

FILED
Apr 10, 2017
Court of Appeals
Division III
State of Washington

No. 344118

**COURT OF APPEALS
OF THE STATE OF WASHINGTON
DIVISION III**

STATE OF WASHINGTON,

Respondent,

v.

CASSIE KAY ROBERTSON,

Appellant.

BRIEF OF RESPONDENT

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I. ASSIGNMENTS OF ERROR

1. There was not sufficient probable cause to issue a warrant to search the defendant's home.

2. The court relied on the incorrect statute to determine the level of THC in the marijuana found at the defendant's home.

3. There was insufficient evidence to prove the school bus stop enhancement.

4. The trial court imposed an unconstitutional condition when it imposed a no marijuana use condition on someone who had been convicted of possession with intent to deliver marijuana.

II. ISSUES PERTAINING TO ASSIGNMENTS OF ERROR

1. Was there sufficient probable cause to issue a search warrant for Ms. Robertson's home after a CI purchased marijuana intended for consumption from her using standard and reliable procedures?

2. What was the statutory definition of 'marijuana' at the time of Ms. Robertson's crimes?

3. Was there sufficient evidence to support the school bus stop enhancement?

4. Can the trial court impose a restriction on marijuana as part of a family sentencing alternative for the crime of possession with intent to deliver marijuana?

III. STATEMENT OF THE CASE

Early in the morning on January 23, 2014 Ephrata Police Department Officers requested a search warrant for a home occupied by Cassie Robertson. CP 69. Prior to obtaining the search warrant the officers used a confidential informant (CI) to purchase marijuana. *Id.* The CI was searched prior to going into Ms. Robertson's home and after coming out. *Id.* The officer followed the CI to Ms. Robertson's home and was given pre-recorded buy money. *Id.* Officers observed the CI go into Ms. Robertson's home and come out with marijuana. *Id.* While inside Ms. Robertson told the CI to "pick out a flavor." *Id.* The CI observed paraphernalia for selling drugs being used as well as other potential controlled substances. *Id.* The officers conducted a field test for marijuana, which was positive. *Id.*

The officers described the CI as someone who had several prior convictions, had previously worked for the Ephrata Police Department, had successfully made two previous controlled buys and had provided names of known drug traffickers. *Id.* The search warrant allowed the officers to seize marijuana, other controlled substances, buy sell records,

documents of dominion and control, and a ten dollar bill that was used as buy money. CP 71.

The case eventually proceeded to a bench trial. Sheri Jenkins, the forensic scientist who verified the substance was marijuana, testified. RP 126. She described the test used to verify the THC concentration in the sample. RP 133-34. She found that the samples of marijuana contained between 18 and 20% THC. RP 135. In clarifying during cross these percentages included both THC¹ and THCA². RP 147-48.

Laura Cobb manages the school buses for the Ephrata School District. RP 77, 88-95. She provided the locations of the school bus stops to Ephrata Police Officer Harvey. RP 77. Officer Harvey measured the distance between the bus stops and Ms. Robertson's residence with a roller tape. *Id.* During trial Officer Harvey compared his roller wheel to a ruler and compared the ruler to a standard note pad. RP 81-84. The distance was measured at 290 feet from one bus stop and 280 feet from another.

IV. ARGUMENT

A. There was sufficient information in the search warrant affidavit to provide probable cause that Ms. Robertson was dealing marijuana and evidence of that would be found in her house.

¹ delta-9 tetrahydrocannabinol

² delta-9 tetrahydrocannabinolic acid

A court reviews a magistrate's decision to issue a warrant for an abuse of discretion. *State v. Maddox*, 152 Wn.2d 499, 509, 98 P.3d 1199 (2004). In general, this decision should be given great deference. *State v. Cole*, 128 Wn.2d 262, 286, 906 P.2d 925 (1995). However, a trial court's legal conclusion as to whether an affidavit establishes probable cause is reviewed de novo. *State v. Neth*, 165 Wn.2d 177, 182, 196 P.3d 658 (2008). Further, the court's review is limited to the four corners of the affidavit. *Id.* “[T]he information [the court] consider[s] is the information that was available to the issuing magistrate.” *State v. Olson*, 73 Wn. App. 348, 354, 869 P.2d 110 (1994).

A judge properly issues a search warrant only upon a determination of probable cause. *State v. Jackson*, 150 Wn.2d 251, 264, 76 P.3d 217 (2003). “Probable cause exists where the affidavit in support of the warrant sets forth facts and circumstances sufficient to establish a reasonable inference that the defendant is probably involved in criminal activity and that evidence of the crime may be found at a certain location.” *Id.* Thus, “probable cause requires a nexus between criminal activity and the item to be seized, and also a nexus between the item to be seized and the place to be searched.” *State v. Thein*, 138 Wn.2d 133, 140, 977 P.2d 582 (1999) (quoting *State v. Goble*, 88 Wn. App. 503, 509, 945 P.2d 263 (1997)). Courts evaluate the existence of probable cause on a case-by-case

basis. *Id.* at 149. However, “[a]bsent a sufficient basis in fact from which to conclude evidence of illegal activity will likely be found at the place to be searched, a reasonable nexus is not established as a matter of law.” *Id.* at 147. Further, “[t]he magistrate is entitled to make reasonable inferences from the facts and circumstances set out in the affidavit.” *Maddox*, 152 Wn.2d at 505. Probable cause is far short of certainty—it “requires only a probability or substantial chance of criminal activity, not an actual showing of such activity,” *Illinois v. Gates*, 462 U.S. 213, 244 n. 13 (1983), and not a probability that exceeds 50 percent (“more likely than not”), either. *Hanson v. Dane County*, 608 F.3d 335, 338 (7th Cir. 2010).

Whether a field test, standing on its own, is sufficient to determine whether a substance is marijuana to a probable cause standard with a given THC concentration is an interesting question, but not one presented by this case. The purpose of the .3% concentration limit of THC in marijuana is to distinguish between marijuana and industrial hemp. *See* Washington State Liquor and Cannabis Board, *FAQs on Marijuana*, available at http://lcb.wa.gov/mj2015/faqs_i-502 (Last visited March 24, 2017). The CI went in to buy consumable marijuana and described a moderately sophisticated set up with multiple ‘flavors’ for the consumer that showed Ms. Robertson was in the business of selling marijuana, not hemp. A person who sells hemp in place of marijuana is not going to be in business

very long, and may face risk from dissatisfied customers. The court could conclude, to at least a probable cause standard, that the substance Ms. Robertson gave to the CI was marijuana.

Even a beyond a reasonable doubt standard does not require a lab test. *State v. Colquitt*, 133 Wn. App. 789, 797, 137 P.3d 892 (2006). "As long as the available circumstantial evidence establishes its identity as a controlled substance beyond a reasonable doubt, circumstantial evidence establishing identification may include lay-experience based on familiarity through prior use, trading, or law enforcement." *Id.* There is enough in the warrant to establish that the items sold were marijuana beyond a reasonable doubt. The field test, which has been in use for a long period of time, at least established probable cause that the item in question belonged to the plant cannabis. The other surrounding circumstances, either with or without a field test, established probable cause to believe what was sold was psychoactive marijuana, not hemp. Ms. Robertson represented the substance as marijuana, selling multiple flavors. She had paraphernalia associated with selling marijuana. The field test only provided further validation of what was already known, at least to a probable cause level.

B. The law in effect at the time of Ms. Robertson's offenses regarding THC concentration was the test performed by Ms. Jenkins.

The fundamental goal of statutory interpretation is to discern and implement the legislature's intent. *State v. JP.*, 149 Wn.2d 444, 450, 69 P.3d 318 (2003). When interpreting a statute, courts look first to the statute's plain meaning. *State v. Armendariz*, 160 Wn.2d 106, 110, 156 P.3d 201 (2007). "Plain meaning is discerned from the ordinary meaning of the language at issue, the context of the statute in which that provision is found, related provisions, and the statutory scheme as a whole." *Christensen v. Ellsworth*, 162 Wn.2d 365, 373, 173 P.3d 228 (2007). "If the statutory language is susceptible to more than one reasonable interpretation, then a court may resort to statutory construction, legislative history, and relevant case law for assistance in discerning legislative intent." *Id.*

The court construes the meaning of a statute by reading it in its entirety and considering its relation with other statutes. *Dep 't of Ecology v. Campbell & Gwinn, LLC*, 146 Wn.2d 1, 11, 43 P.3d 4 (2002). Statutes relating to the same subject matter must be construed together. *Hallauer v. Spectrum Prop., Inc.*, 143 Wn.2d 126, 146, 18 P.3d 540 (2001) (quoting *In re Pers. Restraint of Yim*, 139 Wn.2d 581, 592, 989 P.2d 512 (1999)). Statutes relating to the same subject matter "are to be read together as constituting a unified whole, to the end that a

harmonious, total statutory scheme evolves which maintains the integrity of the respective statutes." *Id.* (quoting *State v. Wright*, 84 Wn.2d 645, 650, 529 P.2d 453 (1974)). Statutory interpretation is a question of law the court reviews de novo. *State v. Gonzalez*, 168 Wn.2d 256, 263, 226 P.3d 131 (2010).

There are three relevant House and Senate Bills from the 2013/14 legislative session that relate to marijuana: Engrossed House Bill 2056 (Laws of 2013 Ch 116) entitled Marijuana—Hemp—THC Content; Substitute Senate Bill 5416 (Laws of 2013 Ch 276) entitled Prescription Information; and Engrossed Substitute House Bill 2304 (Laws of 2014 Ch 192) entitled Marijuana—Processing—Retail Licenses.

Engrossed House Bill 2056 entitled Marijuana—Hemp—THC Content was introduced and passed at the urging of the Washington Association of Prosecuting Attorneys to address the measuring impossibility that Ms. Jenkins referenced in her testimony, by expanding the definition of “THC concentration” to:

mean[s] percent of delta-9-tetrahydrocannabinol (THC) content per dry weight of any part of the plant *Cannabis*, or per volume or weight of marijuana product, or the combined percent of delta-9 tetrahydrocannabinol and tetrahydrocannabinolic acid (THCA) in any part of the plant *Cannabis* regardless of moisture content. (Emphasis in the original)(Parentheticals added). HB 2056 passed April 27, 2013; signed into law effective May 1, 2013.

Substitute Senate Bill 5416 entitled Prescription Information did not include the emphasized language, but merely read in its definition of THC:

THC concentration means percent of delta-9-tetrahydrocannabinol content per dry weight of any part of the plant *Cannabis*, or per volume or weight of marijuana product. SB 5416 passed April 23, 2013; signed into law May 16, 2013; effective July 28, 2013.

Engrossed Substitute House Bill 2304 entitled Marijuana—Processing—Retail Licenses read precisely, word for word, in its definition of THC as HB 2056 had without the added emphasis:

THC means percent of delta-9-tetrahydrocannabinol content per dry weight of any part of the plant *Cannabis*, or per volume or weight of marijuana product, or the combined percent of delta-9 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant *Cannabis* regardless of moisture content. HB 2304 passed March 13, 2014; signed into law effective June 12, 2014.

Ms. Robertson argues that SB 5416 had supplanted HB 2056 due to its later effective date, and its omission of the expanded definitional language for THC. She further argues that the expanded definitional language for THC was not reactivated as State law until the passage of HB 2304 in June of 2014 some five months after the time of Ms. Robertson's arrest. Thus Ms. Robertson argues that in January of 2014, the definition of THC did not include THCA, and as Ms. Jenkins had testified that THC could not be separated from THCA, the lab results obtained in Ms. Robertson's case were invalid and lacked scientific integrity.

During the spring/summer of 2013, two separate and distinct acts amended sections of the State drug laws. HB 2056 states that it is:

AN ACT Relating to correcting the definition of THC concentration as adopted by Initiative Measure No. 502 to avoid an implication that conversion, by combustion, of tetrahydrocannabinol acid into delta-9 tetrahydrocannabinol is not part of the THC content that differentiates marijuana from hemp; amending RCW 69.50.101; and declaring an emergency.

SB 5416 states that it is:

AN ACT Relating to prescription information; amending RCW 69.41.010, 69.50.308, and 69.50.312; and reenacting and amending RCW 69.50.101.

HB 2304 states that it is:

AN ACT Relating to marijuana processing and retail licenses; amending RCW 69.50.325, 69.50.354, 69.50.357, 69.50.360, 42.56.270, and 69.50.535; and reenacting and amending RCW 69.50.101.

Each of these acts clearly relates to its specific topic. Under Wash. Const. Art II § 19 a bill must relate to its legislative title. Additionally whenever legislative language is added or a new law is created, that change is characterized and illustrated by being emphasized by underlining. Conversely whenever legislative language is stricken or existing law deleted, it is characterized and illustrated by being ~~stricken through~~. SB 5416 did not return the definition of THC to its pre-2056 state. It was a bill passing in the same session as HB 2056, so its only purpose was to amend an underlying statute which had not, as of yet,

incorporated the HB 2056 changes. SB 5416 actually passed days before HB 2056, and so neither included the language of HB 2056, nor struck it out, nor did HB 2304 underline the additional THCA language as it had continually and consistently existed throughout.

When two acts amend the same section of the RCW, RCW 1.12.025(1) provides that "...each act shall be given effect to the extent that the amendments do not conflict in purpose..." Subsection (2) gives the Code Reviser's Office the administrative authority to merge multiple amendments if they "...do not conflict in purpose or effect." HB 2056 served to rectify an unattainable and unworkable standard of THC measurement. SB 5416 served to rectify perceived shortcomings in prescription information and did not address or affect the changes adopted in HB 2056. The two bodies of changes are not related, and do not conflict in either purpose or effect. Ms. Robertson's argument seems to be that SB 5416 which was passed some four days before HB 2056 somehow supersedes HB 2056, because the Governor signed SB 5416 after HB 2056. The two bills did not conflict, and the later signed bill did not undo the work of the first one.

Nor could it under the State Constitution. There is no logical connection between the title of "AN ACT Relating to prescription information" and THC concentration in this context. While it is

conceivable the two might be related if THC concentrations were to be listed on prescriptions for marijuana, that is not the subject the bill addressed. Instead SB 5416 simply addressed transmission of prescriptions and refills. It had nothing to do with labeling or prescribing a particular THC content. Instead the bill simply did not address THC content.

C. There was sufficient information to conclude that Ms.

Robertson was selling drugs within 1000 feet of a school bus stop.

1. *The measurement device used by Officer Harvey was verified as accurate at trial.*

Based on *State v. Bashaw*, 169 Wn.2d 133, 234 P.3d 195 (2010), Ms. Robertson argues that the State did not prove the roller wheel measuring device was accurate. In *Bashaw* the Officer used a roller wheel similar to the one Officer Harvey used. But the State in *Bashaw* did not compare the roller wheel to a ruler. “No comparison of results generated by the device to a known distance was made.” *Id.* at 143. Here the State compared the roller wheel to a ruler and the ruler to a standard 8 ½ by 11 sheet of paper.

According to the National Institute of Standards and Technology a foot is .3048 of a meter.³ “The meter is the length of the path travelled by

³ <https://www.nist.gov/physical-measurement-laboratory/nist-guide-si-appendix-b> (Last visited March 30, 2017).

light in vacuum during a time interval of $1/299,792,458$ of a second.”⁴
“The second is the duration of 9,192,631,770 periods of the radiation corresponding to the transition between the two hyperfine levels of the ground state of the cesium 133 atom.” Fortunately neither ER 901 nor the Washington courts require such precision, but look to what a reasonable person would rely upon in determining a measurement.

Ms. Robertson argues that the State did not provide evidence that the ruler used to verify the roller wheel was accurate. However, *Bashaw* stated “Some devices operate in a manner such that any failure by the device to produce accurate results would be immediately obvious to the user (e.g., measuring tapes, yard sticks, or rulers). In such cases, it may be inferred from testimony by the user about measurements with the device that the results are accurate. This contrasts with rolling wheel measuring devices for which, like speed measuring devices, the internal workings are not observable by the user.” *Id* at 142 n.8. This meets the commonsense test. There has to be some limit on how far a party has to go to apply a commonly accepted unit of distance. To truly calibrate a measuring device to NIST standards would require a physics lab the size of a good sized building. It would then require experts to testify about such measurements. Neither *Bashaw* nor ER 901 require such exacting

⁴ <http://physics.nist.gov/cuu/Units/meter.html> (Last visited March 30, 2017).

scrutiny. Rather it is satisfied by “evidence sufficient to support a finding that the matter in question is what its proponent claims.” ER 901(a). The measurements made by the roller device were adequately authenticated by a common ruler.

2. *There was other evidence from which a reasonable finder of fact could conclude Ms. Robertson’s house was within 1000 feet of a school bus stop.*

In addition the Court in *Bashaw* found the lack of authentication harmless as to two counts of the school bus stop enhancement. In *Bashaw* the officer testified that the drug transactions took place in a parking lot that he estimated was 150 feet long. The bus stop was in the driveway for the parking lot. The court found that any error in admitting the measuring device was harmless.

In this case Officer Harvey testified that the school bus stops were located within half a block or less of Ms. Robertson’s home, and that he was able to walk from the stops to Ms. Robertson’s house. RP 79. He testified that the lots were a quarter acre or smaller. RP 86. This is supported by Exhibit 25. Supp. Clerk’s Papers, App. C. In this case the stop at Smith and Cottage is two city lots plus the width of a two lane street away from Ms. Robertson’s house. A quarter acre is just under 11,000 square feet. Assume, for the sake of argument, the lots are 12,000

square feet, and measure 200 ft by 60 feet.⁵ That would mean that Ms. Robertson's lot is the length of two lots (400 feet) plus the width of the road, generously 50 feet, plus another 200 feet to the far edge of Ms. Robertson's lot line from the Smith and Cottage bus stop, and any spot on Ms. Robertson's lot would be 650 feet or less from the bus stop, still well under the 1000 foot limit. It is still clearly less than 1000 feet, even without the roller wheel measurement, and giving Ms. Robertson every reasonable benefit of rounding and estimation errors. Any error in admitting the measurement was harmless.

3. *The fact that Officer Harvey only measured to Ms. Robertson's lot line does not defeat the reasonable inference that Ms. Robertson was dealing within 1000 feet of a school bus stop.*

Ms. Robertson argues that because Officer Harvey only measured to the lot line that there is insufficient proof that she was dealing within 1000 feet of a school bus stop when she was in the bedroom of her house. Had the measurement been close to a thousand feet she might be right. However, Officer Harvey measured the distance as being 290 feet. This measurement was done passing two lots the same size as Ms. Robertson's. By looking at Exhibit 25, and comparing it to the measurements made by Officer Harvey, it is clear that Ms. Robertson's entire house and lot are

⁵ This is a generous assumption in Ms. Robertson's favor, the lots are not over three times as long as they are wide, as can be seen from Exhibit 25.

within 1000 feet of a school bus stop. Even using the State's overly generous approximations it is clear that Ms. Robertson's entire lot is within 1000 feet of a school bus stop. The trial judge reasonably concluded the two bus stops were 500 feet from each other, and Ms. Robertson's house and lot was between the two. The trial judge was correct when he concluded there was sufficient evidence that Ms. Robertson was dealing marijuana within 1000 feet of a protected zone. CP 298-99.

D. The condition that Ms. Robertson not use marijuana does not violate her constitutional rights.

Ms. Robertson raises a challenge to her condition of sentence that she not use or possess marijuana. She does not argue the court's statutory authority to impose such a condition, but rather that it violated her equal protection rights. Equal protection analysis has three steps. The first is to identify the unequally treated groups. The second is to identify the level of scrutiny and the third is to apply that level of scrutiny in light of the State's interest at stake. *In re Mayner*, 41 Wn. App. 598, 705 P.2d 284 (1985).

Here the two groups are those serving a family sentencing alternative for possession with intent to deliver marijuana, and those who are not. Ms. Robertson correctly identifies the level of scrutiny as rational

basis. There are several State's interests at stake. One is to prevent Ms. Robertson from continuing to commit the same crime she was convicted of while on her family alternative sentence, which is much easier if the community corrections officer does not have to debate whether the marijuana she has is for personal use or for distribution. Another is to remove the motivation for Ms. Robertson to engage with her former associates regarding marijuana. In addition she was sentenced to a family sentencing alternative. RCW 9.94A.655. This is supposed to involve intensive supervision to provide parenting skills and get away from criminality. All the marijuana was found in the bedroom, the same place a baby's basinet was located. RP 42, Ex 21, 22 Supp. Clerk's Papers, App. A, B. The State obviously has an interest in keeping marijuana away from children. Given the rehabilitative nature of her sentence, it is perfectly rational to keep her away from the substance she offended with in the first place. There is sufficient State's interest in keeping Ms. Robertson away from marijuana to satisfy rational basis review.

V. CONCLUSION

There was sufficient probable cause to support the warrant to search Ms. Robertson's home. Statutes passed in the same session are read together, they do not cancel each other out. RCW 1.12.020. The lab test accurately measured the appropriate THC level. There was sufficient

evidence to conclude that Ms. Robertson had possession of marijuana with intent to deliver within a 1000 feet of a school bus stop. The trial court should be affirmed in all respects.

Dated this 10th day of April, 2017.

Respectfully submitted,

GARTH DANO
Prosecuting Attorney

By: 
Kevin J. McCrae WSBA #43087
Deputy Prosecuting Attorney

A



PLAINTIFF'S
EXHIBIT
21

tabbies

B

ITEM
1

Blue
Lace

Blue

Blue

Blue

PLAINTIFF'S
EXHIBIT

22

tabbles

C



900

200

feet
meters

Google earth

PLAINTIFF'S
EXHIBIT
25

tabbles

D

Route ID	Route Desc	Route Type	Departure Time	Return Time	Driver Name	Bus Code
730	Bus 18 AM	To School	12:00 am	12:00 am		18

Expand All Collapse All

Route Details Edit Route View All Students on Route
 Distance: 0.00 miles Duration: 0.00 minutes Bus Description: 18 Bus 18

Route Stop(s) Add Stop

Stop 1.00 - 5778 ROAD 10.2 Edit Stop Delete Stop

Stop Details

Stop Description: 5778 ROAD 10.2 Arrival Time: 7:00 AM Departure Time: 7:00 AM

Students at Stop Add Student View Students at this Stop

Edit	Remove	Student Name	Grade	Stop Type	Day Code
		RUTH VALLE LEON	04	Pickup	
		BRENDA VALLE LEON	02	Pickup	

Stop 2.00 - 5822 ROAD 10.2 Edit Stop Delete Stop

Stop Details

Stop Description: 5822 ROAD 10.2 Arrival Time: 7:01 AM Departure Time: 7:01 AM

Students at Stop Add Student View Students at this Stop

Edit	Remove	Student Name	Grade	Stop Type	Day Code
		JAZMIN DIRCIO	03	Pickup	
		THOMAS DIRCIO	01	Pickup	
		ISAIAH ROBERT GRANLUND	03	Pickup	
		KYAH VILLALTA	03	Pickup	

Stop 3.00 - 5888 RD 10.2 Edit Stop Delete Stop

Stop Details

Stop Description: 5888 RD 10.2 Arrival Time: 7:02 AM Departure Time: 7:02 AM

Students at Stop Add Student View Students at this Stop

Edit	Remove	Student Name	Grade	Stop Type	Day Code
		DAMIAN GARCIA	07	Pickup	
		DELEAH GARCIA	03	Pickup	
		CARTER GARCIA	K1	Pickup	

Stop 4.00 - 5948 ROAD 10.2 Edit Stop Delete Stop

Stop Details

Stop Description: 5948 ROAD 10.2 Arrival Time: 7:03 AM Departure Time: 7:03 AM

Students at Stop Add Student View Students at this Stop

Edit	Remove	Student Name	Grade	Stop Type	Day Code
		MOISES DIRCIO	09	Pickup	
		RUBBY DIRCIO	05	Pickup	
		JAMIE DIRCIO	02	Pickup	

Stop 5.00 - Rd 10 & Rd F NW Edit Stop Delete Stop

Stop Details

Stop Description: Rd 10 & Rd F NW Arrival Time: 7:04 AM Departure Time: 7:04 AM

Students at Stop Add Student View Students at this Stop

Edit	Remove	Student Name	Grade	Stop Type	Day Code
		JARED RANDOLPH	07	Pickup	
		MANUEL TREJO	12	Pickup	

Stop 6.00 - 10163 RD E.6 Edit Stop Delete Stop

Stop Details

Stop Description: 10163 RD E.6 Arrival Time: 7:06 AM Departure Time: 7:06 AM

Students at Stop Add Student View Students at this Stop

Edit	Remove	Student Name	Grade	Stop Type	Day Code
		MAXIMINO RAMIREZ	10	Pickup	
		ERIC VASQUEZ	03	Pickup	
		JOSE VASQUEZ	09	Pickup	

Stop 7.00 - 10216 ROAD E.6 Edit Stop Delete Stop

Stop Details

Stop Description: 10216 ROAD E.6 Arrival Time: 7:07 AM Departure Time: 7:07 AM

Students at Stop Add Student View Students at this Stop

Edit	Remove	Student Name	Grade	Stop Type	Day Code
		JUDYTH GARCIA	04	Pickup	
		STEVEN GARCIA RANGEL	12	Pickup	

Stop 8.00 - 5633 RD 10 Edit Stop Delete Stop



Stop Details

Stop Description: 5633 RD 10 Arrival Time: 7:08 AM Departure Time: 7:08 AM

Students at Stop Add Student View Students at this Stop

		Student Name	Grade	Stop Type	Day Code
Edit	Remove	ISIAH AVILA	07	Pickup	
Edit	Remove	ANGEL AVILA	03	Pickup	
Edit	Remove	JEREMIAS BARAJAS	04	Pickup	
Edit	Remove	ALEXANDER BELINO	K1	Pickup	
Edit	Remove	BENJAMIN BELINO	02	Pickup	
Edit	Remove	EVELYN CRUZ	03	Pickup	
Edit	Remove	JENEVY CRUZ	K1	Pickup	

Stop 9.00 - 5070 10 NW Edit Stop Delete Stop

Stop Details

Stop Description: 5070 10 NW Arrival Time: 7:11 AM Departure Time: 7:11 AM

Students at Stop Add Student View Students at this Stop

There are no students assigned to this Bus Stop.

Stop 10.00 - 1238 A SE Edit Stop Delete Stop

Stop Details

Stop Description: 1238 A SE Arrival Time: 7:15 AM Departure Time: 7:15 AM

Students at Stop Add Student View Students at this Stop

		Student Name	Grade	Stop Type	Day Code
Edit	Remove	KOSCHA CHARLESTON	10	Pickup	
Edit	Remove	DEVYNN MUNSON	01	Pickup	
Edit	Remove	WILLIAM REYNOLDS	K1	Pickup	
Edit	Remove	CHRISTINE REYNOLDS	02	Pickup	

Stop 11.00 - 1175 A SE Edit Stop Delete Stop

Stop Details

Stop Description: 1175 A SE Arrival Time: 7:20 AM Departure Time: 7:20 AM

Students at Stop Add Student View Students at this Stop

		Student Name	Grade	Stop Type	Day Code
Edit	Remove	JASMINE GRAHAM	06	Pickup	
Edit	Remove	JOSLYNN GRAHAM	02	Pickup	

Stop 12.00 - 1166 A ST SE Edit Stop Delete Stop

Stop Details

Stop Description: 1166 A ST SE Arrival Time: 7:21 AM Departure Time: 7:21 AM

Students at Stop Add Student View Students at this Stop

		Student Name	Grade	Stop Type	Day Code
Edit	Remove	HALEY ONEEL	05	Pickup	
Edit	Remove	MIKAELA ONEEL	02	Pickup	
Edit	Remove	EMILY ONEEL	K1	Pickup	
Edit	Remove	KIERRA SMITH	05	Pickup	
Edit	Remove	ASHLEY SMITH	04	Pickup	

Stop 13.00 - 1219 YAKIMA ST SE Edit Stop Delete Stop

Stop Details

Stop Description: 1219 YAKIMA ST SE Arrival Time: 7:22 AM Departure Time: 7:22 AM

Students at Stop Add Student View Students at this Stop

		Student Name	Grade	Stop Type	Day Code
Edit	Remove	MADISON HYCE	01	Pickup	
Edit	Remove	RUBEN RAMIREZ	K1	Pickup	

Stop 14.00 - Smith & Cottage Edit Stop Delete Stop

Stop Details

Stop Description: Smith & Cottage Arrival Time: 7:24 AM Departure Time: 7:24 AM

Students at Stop Add Student View Students at this Stop

		Student Name	Grade	Stop Type	Day Code
Edit	Remove	TRINITY BERA	03	Pickup	
Edit	Remove	MAKENNA CAMPBELL	06	Pickup	
Edit	Remove	GLANDIRIS FLORES	02	Pickup	
Edit	Remove	PAIGE LONG	04	Pickup	
Edit	Remove	BROOKE MCKNIGHT	05	Pickup	
Edit	Remove	HAILEY SILVA	02	Pickup	

Stop 15.00 - 98 Pioneer Edit Stop Delete Stop

Stop Details

Stop Description: 98 Pioneer Arrival Time: 7:25 AM Departure Time: 7:26 AM

Students at Stop Add Student View Students at this Stop

		Student Name	Grade	Stop Type	Day Code
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Edit	Remove	HAILEY BOCKMAN	10	Pickup
Edit	Remove	ALEXIS BROWN	04	Pickup
Edit	Remove	ZACHARY BUNNEY	11	Pickup
Edit	Remove	CLARA BUSTOS	09	Pickup
Edit	Remove	MARIBEL BUSTOS GARCIA	12	Pickup
Edit	Remove	NOELI CORONA	09	Pickup
Edit	Remove	MALIA ESQUIVEL	01	Pickup
Edit	Remove	ISRYAL FLORES	06	Pickup
Edit	Remove	LILIANA FLORES	04	Pickup
Edit	Remove	IZAIAH GOMEZ	03	Pickup
Edit	Remove	ALEJANDRO ORTEGA	05	Pickup
Edit	Remove	LESLY ORTEGA	02	Pickup
Edit	Remove	CESAR SALDANA	11	Pickup
Edit	Remove	NOE SANCHEZ	05	Pickup
Edit	Remove	MARICELA SANCHEZ	08	Pickup
Edit	Remove	JASMINE SEE	02	Pickup
Edit	Remove	ANAHI VARGAS	03	Pickup
Edit	Remove	EMILY WRIGHT	03	Pickup

Stop 16.00 - Middle School Edit Stop Delete Stop

Stop Details

Stop Description: Middle School Arrival Time: 7:30 AM Departure Time: 7:30 AM

Students at Stop Add Student View Students at this Stop

There are no students assigned to this Bus Stop.

Stop 17.00 - SAINT ROSE Edit Stop Delete Stop

Stop Details

Stop Description: SAINT ROSE Arrival Time: 7:30 AM Departure Time: 7:30 AM

Students at Stop Add Student View Students at this Stop

There are no students assigned to this Bus Stop.

Stop 18.00 - Columbia Ridge Edit Stop Delete Stop

Stop Details

Stop Description: Columbia Ridge Arrival Time: 7:40 AM Departure Time: 7:40 AM

Students at Stop Add Student View Students at this Stop

There are no students assigned to this Bus Stop.

Stop 19.00 - PARKWAY Edit Stop Delete Stop

Stop Details

Stop Description: PARKWAY Arrival Time: 7:45 AM Departure Time: 7:45 AM

Students at Stop Add Student View Students at this Stop

There are no students assigned to this Bus Stop.

Stop 20.00 - High School frey rd Edit Stop Delete Stop

Stop Details

Stop Description: High School frey rd Arrival Time: 7:50 AM Departure Time: 7:50 AM

Students at Stop Add Student View Students at this Stop

There are no students assigned to this Bus Stop.

Stop 21.00 - Grant Edit Stop Delete Stop

Stop Details

Stop Description: Grant Arrival Time: 7:55 AM Departure Time: 7:55 AM

Students at Stop Add Student View Students at this Stop

There are no students assigned to this Bus Stop.

COURT OF APPEALS
OF THE STATE OF WASHINGTON
DIVISION III

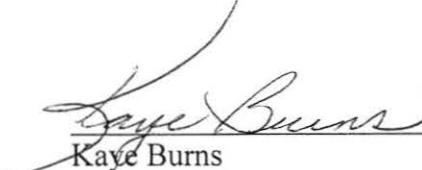
STATE OF WASHINGTON,)	
)	
Respondent,)	No. 344118
)	
v.)	
)	
CASSIE KAY ROBERTSON,)	DECLARATION OF SERVICE
)	
Appellant.)	
_____)	

Under penalty of perjury of the laws of the State of Washington, the undersigned declares:

That on this day I served a copy of the Brief of Respondent in this matter by e-mail on the Tanesha La'Trelle Canzater, Attorney for Appellant, receipt confirmed, pursuant to the parties' agreement:

Tanesha La'Trelle Canzater
Canz2@aol.com

Dated: April 10, 2017.



Kaye Burns

GRANT COUNTY PROSECUTOR
April 10, 2017 - 11:20 AM
Transmittal Letter

Document Uploaded: 344118-Brief of Respondent.pdf
Case Name: State of Washington v. Cassie Kay Robertson
Court of Appeals Case Number: 34411-8
Party Represented: Respondent
Is This a Personal Restraint Petition? Yes No
Trial Court County: Grant - Superior Court #: 14-1-00057-2

Type of Document being Filed:

- Designation of Clerk's Papers / Statement of Arrangements
 Motion for Discretionary Review
 Motion: ____
 Response/Reply to Motion: ____
 Brief
 Statement of Additional Authorities
 Affidavit of Attorney Fees
 Cost Bill / Objection to Cost Bill
 Affidavit
 Letter
 Electronic 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: ____

Comments:

No Comments were entered.

Proof of service is attached and an email service by agreement has been made to Canz2@aol.com.

Sender Name: Kaye J Burns - Email: kburns@co.grant.wa.us