

71530-5

71530-5

NO. 71530-5-I

COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION I

STATE OF WASHINGTON,

Respondent,

v.

KIMBERLY ANN BAILEY,

Appellant.

APPEAL FROM THE SUPERIOR COURT FOR KING COUNTY

THE HONORABLE DEAN LUM

BRIEF OF RESPONDENT

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A. ISSUES

1. Party-opponent admissions are exempt from the hearsay rule when a party adopts the statement or manifests a belief in its truth. A party's signature on a document constitutes an adoptive admission based on the surrounding facts and circumstances. Here, Bailey signed one-page admission statements shortly after she was apprehended outside department stores with stolen merchandise. Bailey verbally admitted to taking the items, and signed statements listing the stolen property and prices, after reading and discussing the statements with loss prevention officers. Given these circumstances, has Bailey failed to demonstrate that the trial court's decision to admit the statements as adoptive admissions was manifestly unreasonable or based on untenable grounds?

2. Computer-generated evidence is admissible under the business records exception to the hearsay rule if the record is kept in the regular course of the business, and made at or near the time of an objective act in circumstances suggesting reliability. Here, a records custodian testified that a department store generated and stored receipts in an electronic database at the time of purchase. At the deputy prosecutor's direction, the custodian

searched the database and collected receipts created on or about the date of Bailey's theft to determine the sale and coupon price of the items stolen by Bailey. Based on these facts, has Bailey failed to demonstrate that the trial court's decision to admit the receipts as business records was manifestly unreasonable or based on untenable grounds?

B. STATEMENT OF THE CASE

1. PROCEDURAL FACTS

The State charged Kimberly Bailey with one count of Organized Retail Theft in the Second Degree. CP 6-7. A jury convicted Bailey as charged. CP 10. The trial court imposed a standard range sentence of 90 days. CP 41-46; 7RP 3-4.¹

2. SUBSTANTIVE FACTS

During December 2012 and January 2013, Bailey stole jewelry and other merchandise on three separate occasions from Nordstrom and Macy's. The first incident occurred on December 18, 2012 at the downtown Seattle Nordstrom. 5RP 10-11. Loss Prevention Officers Katie Delano and Roger Shadduck observed Bailey select a ring, conceal it in her jacket, and exit the store

¹ The Verbatim Report of Proceedings consists of seven volumes designated as follows: 1RP (12/4/13), 2RP (12/6/13), 3RP (12/9/13), 4RP (12/9/13 Voir Dire), 5RP (12/10/13), 6RP (12/11/13), and 7RP (1/10/14).

without paying. 5RP 10-11, 71. Delano and Shaddock apprehended Bailey outside the store and recovered the ring, along with four other pieces of stolen jewelry. Id.

They escorted Bailey to the loss prevention office where she orally admitted to stealing the items, and signed a document entitled "NORDSTROM Adult Admission Statement." 5RP 15-16, 19-20; Ex. 4. The document stated:

Consent of: Kimberly Ann Bailey. I admit of my own free will, without threats or promises, that on 12/18/12 I took the following items listed below from the possession of Nordstrom Store . . .

All of which is \$555.28. When I took the merchandise, I did so intending it for my own personal use knowing I was depriving Nordstrom of their property.

Ex. 4. Bailey's printed full name and signature followed these admissions. Ex. 4. Delano discussed each item listed and its price with Bailey before she signed the admission statement. 5RP 20, 25-26, 35; Ex. 4. Bailey mistakenly thought that two of the stolen necklaces were the same, but Delano clarified that they were different. 5RP 20. Bailey also signed a two-year trespass notice prohibiting her from entering or remaining in Nordstrom stores. 5RP 28.

Nonetheless, Bailey returned to the same Nordstrom the following month and stole jewelry valued at \$145.05. 5RP 36-37, 72-73; Ex. 9. Similar to the first incident, Delano and Shadduck saw Bailey conceal two bracelets in her jacket and exit the store without paying. 5RP 36-37, 72-73. They detained Bailey, retrieved the stolen property, and took her to the loss prevention office where she orally admitted to taking the items and signed another admission statement. 5RP 36-37, 39, 72-73; Ex. 9. The statement contained the same admissions as the first statement, and listed the specific items stolen and their prices. Ex. 9. Shadduck read and discussed the statement with Bailey, who signed it. 5RP 77-78; Ex. 9.

In between the Nordstrom thefts, Bailey stole jewelry and other merchandise from the Seattle Northgate Macy's. On January 11, 2013, loss prevention officers observed Bailey exit Macy's without paying for jewelry that they saw her stash in her handbag. 5RP 92-93, 141-42, 159-61. The officers recovered the stolen property from Bailey and escorted her to the loss prevention office where she admitted to the theft and signed a "Statement of Admission." 5RP 164-66; Ex. 18. The statement provided:

I, Kimberly Ann Baily [sic] . . . make this statement voluntarily and of my own free will and accord, without intimidation by threats or promises, that on Friday, January 11, 2013, I did take merchandise and/or cash belonging to Macy's without consent or permission and with the intent to permanently deprive Macy's of their property.

Ex. 9. The items stolen by Bailey were listed below the above admissions along with their price. Ex. 9. The officers read the statement to Bailey, who signed it. 5RP 112-13; Ex. 9.

Bailey's admission statement listed the total value of the Macy's items as \$822.00. Ex. 9. Macy's Loss Prevention Officer Pawel Pucilowski testified that he determined that amount by scanning the bar codes on the 19 items stolen by Bailey. 5RP 102. The scanned prices reflected the "base price" of each item and did not account for the item's potential sale or coupon price, even though there was a "one-day sale" involving some of the items at the time of the theft.² 5RP 104-05, 171.

After the State filed charges against Bailey, the prosecutor requested that Macy's Loss Prevention Officer Lydia Sprague determine the sale and coupon price of the stolen items on the date they were taken. 5RP 173-75; 6RP 222. Sprague searched

² Macy's does not "give shoplifters sale prices," or the benefit of the coupon price, when determining the amount of loss for an admission statement. 6RP 222.

Macy's electronic receipt database and provided the receipts to the prosecutor who offered them as a whole in Exhibit 29. 5RP 173-75. Sprague testified that the receipts were created at the time of sale and stored electronically in Macy's company-wide database. 5RP 172-75. Accounting for the one-day sale and coupon prices, Bailey stole \$596.00 of merchandise from Macy's.³ Ex. 18, 29.

At trial, Bailey objected to the admission of Exhibits 4, 9, and 18, arguing that the items' prices listed in the statements were hearsay within hearsay. 5RP 45-48, 78, 106-07. The trial court overruled Bailey's objection and concluded that Bailey's signature on the challenged exhibits reflected her adoption of all of the statements contained therein, including the items' prices. See 5RP 110 (reasoning that Bailey "can adopt as many layers of hearsay as she wants").

Additionally, Bailey objected to the admission of the Macy's receipts contained in Exhibit 29, arguing that the exhibit was "generated for the purpose of litigation," and was therefore inadmissible under the business records exception to the hearsay

³ Combined, Bailey stole \$700.33 worth of merchandise from Nordstrom and at least \$596.00 worth of merchandise from Macy's, well in excess of the required \$750.00 to prove second-degree organized retail theft. Ex. 4, 9, 29; CP 6; RCW 9A.56.350(1)(c)(3), (4).

rule. 5RP 185. The court overruled Bailey's objection, finding that the receipts were created at the time of sale and that Exhibit 29 "was simply a printout of what already existed." 5RP 188.

C. ARGUMENT

1. THE TRIAL COURT PROPERLY ADMITTED EXHIBITS 4, 9, AND 18 AS ADOPTIVE ADMISSIONS BY A PARTY OPPONENT.

Bailey argues that the trial court erred by admitting her signed statements confessing to have stolen over \$750 in merchandise from Nordstrom and Macy's. She contends that the State failed to prove that she manifested an adoption or belief in the truth of the prices listed in the challenged exhibits. Bailey's argument fails. The plain language and circumstances surrounding her signature of the admission statements confirm her adoption of the items' prices.

On appeal, a trial court's interpretation of an evidence rule is reviewed de novo, while its decision to admit or exclude evidence is reviewed for an abuse of discretion. State v. DeVincentis, 150 Wn.2d 11, 17, 74 P.3d 119 (2003). A court abuses its discretion only when its decision is "manifestly unreasonable, or exercised on untenable grounds, or for untenable reasons." State ex rel. Carroll v. Junker, 79 Wn.2d 12, 26, 482 P.2d 775 (1971). In other words,

the reviewing court considers whether “any reasonable judge would rule as the trial judge did.” State v. Thang, 145 Wn.2d 630, 642, 41 P.3d 1159 (2002).

ER 801(d)(2) exempts party-opponent admissions from the hearsay rule. Admissions include a party’s own statement and “a statement of which the party has manifested an adoption or belief in its truth.” ER 801(d)(2)(i), (ii). “Adoptive admissions are, by their very nature, attributed to the defendant, even though couched in the words of a third person.” State v. Neslund, 50 Wn. App. 531, 554, 749 P.2d 725 (1988).

A party may manifest adoption of a statement by words, gestures, or silence. See State v. Lounsbery, 74 Wn.2d 659, 661-62, 445 P.2d 1017 (1968) (defendant’s failure to deny sexual assault allegation, combined with his agreement to see a psychologist and complaint that he was being persecuted for making “one mistake,” was an adoptive admission); State v. Anderson, 44 Wn. App. 644, 651, 723 P.2d 464 (1986) (defendant’s shaking his head yes signaled his adoption of a statement); Neslund, 50 Wn. App. at 550-53 (defendant’s participation in a detailed conversation about the victim’s death and dismemberment was an adoptive admission by silence where the defendant heard

and understood the incriminating statements, had the ability to respond, and failed to deny them).

A party's signature on a document is generally sufficient to constitute an adoption of the statements therein. U.S. v. Orellana-Blanco, 294 F.3d 1143, 1148-49 (9th Cir. 2002) (citing U.S. v. Felix-Jerez, 667 F.2d 1297, 1299 (9th Cir. 1982) (concluding a defendant's signature "operates as sufficient proof that the defendant made the statement")); Harris v. U.S., 834 A.2d 106, 117 (D.C. Ct. App. 2003) (recognizing that a party's signature on a document created by another "supports a finding of adoption").

Personal knowledge of the facts underlying an admission is not required. See 2 McCormick on Evidence ch. 25, § 255 at 265 (7th ed. Broun 2013) ("the traditional view that firsthand knowledge is not required for admissions is accepted by the vast majority of courts and adopted by the Federal Rules"); Karl B. Tegland, Courtroom Handbook on Washington Evidence §801:16 at 365 (2014-15 ed.) (recognizing a statement "is not objectionable on the basis the declarant lacked personal knowledge"); Adv. Comm. Note, Fed R. Evid. 801 (suggesting "generous treatment" for adoptive admissions).

Whether a party has adopted the statement of another is a preliminary question of fact for the trial judge in light of the surrounding facts and circumstances. Neslund, 50 Wn. App. at 551-52; 2 McCormick on Evidence, ch. 25, § 261 at 300-01 (7th ed. Broun 2013). Ultimately, the jury decides whether the opposing party made an adoptive admission. Neslund, 50 Wn. App. at 551-52.

Here, the trial court properly exercised its discretion to admit exhibits 4, 9, and 18 as adoptive admissions under ER 801(d)(2)(ii). Bailey manifested her adoption of the admission statements by signing her name to them after having read and discussed them with the loss prevention officers. 5RP 25-26, 35, 77-78, 112-13. The documents' titles, plain language, and simple chart listing the items stolen and their prices, made clear what Bailey was admitting to when she signed the documents. See Ex. 4 and 9 (Nordstrom "Adult Admission Statement" providing, "I admit . . . I took the following items . . . All of which is [total amount]"); Ex. 18 (Macy's "Statement of Admission" providing "I did take merchandise . . . belonging to Macy's" followed by the stolen items' unit and total prices). Further, the sequence of events where Bailey was caught with the stolen merchandise, verbally admitted to the thefts, and

shortly thereafter signed admission statements, confirms that Bailey intended to admit culpability. 5RP 15-16, 39, 164-65.

There is no evidence that Bailey had difficulty communicating with the officers, or that she did not speak English. Indeed, when Bailey had a question about whether two of the necklaces she stole from Nordstrom were the same price, she asked it. 5RP 20. Bailey's signature at the bottom of each document constituted her adoption of the statements therein, including the items' prices. Felix-Jerez, 667 F.2d at 1299; Harris, 834 A.2d at 117. Given the facts and the case law recognizing that a party's signature on a document indicates an adoptive admission, Bailey cannot show that the trial court's decision to admit the exhibits was manifestly unreasonable or based on untenable grounds.

Bailey relies on two out-of-state cases, Powers v. Coccia, 861 A.3d 466 (R.I. 2004), and Harris v. United States, 834 A.2d 106 (D.C. 2003), to argue that her signature alone was insufficient to prove that she affirmatively approved or adopted the computer-generated prices listed in the statements. In Coccia, the defendant filed an affidavit recounting statements made to him by pest control and construction companies. 861 A.3d at 470. The Rhode Island

Supreme Court held that the defendant did not adopt the companies' statements by filing an affidavit because there was no evidence tying the defendant to the statements in "a meaningful way," or indicating that he approved or adopted them. Id. at 470.

Alternatively, in Harris, the District of Columbia Court of Appeals held that a federal prosecutor's signature on a warrant affidavit constituted an adoptive admission that probable cause existed because the prosecutor signed the page that listed the detective's conclusions in support of probable cause, and described the items to be seized. 834 A.2d at 121-22. The court concluded that the prosecutor's signature on that specific page, combined with the prosecutor's knowledge that the warrant would be submitted to the court, could "only mean" that the prosecutor agreed in his official capacity that probable cause existed. Id. at 122. Nonetheless, the court noted that the prosecutor's signature did "not necessarily imply" that he agreed with all of the subordinate facts contained in the affidavit because whether an affiant adopts a third party's statement depends on the context and surrounding circumstances. Id.

Taken together, Coccia and Harris stand for the unassailable principle that whether a party's signature on a document containing

third party statements constitutes an adoptive admission depends on the facts and circumstances. Unlike the defendant in Coccia, who signed an affidavit recounting third party statements, Bailey signed “admission” statements confessing to having stolen store merchandise shortly after having been apprehended and verbally admitting to the thefts. 5RP 15-16, 39, 164-65. The statements’ plain language tied Bailey to the thefts and the items’ prices. See Ex. 4 and 9 (“I admit . . . I took the following items . . . All of which is [total amount]”); Ex. 18 (“I did take merchandise . . . belonging to Macy’s” followed by the stolen items’ unit and total prices). Both the surrounding facts and circumstances reveal that Bailey’s signature amounted to an adoptive admission of the statements as a whole.

Bailey’s reliance on White Industries, Inc. v. Cessna Aircraft Co., 611 F. Supp. 1049 (W.D. Mo. 1985), is unavailing. In White Industries, a federal district court articulated a number of principles to guide the admission of a “voluminous mass” of corporate documents that fell into two categories: (1) documents authored by a third party and retained in the company’s files, and (2) documents authored by a company employee that relied on third-party information. 611 F. Supp. at 1059. Rooted in that context, the trial

court “suggest[ed]” that “before this sort of internalized ‘use’ of information from another can be qualified as an adoptive admission, it must be shown that the party acted . . . in some *significant, identifiable way, in direct reliance upon the specific information in question,*” demonstrating the party’s belief in and adoption of that information. 611 F. Supp. at 1063 (emphasis in original).

The complicated factual scenario presented by a corporation’s retention and use of scores of third party documents is a far cry from the one presented here involving a shoplifter who admitted in brief, one-page statements to stealing merchandise valued at a certain price. The standard articulated in White Industries is neither binding nor particularly relevant here. Nonetheless, Bailey’s claim fails even under that standard because, unlike the defendant corporation in White Industries that merely retained or relied on third-party information, Bailey signed her name to admission statements confessing to having taken store merchandise valued at a certain price.

Finally, Bailey’s reliance on Momah v. Bharti, 144 Wn. App. 731, 182 P.3d 455 (2008), is also misplaced. In Momah, this Court held that a defendant attorney adopted the truth of biographical

information, newspaper articles, and client comments, when he posted the material to his website as a means of publicizing himself. 144 Wn. App. at 750. Contrary to Bailey's argument, if posting third-party information to a personal website is sufficient to constitute an adoptive admission, then signing a statement of "admission" containing third party pricing information is sufficient to establish an adoptive admission. Bailey's signature is equally, if not more of, an affirmative step demonstrating an adoptive admission than posting information to a website.

Bailey claims that she had no knowledge of "how the department store computers generated the reports or ascertained the alleged retail prices," and therefore could not manifest an adoption in the truth of the prices. Appellant's Opening Brief at 19. Bailey's argument rests on the faulty assumption that she must have personal knowledge of the facts underlying her admission. Bailey is incorrect. Firsthand knowledge is not required for admissions. 2 McCormick on Evidence, ch. 25, § 255 at 265; Tegland, Courtroom Handbook on Washington Evidence, §801:16 at 365; Adv. Comm. Note, Fed R. Evid. 801.

The trial court properly admitted the challenged exhibits as adoptive admissions given the evidence that Bailey signed the

plainly-worded, one-page statements after being apprehended with the stolen items, orally admitting to taking them, and having read and discussed the statements with the loss prevention officers. Bailey cannot show that the trial court's decision was manifestly unreasonable or based on untenable grounds.

2. THE TRIAL COURT PROPERLY ADMITTED EXHIBIT 29 AS A BUSINESS RECORD.

Bailey argues that the trial court erred by admitting Macy's sales receipts as a business record because they were compiled for purposes of litigation. Bailey's claim fails. All of the receipts were created at the time of sale, in the regular course of business, in circumstances suggesting reliability. The trial court properly admitted them, finding that they were "simply a printout of what already existed." 5RP 188.

Although hearsay, computer-generated evidence is admissible under the business records exception codified in RCW 5.45.020. State v. Ben-Neth, 34 Wn. App. 600, 602-03, 663 P.2d 156 (1983). To qualify, a record must be (1) that of a business, (2) kept in the regular course of the business, (3) of an objective act, condition or event, (4) at or near the time of the act, condition, or event, (5) in circumstances suggesting reliability. A "business" is

“every kind of business . . . whether carried on for profit or not.”

RCW 5.45.010.

In the retail theft context, this Court has approved the admission of price tags as business records, as well as computer-generated itemized lists of stolen merchandise created by scanning bar codes. State v. Rainwater, 75 Wn. App. 256, 261, 876 P.2d 979 (1994) (price tags “are business records in every sense of the term”); State v. Quincy, 122 Wn. App. 395, 401, 95 P.3d 353 (2004) (per curiam) (computer-generated itemized list). In Quincy, the court rejected the defendant’s argument that the itemized list was not a business record because it was prepared in anticipation of litigation, reasoning:

It is axiomatic that shoplifting arrest records are likely to be used in litigation. This fact alone does not mean they cannot fall within the business records exception as a matter of law. Here, witnesses established that shoplifting arrest records are created in the regular course of business and that a computer-generated list of the stolen merchandise is a necessary component of these records.

122 Wn. App. at 401 (emphasis added). The court noted that there was no evidence that preparing the itemized list deviated from the store’s standard procedures. Id.

Here, Macy's Loss Prevention Officer Sprague testified that Macy's maintains an electronic database that records every purchase, return, and voided transaction associated with an item's SKU number, at the time that the event occurs. 5RP 169-72. The SKU number is located on an item's price tag and is scanned into the Macy's database at the time of purchase. 5RP 169. Macy's "records every single transaction that happens in every single store," and relies on the records created for purchase verification. 5RP 169-70.

Sprague compiled the receipts in Exhibit 29 by conducting a search for the unique SKU number associated with the items stolen by Bailey on the date of the theft.⁴ 5RP 172-73. Sprague "pulled" the receipts from the database 10 months after the theft at the prosecutor's direction in order to determine the items' sale prices. 5RP 175; 6RP 222.

Although Sprague *searched* the Macy's database for purposes of litigation after the theft occurred, all of the receipts that she collected were *created* on or about the date of the theft, in the

⁴ Sprague testified that "one or two" of the receipts in Exhibit 29 were from a day after the theft (January 12, 2013), but that the items' prices were the same on each date because they were part of a one-day sale. 5RP 173. A review of Exhibit 29 reveals that three of the receipts were dated January 12, 2013.

regular course of Macy's business, in circumstances suggesting reliability. As such, the receipts satisfied the requirements of the business records exception to the hearsay rule.

The fact that the receipts were compiled after the theft is immaterial because the receipts were recorded at the time of sale. Sprague's act of collecting the receipts and assembling them into one document did not diminish the receipts' accuracy or reliability, the traditional rationale supporting the exception. See State v. Rutherford, 66 Wn.2d 851, 853, 405 P.2d 719 (1965) (recognizing that the business record exception presumes that a record is "presumptively reliable" and that "an employee will do his duty"); Tegland, Courtroom Handbook on Washington Evidence, §803:20 at 398 (noting the exception is "based upon the belief that a business has a strong incentive to keep accurate records of its own transactions").

Significantly, Bailey does not challenge the reliability or the authenticity of the receipts contained in Exhibit 29. Rather, Bailey argues that the receipts should have been excluded solely because they were assembled for purposes of litigation, relying on Owens v. City of Seattle, 49 Wn.2d 187, 299 P.2d 560 (1956). Bailey's reliance on Owens is misplaced, given its inapposite facts. In

Owens, the court held that a graph and horizontal map displaying surface road levels were not admissible as business records because they were prepared three months after the accident for purposes of litigation. Id. at 194. The court noted that “neither the exhibits nor the data on which they were based were made in ‘the regular course of business.’” Id. Further, the court suggested that there should have been foundational testimony about the accuracy of the data upon which the exhibits were based before they were admitted as substantive evidence. Id.

Unlike the exhibits in Owens, which were based on measurements taken three months after the accident, the receipts comprising Exhibit 29 were issued and recorded on or about the day of Bailey's theft in the regular course of business. 5RP 169-73. Sprague testified that the receipts were generated at the time of sale and stored in an electronic database. Id. Bailey did not argue, nor is there any evidence, that the receipts were inaccurate.

Given Sprague's foundational testimony regarding the receipts, Bailey cannot show that the trial court's decision to admit Exhibit 29 as a business record was manifestly unreasonable or based on untenable grounds.

3. ANY ERROR IN ADMITTING EXHIBIT 29 WAS HARMLESS.

Bailey argues that if the trial court erred in admitting Exhibits 4, 9, 18, and 29, then the error was not harmless because the State relied solely on the exhibits to prove that Bailey stole \$750.00 worth of merchandise. Bailey is correct that the challenged exhibits were the State's primary evidence of value.⁵ Consequently, if the trial court erred in admitting Exhibits 4, 9, and 18 as adoptive admissions, then Bailey's conviction should be reversed.

Nonetheless, if the trial court erred only in admitting Exhibit 29 as a business record, then Bailey's conviction should be affirmed because the error was harmless. An error admitting evidence is not prejudicial unless, within reasonable probabilities, the outcome of the trial would have been materially affected. State v. Robtoy, 98 Wn.2d 30, 44, 653 P.2d 284 (1982), abrogated on other grounds by State v. Radcliffe, 164 Wn.2d 900, 906-07, 194 P.3d 250 (2008).

Here, the erroneous admission of Exhibit 29 would not have materially affected the outcome of the trial because the State also

⁵ As Bailey notes in her brief, the State also offered Exhibit 7, a photograph of the merchandise Bailey stole from Nordstrom on January 26, 2013, which visibly displayed the items' price tags and cost. The aggregate value of those items, however, was \$145.05, far short of the \$750.00 value required to prove second-degree organized retail theft. RCW 9A.56.350(1)(c)(3), (4).

offered Exhibit 18, which established the price of the Macy's items without the benefit of the one-day sale or coupon prices. Sprague testified that Macy's does not "give shoplifters sale prices" or "coupons," but instead charges them the full price scanned in the system. 6RP 222. Given this additional evidence against Bailey, any error in admitting Exhibit 29 was harmless.

D. CONCLUSION

For the foregoing reasons, the Court should affirm Bailey's conviction.

DATED this 3rd day of December, 2014.

Respectfully submitted,

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Certificate of Service by Mail

Today I deposited in the mail of the United States of America, postage prepaid, a properly stamped and addressed envelope directed to Maureen Cyr, the attorney for the appellant, at Washington Appellate Project, 1511 3rd Ave, Suite 701, Seattle, WA, 98101, containing a copy of the Brief of the Respondent in State v. Kimberly Ann Bailey, Cause No. 71530-5, in the Court of Appeals, Division I, for the State of Washington.

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

Dated this 3 day of December, 2014.


Name
Done in Seattle, Washington


CH: C. 8-2014-15
ST: 10-15-14