OF MAILING

I certify that on 06/13/2018, I caused to be placed in the mails of the United States, first class postage pre-paid, a copy of this document addressed to: Clinton J. Caldwell, DOC# 405042, Monroe Correctional Complex-WSR, PO Box 777, Monroe, WA 98272.

Stephanie Cunningham

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