

FILED
SUPREME COURT
STATE OF WASHINGTON
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BY SUSAN L. CARLSON
CLERK

IN THE SUPREME COURT FOR THE STATE OF WASHINGTON

SHYANNE COLVIN, SHANELL
DUNCAN, TERRY KILL,
LEONDIS BERRY, and
THEODORE ROOSEVELT
RHONE,

Petitioners,

vs.

JAY INSLEE, Governor of the
State of Washington, and
STEPHEN SINCLAIR, Secretary
of the Washington State
Department of Corrections,
Respondents.

NO. 98317-8

ADDITIONAL
WASHINGTON
CONSTITUTION
ARTICLE I, SECTION
35 VICTIM
STATEMENTS
REGARDING RELEASE

COMES NOW Pamela B. Loginsky, Staff Attorney for the
Washington Association of Prosecuting Attorneys (WAPA), for the limited
purpose of submitting victim and victim survivor impact statements to this
Court.

These documents are submitted pursuant to article I, section 35 of the
Washington Constitution.

ADDITIONAL WASHINGTON CONSTITUTION ARTICLE I, SECTION 35
VICTIM STATEMENTS REGARDING RELEASE -- 1

On April 16, 2020, WAPA submitted victim and victim survivor statements as to the named Petitioners and Isaac Zamora who was specifically identified in paragraph 8 of the Declaration of David D. Luxton, PhD, M.S. Since submitting those victim statements, county prosecuting attorney offices, victim advocates and WAPA received inquires from victims and victim survivors requesting assistance in submitting victim impact statements. WAPA agreed to consolidate all statements received by April 21, 2020, the last date that the briefing schedule sets for the Petitioners to file documents with the Court, and to submit the statements to the Court.

Respectfully submitted this 21st day of April, 2020.

/s/

PAMELA B. LOGINSKY, WSBA No. 18096
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PROOF OF SERVICE

I, Pamela B. Loginsky, declare that I have personal knowledge of the matters set forth below and that I am competent to testify to the matters stated herein.

On the 21st day of April, 2020, an electronic copy the document to which this proof of service is attached was served upon the following individuals via the CM/ECF System and/or e-mail:

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and all other attorneys of record not specifically identified above.

Signed under the penalty of perjury under the laws of the state of

Washington this 21st day of April, 2020, at Port Orchard, Washington.

/s/

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Your name: Garrett Greer

Offenders Name: Terry Kill

RE. Petition for early release from DOC

To Whom It May Concern:

1) How has this crime affected you and those close to you?

Mr. Kill broke into my vacation home and stole almost everything that wasn't nailed down. At first I noticed small things missing. A cheap Android tablet, then small furniture. Dirty dishes in the sink when no one was around. Then a broken window. Finally, my neighbors tell me, they drove up in a van and took as much as they could. When I finally got a chance to visit the house, it was near empty. Almost all the appliances were stolen. The floors were ruined. They cut a hole under where the refrigerator used to be.

After talking to the police, I lost all hope that the culprits would be apprehended. But I left a box on my doorstep with a tracker in it, as well as installing security cameras on the property. The next day, my cameras captured Mr. Kill stealing the package. I worked with the Snohomish County Sheriff to track the package to a camper trailer. Police impounded the trailer. That night someone broke into the impound lot and the camper trailer and stole all the evidence.

My vacation home was supposed to be a relaxing place of refuge. After it was broken into, I could no longer relax or feel safe there. I spent ~\$20,000 that I had earned and saved over the course of years to furnish and upgrade the house to make it my own. Overnight I lost it all. I spent hours dealing with the insurance company. They ended up not covering the stolen property, even though my agent and everyone I showed the contract to said they should have. I sold the house and property because it became a constant reminder of just how unsafe the world is.

Even now years later, I suffer from anxiety and depression from the trauma I experienced.

2) What do you think the DOC should consider about this offender's release?

Mr. Kill is a career criminal and should serve his time to protect the people of Washington State.

During this health crisis, I sympathize with Mr. Kill's health concerns. However given Mr. Kill's past of 12 Felony convictions and 32 Gross Misdemeanor convictions from 1988-2017, plus the fact he committed the crimes against me while on probation I believe he would only commit more crime if released now. On top of this, I believe Mr. Kill has committed many more serious crimes than he has been convicted of. If anything I believe his current sentence to be too light.

3) Do you have concerns about your or others' safety if DOC decides to release this offender?

Yes. Right now this state is uniquely vulnerable to petty thieves such as Mr. Kill. Thousands of homes are unoccupied due to the stay at home orders. If released, Mr. Kill would be able to break and enter into many homes and never be caught. I believe that he would too.

As for my personal safety, when he is released I will not feel safe until he is behind bars again.

4) Is there anything else that you feel is important for the DOC to know when making their release decision?

The DOC should not let career criminals such as Mr. Kill use the current health crisis as a free get out of jail card. He has committed crimes on probation in the past, and will in the future. The world is currently unsafe enough without Mr. Kill free to rob and burgle in it.

Colvin vs. Inslee

Victim Impact Statement of Susan R. Harms in Regard to the Possible release of Inmate William F. Jensen (DOC #877996 Monroe)

To the honorable Supreme Court ,

My EX-Husband and EX KING COUNTY POLICE OFFICER , William F JENSEN (DOC #877996 Monroe) was convicted with 4 Counts of Solicitation of MURDER to OUR CHILDREN, Jennifer Jensen Finley, Scott Jensen, my Sister, Linda K. Harms and myself Susan R (Jensen) Harms.

The Honorable Judge Richard Jones ORIGINALLY sentenced Mr. Jensen to 60 YEARS and the original plan was to have Mr. Jensen transfer to a prison somewhere in the MIDWEST for our safety.

As a VICTIM, I am contacting you with the fear that my Ex husband is RELEASED, HE WILL KILL ME!

William Jensen will be turning 63 years old next month and in "poor health". Even during our divorce proceedings (2003) he declared that he had leukemia, and currently is diabetic and extremely obese.

I don't have enough pages to even begin to tell you the journey my family has suffered over the event of Mr. Jensen's actions. New York Times best Seller Author Ann Rule wrote about our story in her book, "**Smoke, Mirrors and Murder**" and felt that Mr. Jensen is certainly a narcissist psychopath, and deemed scarier than even Ted Bundy.

In 2009 Mr. Jensen was able to reduce his sentence to 3 counts of Solicitation of which put his current release date at 2039. The stress of having to reface It Mr. Jensen AGAIN in court caused havoc in our family.

I am so proud of my children today, but it has NOT BEEN an easy journey.. My daughter developed an alcohol problem. Many nights were spent worrying she would be found dead in a ditch, eventually she was incarcerated herself for two D.U.I.'s **My children mean everything** to me, and when this happened, I re-mortgaged my house to sent my daughter to five different rehab facilities over the years.

Today, I'm extremely proud to say she is five and half years sober, and is a true inspiration!

She is a successful, **Mental Health Counselor** that helps other deal with drug and alcohol issues!

Through the years, all of us have worked hard with an outstanding Trauma Counselor to get where we are now.

Not only that, but I am going to be a GRANDMOTHER for the first time!

PLEASE DO NOT TAKE THAT GIFT AWAY FROM ME!

If Mr. Jensen was to EVER get out I would need to PERMENTANTLY GO IN To HIDING!

MY CHILDREN AND SISTER AND I ARE the VICTIMS here! The thought of Mr. Jensen EVEN HAS A CHANCE of getting out has caused US EXTREME PTSD and NIGHTMARES! How in the World would we Ever THINK ANYTHING as unbelievable of releasing VIOLENT offenders could EVER HAPPEN?

I have had the shoe drop too many times, and seen Mr. Jensen slip thru the cracks... He has \$600,000 that he inherited and is receiving \$3200 a month pension . Mr. Jensen has spend his days on trying to get out and maneuvering through the legal system with various lawsuits. He was to be responsible for counseling cost, and due to a glitch when resentencing was not held responsible. He was suppose to be in a prison in another state... He has been moved three times WITHOUT OUR NOTIFICATION, and ends up in Monroe Correctional Complex within 15 miles of where my sister lives!

Safety planning is non existing when you have the knowledge of being an EX Police OFFICER....

In conclusion I have include my (Susan "Jensen" Harms) Impact Statement that was written when Mr. Jensen was sentenced in 2005. The FEAR Written back then HAS NOT CHANGE OVER TIME . My Concerns and angst remain from Mr. Jensen's actions.

While I understand the need for Mr. Jensen to "isolate" due to Covid19, I BEG OF YOU, **We are the victims, and deserve the safety from the harm this man would pose to our family.**

Sincerely,

Susan Harms

April 20, 2020

Impact Statement of Susan "Jensen" Harms June 2005

Your Honor Judge Jones,

I will never again feel safe-

My children and I and my sister will have continued endless FEAR for as long as Bill is alive.

Judge Jones, I plead with this court that Bill receives the maximum sentence allowable by law. It took a lot of courage to leave this marriage. I knew Bill would make my life a living hell. But there comes a point when you see the damage it is causing your children, and you realize that there is no other option but to take an enormous risk getting out of a toxic marriage. That risk is so greatly intensified when the abuser is in law enforcement.

Going back three and a half years ago to the first protection order I made, I stated that my concern over the fear of Bill killing, or having me killed. It wasn't long after that I came to realize I had put my very own sister Linda's life in jeopardy. Why? Simply because she stood by me. For her constant love and support. **I am ever so thankful.** I felt bad when my first divorce attorney Cheryl Russell quit over being fearful of Bill. But I am **so eternally grateful** for my current divorce attorney, John Compatore. Not only did Mr. Compatore stand by through all the antics Bill pulled, but gallantly remained even when his own life became subject to Bill's wrath.

I could spend this entire morning talking about the antics, the fear and the tears in which I have spent these last three and a half years with just TRYING to get a divorce from this man. The legal system has failed me in many ways. I know Crystal Brame must have felt the same way. I can honestly stand here and say it took the occurrence of her murder before the justice system took me seriously.

You see, up until the time Bill was put into jail, June of 2003, I spent my days knowing that my life was definitely in danger, that it was only a matter of time. And while the legal system could grant me a piece of paper, it could not stop or intervene with the stunts Bill pulled. When you are a cop, or ex-cop, you not only know the "system" inside and out, but you also know how to work it to your advantage. Bill's contemptuous actions further demonstrated how he considered **himself above the law.** It didn't even matter when Bill stole my SUV and sold it to a dealership in Oregon. Even KC Police said there wasn't anything within their department to make Bill follow up on the treatment that the court had demanded of him. The only thing that the local DV organizations could offer me was the option to run and hide, to start a new identity. But when your abuser is a cop, it's just not that simple. While indeed there were many times my family and I did go into hiding, you must realize that no matter where you go, eventually he will find you.

Your Honor, I know Bill longer and better than anyone in this world and I tell you no matter what he says, he will have the necessity and desire to have the last word. I have no doubt in Bill's capabilities in fulfilling his promise that

if he went to jail, I would go to my grave. May I remind the court that Bill was locked up in 23-hour isolation where he came so very close to having us all murdered. HE WILL NOT STOP TRYING.

You see, I've known for a long time that it was only a matter of time, before Bill would kill me. Realizing in Feb. of 2003 that my life was greatly endangered and could very well soon be over, I went to the KC Journal and talked to reporter Noel Brady. I wanted it known so that when I was found dead, Bill wouldn't get away with it. Bottom line is that I felt very vulnerable; I certainly didn't feel the justice system was working, especially when Bill was so easily capable of having me falsely arrested.

The one agency/person that helped me stay sane through this process was Diane Wetendorf, the foremost expert in Police DV, who is with the Battered Women's Justice Project in Chicago. Diane not only validated my situation, but also actually knew the dangers I was truly facing. However, it wasn't until Crystal Brame's murder that this state finally woke up to Police perpetuated DV. It has been an extremely long road.

I think back about how I was living in the constant state of being a nervous wreck, how very scared I was; how I would hold my hand out and watch it shake with fear. Then I finally felt safe with this man behind bars! Only to find out the shocking news of his evil plot.

Today, I am blessed and fortunate. How can I begin to thank those responsible for saving our lives? Bottom, line, there simply are no adequate words. Det. Clyod Steiger, Det. Sharon Stevens, and Mr. Greg Carpenter, know that there isn't a single day that goes by where I don't acknowledge my thanks to you.

Judge Jones, one would not be too stunned to know that I stayed in a horrible marriage, that our divorce was one that became very contentious, or even that it escalated to Bill wanting to have my sister and I killed. Not really extraordinary in today's day and age. Where the line becomes drawn is when one is involving our children!

To BILL: "OUR CHILDREN. How Dare You!"

Judge Jones, I don't know if you have children or not, but a Father? A man who would do this to his own children IS WILLING TO DO ANYTHING!

I love these children more than life itself!

This is why I believe Bill should be given the maximum sentence, not because of me and my sister, but my children, OUR children.

Bill, HOW DARE YOU!

How dare you...IT'S ONE THING TO DESTROY MY LIFE, IT'S ANOTHER THING TO DESTROY OUR CHILDREN.

No matter what Bill will tell you Judge, this man just has to have the last word.

Please know, I will never feel safe- for the rest of my life I will have continued endless FEAR for my children, my sister and myself. I know that Mr. Compatore continues to look over his shoulder as well.

There is a part of me that hates to give Bill the satisfaction of the trauma he has caused. He so enjoys intimidating others and feeling powerful.

However, what he has done to his children is just unforgivable. My kids and I will live with the anger, hurt, resentment, what it has done to us socially and emotionally (not to mention the nightmares) for the rest of our lives. My heartfelt thanks to Jimmy Tucker, Harborview Trauma counselor, this man has been a true God send in helping us deal with this the best we can.

Furthermore, I would like to mention to the court the injustice of the cost of regaining my freedom. I have spent upward of \$210,000 in legal/professional fees trying to free myself of this man. And while a monetary judgment of any size is not likely to voluntarily come from the Defendant, it scares me greatly to know that he will be collecting his monthly disability check of \$2,900. My thoughts will be that Bill will want nothing more in the world than to spend his money by keeping his promise of sending me and my loved ones to the grave.

As I stand before this court, I realize that Bill could address this court in one of two ways:

1. He could take responsibility and face his consequences.
2. OR he will stand there by his ridiculous story.

It is my understanding that Bill has found Jesus in jail. I hope you have, for if this is truly the case, you will take responsibility for you actions and admit your guilt.

Then there is the possibility that you will contend that you are the true victim. Which if that is the case, it is my prayer that someday you will realize the damage you have caused your own two children, the entity you are suppose to cherish the most.

Bill, you have given me the most precious gift of all...***Our Children***. For that, I will be eternally grateful.

As I reflect back on our life together, I would like to see that you have the following three items, each with their own significant meaning.

1. The first is the collage of pictures of you and Jenny with the phrase, ***“Anyone can be a Father, but it takes someone special to be a Daddy”***. I hope you have the courage to look at this picture daily.
2. The next I would like you to have is a copy of what you wrote in Jenny’s bible back in December of 1997. Highlighting what you wrote, ***“The most important book you will ever read in life is this one. The advice and knowledge you retain from this book will assist you in making the best decisions in ALL of life’s situations.”***

You need to know that your hypocrisy is sickening!
Think about how we raised our kids...lying just was NOT ACCEPTABLE period. How dare you even look at your children! You cannot possibly fathom how deeply hurt, scared and humiliated you have caused your own flesh.

Bill: No more bullshit. Do the right thing and tell the truth; -it is what we taught our children.

Not that I think you give an ounce of care how we feel with what this experience has done, I hope that someday you will take responsibility and ask for forgiveness from your children. These are the two most wonderful human beings and they were placed on this earth for a purpose.

I WILL DO ANYTHING TO PROTECT THEM FROM THEIR FATHER. I AM SO SORRY that Jenny and Scott have been subjected to this, but please know how VERY PROUD I AM OF YOU BOTH.

Bill-

If you have any decency or respect or even a little bit of love for you children YOU will not claim you are the victim!

DON'T YOU DARE scar these kids any further!

3. Finally, I want you to have a copy of the poem, "Attitude" By Charles Swindoll. I want you to know it still hangs in our home. Jenny even passed this out to her 6th grade girl's basketball team she is coaching.

- 4.

"Attitude by Charles Swindol"

"The longer I live, the more I realize the impact of attitude on life. Attitude, to me, is more important than facts. It is more important than the past, than education, than money, than circumstances, than failures, than successes, than what other people think of, say or do. It is more important than appearance, giftedness or skill. It will make or break a company...a church... a home. The remarkable thing is we have a choice every day regarding the attitude we will embrace for that day. We cannot change our past...we cannot change the fact that people will act in a certain way. We cannot change the inevitable. The only thing we can do is play on the one string we have, and that is our attitude...I am convinced that life is 10% what happens to me and 90% how I react to it. And so it is with you, we are in charge of our Attitudes."

Bill, I'm sure you have thought how sad your life has turned- but it didn't need to...

ATTITUDE

Please don't put blame on everyone and everything. This entire saga is not about your childhood, your job, your injury, the drugs or the bitch you think I am.

ENOUGH IS ENOUGH, PLEASE FOR THE SAKE OF YOUR CHILDREN, STOP.
As you start you new journey, I hope you will take responsibility and realize that you do have a choice everyday. *And that we truly are in charge of our attitudes.*

Your Honor, I conclude with asking you help us. Please grant us all permanent protection orders; please put him away for the maximum amount of time allowable. Don't allow him to accumulate his disability checks just to have him turn around and try to hire another hit man... Please have us notified of any actions that may change over the course of his imprisonment. And finally, I ask that you please send this man as far out of state to the most secure prison possible.

I thank you.

Susan Harms

Victim Statement for Jennifer Lorraine Jensen

To this day, I simply cannot fathom what has happened to my precious family. That this man sitting here right before us conspired a plan *to kill, to murder* his own wife, relative and children. The depths of evil have taken over my father's mind and soul in such a way that I deemed impossible. Not only will I forever live in fear and anxiety, but I will continue to fear for the life of my best friend and companion, my mother. She is the most valuable person in the world to me and the thought of losing her brings a prolonged heart ache to my soul and an event that I simply cannot let myself imagine. This fear will remain a constant for my entire family until that man is gone.

What he has done to me cannot be expressed in words, for there are no words that can explain the pain, trauma and humiliation I have gone through. And to even think of what *COULD* have happened... I simply cannot go there. The fact that such **brutal and cruel** thoughts flowed through my father's mind and were actually intended to be carried out proves that this man deserves the maximum punishment to the **furthest extent of the law**.

Let alone the fact that he once wore a badge of justice as an ex-cop, this punishment shall make him an example in our society. He is a disgrace not only to me as his daughter or to my family, but to the King County Police Force and to the *truly* honorable Policemen and women in our country.

Not only has this incident damaged my young life dramatically in such ways that one should never have to experience, I will be traumatically scarred for life as a result. With the help of our wonderful Traumatic Stress Counselor, I have embarked on my path towards recovery but the effects of such an event will never leave me fully healed. I continue to experience vivid nightmares of being viciously murdered by either a hit-man or my Father. Such dreams where I cannot wake up, nor tell the difference from reality. Whenever I walk to my house from my car in the driveway, I scan the street and sometimes run, imagining a hit-man popping out and shooting me. I also am scared in my own house late at night, picturing someone lingering behind a corner, waiting.

My faith in trusting others will never be the same, as I once so deeply trusted my father. I worry that the psychological effects on my future will be even more greatly damaged due to my way of dealing with this trauma.

As a college student at the University of Washington, my studies have wavered greatly. I am anxious, irritable and cannot concentrate often due to upcoming events regarding this trial and my father. My teachers have been less than understanding as well, further contributing to my experienced amount of stress.

The monetary damages my family has suffered due to the immense amount of money my father dwindled away have put a great deal of stress on our family relationships and lifestyle. My father's participation in **gambling, drugs and prostitution** have taken all of my college education funds just *as a start*, let alone the majority of my Mother's hard earned savings.

As a proposed outcome I am asking the court to sentence William F. Jensen to the **maximum amount possible as he is so cowardly reluctant to own up and admit guilt** to his incredulous plot. Would he have chosen to admit guilt I would have at least some sympathy for such a pathetic human being, only due to the fact that he is my own flesh and blood. I also ask the court to move this man as far away as possible from my family in such an institution where he will have **PLENTY** of time to reflect upon what he had and what he truly lost. Thank you, Honorable Jones.

And as to you, my so called "Dad", I want you to know how much I **resent your absolute hypocrisy** in teaching me such fundamentals of **ALWAYS** telling the truth. The fact that you stood in the court of law, under oath and most importantly **before God** and blatantly lied is absolutely **APPALLING**. You should be so incredibly ashamed of yourself. You are the sole person in my life to inflict such a tremendous amount of pain, such that I never hope anyone in this room may experience.

Due to this overbearing amount of pain that you have caused us I want you to know that we have prevailed and we are **survivors**. We always referred to Scott as “a trooper” from day one, but from what you have done to us, we all our “troopers” and are so much better off now. I have come to follow the words of Pastor Rick Warren that ***“The brightest future will always be based on a forgotten past, for you can’t go on well in life until you let go of your past failures and heartaches.”*** Due to this experience I want you to know that you have **not won**. This whole chronicle of events has made me grow up much faster than I should have, yet I feel like I can conquer the world now. God chose this to happen to **US** because he knew that **WE** were strong enough to beat it. *Corinthians chapter 10; verse 13* says, ***“God keeps his promise, and he will not allow you to be tested beyond your power to remain firm; at the time you are put to the test he will give you strength to endure it; and so provide you with a way out.”***

And here it is, *our way out*. It’s *finally over* and I couldn’t be happier for I am the luckiest person in the world to have such a **strong, loving family** in which I will forever be grateful. Please don’t ever try to **EVER take them away from me again**.

The most difficult thing that I have to live with from now on is the fact that I will never know the reasoning behind your devilish motives, other than an insane amount of revenge and greed for money. I will always find myself asking ***WHY?***

I hope to God that some day **you can admit your guilt and beg for forgiveness**, for that is the only circumstance in which we can move forward positively. If you have any bit of self respect or true relationship with God, then you know what to do. Please don’t disappoint me any further. That is all I can ask of you.

Thank you, Your Honor.

VIOLENT CRIME **VICTIM SERVICES**

1501 Pacific Ave. Suite 201
Tacoma, W A 98402
253 383-5254

To the Honorable Members of the Washington State Supreme Court:

I am writing to you from my position as the executive director of Violent Crime Victim Services. We are a community-based organization that provides direct services to families and friends of homicide victims. We have provided services to hundreds of co-victims of homicide. Homicide of a family member is the most traumatic event a person will ever experience in a lifetime, especially parents who have buried a murdered child. The challenges of navigating a police investigation, being present when a person is charged for the crime, attending meetings with prosecutors, as well as attending numerous pre-trial hearings- all while trying to maneuver their way through the criminal justice system and attempting to pick up the broken pieces of their shatters lives. Then, there's the anguishing months and years before the case is resolved or goes to trial. Finally, after years of high built-up anxiety, expectations, and a life that now revolves around a homicide trial, there's the breathtaking verdict. Most of the time, it comes back with a judgment of guilt, and later, the sentencing takes place. Family members give their impact statement to the judge attempting to convey how the murder of their loved one has affected/changed their lives forever. At that time, they ask the judge to provide the highest possible sentence that can be given to the defendant. The judge hands down a sentence with or without a statement of admonishment. And, finally, the family watches the defendant taken away in handcuffs.

I know that as superior court judges, you've presided over many murder cases in your careers. I just want to remind you of the trauma this underserved population of people experiences— as well as the arduous steps these families endure in their attempts to move forward and create some sort of life without their loved one. Many times, after years of support and hard work, I have seen co-victims settle in with a life that has meaning and joy. Now, they are faced with the news that the State of Washington Department of Corrections is positioning the Supreme Court to rule on releasing vulnerable inmates due to COVID-19. I know the dust has not settled on what the court's decision is going be, but, from my standpoint, this news is victimizing thousands of co-victims of homicide across the state of Washington. I am sure there is a logical reason to release vulnerable prisoners. At the same time, co-victims of homicide have perfect grounds as to why no prisoners should be released- and that would be fear!

Regarding COVID-19 and the release of prisoners, I believe the risk is just too high for the citizen of Washington State.

Sincerely Yours,



Lew Cox
Executive Director

WASHINGTON ASSOC OF PROSECUTING ATTY

April 21, 2020 - 1:37 PM

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 98317-8
Appellate Court Case Title: Shyanne Colvin et al. v. Jay Inslee et al.

The following documents have been uploaded:

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