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THE SUPREME COURT OF THE STATE OF WASHINGTON

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STATE OF WASHINGTON,

Respondent,

v.

SEAN O'DELL,

Petitioner.

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

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SUPPLEMENTAL BRIEF OF PETITIONER

---

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 ORIGINAL

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A. INTRODUCTION

Substantial neurological, physiological and psychological evidence establishes that the adolescent brain differs markedly from an adult brain. The United State Supreme Court has recognized these differences carry with them a reduced blameworthiness and increased capacity for rehabilitation. Sentencing schemes which fail to account for these differences result in sentences for youthful offenders which are disproportionately harsher than those imposed on adult criminals.

Ten days after his 18<sup>th</sup> birthday, Sean O'Dell committed the offense of first degree rape of a child. In light of the scientific evidence regarding adolescent brain development, and its significance to criminal sentencing, Sean contends sentencing courts should be permitted to consider youth and it attendant circumstances as mitigation at sentencing.

B. ISSUES PRESENTED

1. Because it mitigates culpability and brings an increased capacity for rehabilitation, can youth by itself constitute a mitigating factor under the Sentencing Reform Act (SRA)?

2. Pursuant to RCW 9A.44.030(3)(b), it is a defense that a person reasonably believes the alleged victim is at least 14 years old

based on a statement by the victim relating to age. Here, based on statements by the alleged victim regarding her age, Sean O'Dell reasonably believed she was 14 years old. Indeed, during the first trial the court instructed the jury on the defense. At a second trial, following a hung jury, the court refused to instruct the jury on the defense despite the presentation of the same evidence in both trials. Did the court deny Sean O'Dell his right to present a defense in violation of the Sixth and Fourteenth Amendments and Article I, section 22?

C. STATEMENT OF THE CASE

One day, Sean O'Dell met with two schoolmates, his neighbor B.A. and her friend A.J.N. 1/16/13 RP 253-55.<sup>1</sup> Sean, a high school student, was a mere 10 days past his eighteenth birthday. 1/18/13 RP 536. The three drank wine, and Sean commented to A.J.N. "you look too young to be drinking." 1/18/13 RP 542. A.J.N. responded "I get that a lot." *Id.* Based upon A.J.N.'s response, he believed she was older than 14.

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<sup>1</sup> Testimony established the three attended a senior/junior high school housed in a single complex or campus linked by a jointly used commons. 1/16/13 RP 223.

That evening, A.J.N. called Sean and arranged to meet him outside his home. The two returned alone to the same place they had met previously and had sex. 1/16/13 RP 268, 270.

The following morning A.J.N. told her mother about the prior evening. 1/18/13 RP 376. Her mother called Sean, and for the first time he learned A.J.N. was 12½. 1/18/13 RP 549.

The State charged Sean with one count of rape of a child in the second degree. CP 114.

At trial, and without objection, the court instructed the jury on the affirmative defense contained in RCW 9A.44.030, that it was a defense to the charge if based on statements by A.J.N., Sean reasonably believed she was older than 14. CP 104. The jury was unable to reach a verdict and the court declared a mistrial. 11/9/12 RP 542-43.

At a second jury trial, the trial court refused to instruct the jury on the affirmative defense. 1/18/13 RP 609. The second jury convicted Sean. CP 62.

At sentencing, pointing to recent Supreme Court cases holding that youth and immaturity alter a person's culpability for a crime, Sean asked the court to impose a mitigated exceptional sentence. CP 36-43.

Concluding it was prohibited from considering the attributes of youth as a mitigating factor, the court denied the request. 3/6/13 RP 73-74.

D. ARGUMENT

**1. Because youthful offenders have both a diminished culpability and an increased likelihood of rehabilitation, the attributes of youth should constitute a valid mitigating factor.**

*a. The categorical bar on the consideration of youth alone as a mitigating factor at sentencing is contrary to multiple decision of the United States Supreme Court.*

The trial court acknowledged “it comes down to [a] statement that Mr. O’Dell made . . . ‘I’m just a boy who made a mistake.’” But the court concluded it could not look at Sean’s “maturity” but only “his chronological age.” 3/6/13 RP 71. The court reasoned this Court’s decision in *State v. Ha’mim*, 132 Wn.2d 834, 940 P.2d 633 (1997), precluded consideration of youth or immaturity as a mitigating factor. Thus, the court refused to consider whether Sean’s youth and immaturity lessened his culpability for the offense.

*Ha’mim* held “the age of the defendant does not relate to the crime or the previous record of the defendant” and is not a mitigating factor. 132 Wn.2d at 847. *Ha’mim* found the notion that youth negatively affected a defendant’s capacity to appreciate the

wrongfulness or the of his acts “borders on the absurd.” *Id.* at 846 (quoting *State v. Scott*, 72 Wn. App. 207, 218, 866 P.2d 1258 (1993)). Further, the Court found it could not “*seriously* be” contended that youth affected the maturity of judgment. *Ha'mim*, 132 Wn.2d at 847 (Italics in original) (quoting *Scott*, 72 Wn. App at 219).

But since *Ha'mim* was decided, courts have recognized youth does alter the nature of the crime and thus relates directly to the crime.

[Y]outh is more than a chronological fact. It is a time of immaturity, irresponsibility, impetuosity, and recklessness. It is a moment and condition of life when a person may be most susceptible to influence and to psychological damage. And its signature qualities are all transient.

*Miller v. Alabama*, \_\_ U.S. \_\_, 132 S. Ct. 2455, 2467, 183 L. Ed. 2d 407 (2012) (internal quotations, citations and brackets omitted). Based upon this recognition that juveniles are both categorically less culpable and more amenable to rehabilitation, they must be treated differently by the justice system. *See Id.* (barring sentence of life without possibility of parole for homicide for juveniles); *J.D.B. v. North Carolina*, \_\_ U.S. \_\_, 131 S. Ct. 2394, 2406, 180 L. Ed. 2d 310 (2011) (age must be considered in determining whether child in custody for purposes of *Miranda* warnings); *Graham v. Florida*, 560 U.S. 48, 130 S. Ct. 2011, 176 L. Ed. 2d 825 (2010) (barring sentence of life without possibility of parole for

juveniles convicted of nonhomicide offense); *Roper v. Simmons*, 543 U.S. 551, 125 S. Ct. 1183, 161 L. Ed.2d 1 (2005) (death penalty unconstitutional as applied to juveniles).

It is appropriate to reconsider established rules when they are incorrect and harmful. *City of Federal Way v. Koenig*, 167 Wn.2d 341, 343, 217 P.3d 1172 (2009). Prior decisions are harmful when they threaten a fundamental constitutional principle. *Id.* The line of cases leading to *Miller* demonstrates that the prior rules barring a sentencing judge from considering youth and its attributes as mitigating factors is no longer valid, indeed it is unconstitutional in certain circumstances. Punishment schemes that equate youthful and adult offenders “miss[] too much.” *Miller*, 132 S. Ct. at 2468. Yet, that is precisely the conclusion reached in *Ha’ mim*. “[C]riminal procedure laws that fail to take defendants’ youthfulness into account at all would be flawed.” *Miller*, 132 S. Ct. at 2466 (internal quotations and citations omitted). Plainly youth **must** be a valid mitigating factor, at least for those who were under the age of 18 at the time of their offense. It is clear the categorical bar announced in *Ha’ mim* is no longer valid.

*b. Youth and its attributes mitigate a defendant's culpability.*

As set forth above, the previously drawn line must be erased.

Sean urges the Court to adopt a standard which recognizes the scientific realities of adolescence and permits sentencing courts to take it into account where appropriate.

If the current offense had occurred 11 days earlier it would have been unconstitutional for the sentencing court to refuse to consider youth and Sean's individual attributes in determining his sentence. While Sean cannot make that claim by virtue of the passage of 264 hours, the passage of that short period of time did not so fundamentally alter his maturity as to increase his culpability for his offense to that of an adult. His lessened culpability is a valid mitigating factor.

*Miller, J.D.B., Graham, and Roper*, require that youth must be taken into account if the person is under the age of 18. They do not prevent consideration of youth and immaturity after the age of 18. In fact, there is ample support for permitting consideration of youth and immaturity beyond the age of 18 into early adulthood.

Indeed, there is existing legal precedent requiring consideration of youth and immaturity. "A sentencer in a capital case must be allowed to consider the mitigating qualities of youth in the course of its

deliberations over the appropriate sentence.” *Johnson v. Texas*, 509 U.S. 350, 367, 113 S. Ct. 2658, 2668-69, 125 L. Ed. 2d 290 (1993). “The relevance of youth as a mitigating factor derives from the fact that the signature qualities of youth are transient; as individuals mature, the impetuosity and recklessness that may dominate in younger years can subside. *Roper*, 543 U.S. at 570 (citing *Johnson*, 509 U.S. at 368); see also, *United States v. Howard*, \_\_ F.3d \_\_ (4<sup>th</sup> Cir., Slip Op. 13-4296, December 4, 2014) (holding *inter alia*, that because of the mitigating value of youth, district court erred in relying on offenses committed when defendant was 16 and 18 to conclude 41-year-old defendant was a *de facto* career criminal). Thus, there is already precedent compelling consideration of youth as a mitigating factor in an adult sentence. That precedent has scientific backing.

“The qualities that distinguish juveniles from adults do not disappear when an individual turns 18.” *Roper*, 543 U.S. at 574. “Adolescence” is defined as “[t]he period of physical and psychological development from the onset of puberty to complete growth and maturity.” *American Heritage Stedman’s Medical Dictionary* (2002). From a physiological standpoint, the defining attributes of adolescence do not disappear at the threshold of turning of 18.

In *Graham*, the Court recognized that in the short period since its decision in *Roper* “developments in psychology and brain science continue[d] to show fundamental differences between juvenile and adult minds. For example, parts of the brain involved in behavior control continue to mature through late adolescence.” *Graham*, 560 U.S. at 68. Neurological and physiological evidence suggests the “maturity of judgment” increases as a person progresses through adolescence to late-adolescence, young-adulthood and finally adulthood. Kathryn Lynn Modecki, *Addressing Gaps in the Maturity of Judgment Literature: Age Differences and Delinquency*, 32 *Law & Hum. Behav.* 78, 89-90 (2008). “[P]hysiological research suggests that age-based brain maturation, which may be linked to maturity of judgment factors does not occur until the early twenties” *Id.* at 79. The prefrontal cortex, the portion of the brain which controls executive functioning, “remains structurally immature until early adulthood, around the mid-twenties. Until that time, adolescents’ decision-making and responses to stimuli are largely directed by . . . more primitive neurological regions [of the brain].” Nick Straley, *Miller’s Promise: Re-Evaluating Extreme Criminal Sentences for Children*, 89 *Wash. L. Rev.* 963, 971 (2014).

The reasoning of *Miller*, *Graham*, and *Roper* has force beyond a person's eighteenth birthday. Those decisions "rested not only on common sense—on what 'any parent knows'—but on science and social science as well." *Miller*, 132 S. Ct. at 2464. "Any parent" knows that their child's eighteenth birthday does not in itself impart the child with the maturity of an adult.

This continued immaturity beyond the age of 18 is recognized in many other areas of the law. For example, pursuant to RCW 9.41.070 a person must be 21 to obtain a concealed weapons permit. Only those over the age of 21 may purchase alcohol. RCW 66.44.290. The Washington State Patrol limits applicants to those over the age of 21. <http://www.wsp.wa.gov/employment/requirements.htm>. Interestingly, the State Patrol's criminal-history limitations for prospective troopers creates exceptions for certain convictions occurring prior to age 21, an apparent acknowledgment that youthful offenses carry less culpability than those committed well into adulthood. *Id.*

Corporate behavior offers a further illustration. Young adults under the age of 25 are either unable to rent a car or can only do so at much higher costs and under stricter conditions than those over 25. [www.dollar.com/en/Car\\_Rental\\_Information/Main/Rent\\_a\\_Car\\_Under](http://www.dollar.com/en/Car_Rental_Information/Main/Rent_a_Car_Under)

25.aspx. So too, automobile insurance rates for young adults are also much higher than for older persons. <http://www.esurance.com/car-insurance-info/teen-driver-insurance-faq>. Many hotel chains will not rent rooms to persons under 21.

<http://www.hyatt.com/hyatt/customer-service/faqs/reservations.jsp>.

Where money is at stake, corporations recognize the attendant lack of maturity extends beyond a person's eighteenth birthday.

*Miller* addressed at length the “hallmark features” of youth, “immaturity, impetuosity, and failure to appreciate risks and consequences.” 132 S. Ct. at 2468. Critically, the Court noted that beyond a youth's lessened “moral culpability,” the transitional nature of adolescence means it is much more likely a young person's “deficiencies will be reformed” as his “neurological development occurs.” *Id.* at 2464-65. Yet the current sentencing scheme precludes consideration of this demonstrated immaturity and capacity to rehabilitation.

*c. Courts should be permitted to account for the mitigating aspects of youth in imposing a sentence on a youthful offender.*

This Court has previously interpreted RCW 9.94A.340 to prohibit exceptional sentences based on factors personal to a particular

defendant. *State v. Law*, 154 Wn.2d 85, 97, 110 P.3d 717 (2005). RCW

9.94A.340 provides only:

The sentencing guidelines and prosecuting standards apply equally to offenders in all parts of the state, without discrimination as to any element that does not relate to the crime or the previous record of the defendant.

By its plain terms this statute does not apply to “departures from the guidelines” (exceptional sentences under RCW 9.94A.535). Instead its terms limit application to specified provisions of the SRA; those setting forth the guidelines and prosecuting standards. *Law*, 154 Wn.2d at 114 (Sanders, J. dissenting; Madsen, J. and C. Johnson, J. concurring). But in any event, this statute cannot preclude consideration of relative culpability.

Only recently, this Court explained “sentencing courts are concerned with the proportionality of a defendant's punishment in relation to his or her culpability.” *State v. Williams*, \_\_ Wn.2d \_\_, 336 P.3d 1152, 1155 (2014); *see also State v. Chadderton*, 119 Wn.2d 390, 398, 832 P.2d 481 (1992) (“[w]hat is important is whether the conduct was proportionately more culpable than that inherent in the crime.”) Relative culpability for a given act is the essence of criminal law. A

person's culpability for an offense plainly relates to the crime. Thus, RCW 9.94A.340 cannot preclude its consideration at sentencing.

RCW 9.94A.010 delineates the purposes of the Sentencing Reform Act:

The purpose of this chapter is to make the criminal justice system accountable to the public by developing a system for the sentencing of felony offenders which structures, but does not eliminate, discretionary decisions affecting sentences, and to:

- (1) Ensure that the punishment for a criminal offense is proportionate to the seriousness of the offense and the offender's criminal history;
- (2) Promote respect for the law by providing punishment which is just;
- (3) Be commensurate with the punishment imposed on others committing similar offenses;
- (4) Protect the public;
- (5) Offer the offender an opportunity to improve himself or herself;
- (6) Make frugal use of the state's and local governments' resources; and
- (7) Reduce the risk of reoffending by offenders in the community.

None of these goals are furthered by treating all offenders the same even where science tell us they are not. Because adolescent offenders differ from more mature offenders, imposing identical sentences on both is neither proportionate nor just, and is in fact disproportionate in light of the youth's lessened culpability. Punishment premised on adult culpability is far less necessary to reduce an adolescent's risk of re-

offense, as that risk will decrease simply with maturity. Finally, meting out disproportionate punishment is not a frugal use of resources.

*Roper* observed it is “misguided” to equate adolescent failings with those of adults. 543 U.S. at 570. Yet, that is the current state of the SRA. Where an offense is committed prior to a person eighteenth birthday, *Miller* and its predecessors mandate explicit consideration of youth and its attributes before imposing a sentence which must reflect the offender’s blameworthiness and potential for rehabilitation. The effects of age on culpability are not mitigated by the passing of one’s eighteenth birthday. Thus, in a case such as this where the crime occurred a mere 10 days after Sean O’Dell turned 18, the trial court could and should properly consider his youth as a basis for a mitigated sentence.

**2. The trial court denied Sean O’Dell his right to present a defense.**

*a. The state and federal constitutions guarantee an individual the right to present a defense.*

The Sixth and Fourteenth Amendments separately and jointly guarantee an accused person the right to meaningful opportunity to present a defense. *Holmes v. South Carolina*, 547 U.S. 319, 324, 126 S. Ct. 1727, 164 L. Ed. 2d 503 (2006) (citations and internal quotations

omitted). Article I, § 22 of the Washington Constitution provides a similar guarantee. *State v. Maupin*, 128 Wn.2d 918, 924, 913 P.2d 808 (1996). A defendant must receive the opportunity to present his version of the facts to the jury so that it may decide “where the truth lies.” *Washington v. Texas*, 388 U.S. 14, 19, 87 S. Ct. 1920, 18 L. Ed. 2d 1019 (1967).

Consistent with these rights, a defendant is entitled to have the jury instructed on his theory of the case where it is supported by the law and evidence. *State v. May*, 100 Wn. App. 478, 482, 997 P.2d 956, *review denied*, 142 Wn.2d 1004 (2000). “In evaluating whether the evidence is sufficient to support such a jury instruction, the trial court must interpret the evidence most strongly in favor of the defendant.” *State v. Ginn*, 128 Wn. App. 872, 878-79, 117 P.3d 1155 (2005).

Here, in the first trial the court found the evidence and law fully supported instructing the jury on the statutory defense. That same law and those same facts supported the instruction in the second trial. The trial court’s refusal to provide that instruction deprived Sean his right to present a defense.

*b. The court denied Sean O'Dell the right to present a defense.*

RCW 9A.44.030 provides in relevant part:

....

(2) In any prosecution under this chapter in which the offense or degree of the offense depends on the victim's age, it is no defense that the perpetrator did not know the victim's age, or that the perpetrator believed the victim to be older, as the case may be: PROVIDED, That it is a defense which the defendant must prove by a preponderance of the evidence that at the time of the offense the defendant reasonably believed the alleged victim to be the age identified in subsection (3) of this section based upon declarations as to age by the alleged victim.

(3) The defense afforded by subsection (2) of this section requires that for the following defendants, the reasonable belief be as indicated:

....

(b) For a defendant charged with rape of a child in the second degree, that the victim was at least fourteen, or was less than thirty-six months younger than the defendant . . . .

Consistent with the statute, in the first trial, the trial court instructed the jury:

It is not a defense to the charge of Rape of a Child in the Second Degree that at the time of the acts the defendant did not know the age of A.J.N. (dob 10/17/1999) or that the defendant believed her to be older.

It is, however, a defense to the charge of Rape of a Child in the Second Degree that at the time of the acts the defendant reasonably believed that A.J.N. (dob 10/17/1999) was at least fourteen years of age, or was less than thirty-six months younger than the defendant

based upon declarations as to age by A.J.N. (dob 10/17/1999).

The defendant has the burden of proving this defense by a preponderance of the evidence. Preponderance of the evidence means that you must be persuaded, considering all the evidence in the case, that it is more probably true than not true. If you find that the defendant has established this defense, it will be your duty to return a verdict of not guilty as to the charge Rape of a Child in the Second Degree.

CP 104.

During the second trial, however, the court refused to provide this same instruction to the jury, concluding the defense failed to present sufficient evidence to warrant the instruction. Importantly, the evidence presented in both cases was the same. Yet the court reasoned in the second trial that the evidence did not meet the legal threshold to warrant the instruction. This change of view arose from the court's belief the term "declarations as to age by the alleged victim" required an affirmative and explicit misstatement of age by A.J.N. 1/18/13 RP 608. Neither the facts of the case nor law changed from the first to second trial.

In support of its decision, the trial court relied upon *State v. Bennett*, 36 Wn. App. 176, 672 P.2d 772 (1983). 1/18/13 RP 608-09. But the court read far too much into *Bennett*. In that case, the court held only that "declarations" did not include "behavior, appearance, and

general demeanor.” *Id.* at 182. *Bennett* did not limit the instruction to cases in which the alleged victim affirmatively misstated his or her age. In fact, *Bennett* explicitly recognized that “assertive, nonverbal, nonwritten conduct . . . could qualify under the statute.” *Id.* at 182 n. 4. That recognition is consistent with other instances where the law recognizes the assertive nature of conduct.

For example, ER 801 provides in part:

**(a) Statement.** A “statement” is (1) an oral or written assertion or (2) nonverbal conduct of a person, if it is intended by the person as an assertion.

**(b) Declarant.** A “declarant” is a person who makes a statement.

A “declarant” includes is a person who makes nonverbal assertions. The critical issue is whether the utterance, writing, or conduct was intended as an assertion. *In re Penelope B.*, 104 Wn.2d 643, 652, 709 P.2d 1185 (1985) (noting nonverbal conduct may be assertive). There are certainly circumstances in which a person’s actions are a declaration. For instance, a person wearing a wedding band is declaring that he or she is married. *Marcovitz v. Rogers*, 267 Neb. 456, 459, 675 N.W.2d 132 (2004); *Matter of Estate of Hunsaker*, 291 Mont. 412, 421, 968 P.2d 281 (1998). Similarly, the nod or shake of a head in response to a question is nothing if not a declaration. *City of Seattle v.*

*Stalsbrotten*, 138 Wn.2d 227, 246, 978 P.2d 1059 (1999) (Johnson, J. , dissenting); *In re Penelope B*, 104 Wn.2d at 652.

The plain terms of RCW 9A.44.030 does not limit the defense to an affirmative verbal misstatement. In fact, the term “misstatement” does not appear in the statute at all. Nor does the statute require the victim definitively misstate his or her age. Nonetheless, the court reasoned the threshold was not met because A.J.N. never said “I’m 14” or “I’m 16.” 1/18/13 RP at 608.

The plain language requires nothing more than a statement, an assertion of fact verbal or otherwise, relating to age. Sean O’Dell presented such evidence. He testified he was drinking with two other adolescents – A.J.N. and B.A. He commented to A.J.N. “you look too young to be drinking.” 1/18/13 RP 537. She responded “I get that a lot.” *Id.* That is a statement by A.J.N. regarding her age, it is a factual assertion **that she was older than she appeared**. The foundation for the defense was met.

“The jury, not the judge, must weigh the proof and evaluate the witnesses’ credibility.” *Ginn*, 128 Wn. App. at 879. Thus, the court must look at the evidence in the light most favorable to the defendant in deciding whether the foundation has been met. *Id.* at 878-79. It does not

matter that A.J.N. testified that she expressly stated her age. Other witnesses testified she did not. In the light most favorable to the defense, A.J.N. did not state her actual age but instead made statements that implied she was older.

The trial court deprived Sean of his right to present a defense.

*c. The trial court's error requires reversal.*

A constitutional error requires reversal unless the State can establish beyond a reasonable doubt the error “did not contribute to the verdict obtained.” *Chapman v. California*, 386 U.S. 18, 24, 87 S. Ct. 824, 17 L. Ed. 2d 705 (1967). This court has previously determined the failure to instruct the jury on an affirmative defense requires reversal if the jury could have found the defendant not guilty. *State v. Harvill*, 169 Wn. 2d 254, 264, 234 P.3d 1166, 1170 (2010). Here, it is clear the failure to instruct affected the outcome – which the jury could have acquitted if instructed on the defense.

The first jury instructed on the statutory defense could not reach a verdict. The second jury hearing the same evidence but without an instruction on the defense found Sean guilty. Clearly, the court's the failure to instruct on the defense was the critical difference.

This Court should reverse the conviction.

E. CONCLUSION

For the reasons above, and as argued previously, this Court should reverse Sean O'Dell's conviction and sentence.

Respectfully submitted this 8th day of December, 2014.

*s/ Gregory C. Link*  
GREGORY C. LINK – 25228  
Washington Appellate Project – 91072  
Attorneys for Petitioner

**IN THE SUPREME COURT OF THE STATE OF WASHINGTON**

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STATE OF WASHINGTON,	)	
	)	
Respondent,	)	
	)	NO. 90337-9
v.	)	
	)	
SEAN O'DELL,	)	
	)	
Petitioner.	)	

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**DECLARATION OF DOCUMENT FILING AND SERVICE**

I, MARIA ARRANZA RILEY, STATE THAT ON THE 8<sup>TH</sup> DAY OF DECEMBER, 2014, I CAUSED THE ORIGINAL **SUPPLEMENTAL BRIEF OF PETITIONER** TO BE FILED IN THE **WASHINGTON STATE SUPREME COURT** AND A TRUE COPY OF THE SAME TO BE SERVED ON THE FOLLOWING IN THE MANNER INDICATED BELOW:

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**SIGNED** IN SEATTLE, WASHINGTON THIS 8<sup>TH</sup> DAY OF DECEMBER, 2014.



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**Washington Appellate Project**  
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To the Clerk of the Court:

Please accept the attached documents for filing in the above-subject case:

**Supplemental Brief of Petitioner; and**

**Motion for Overlength Brief**

Gregory C. Link - WSBA #25228  
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By

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