

SUPERIOR COURT
THURSTON COUNTY, WASH.

02 JUN -4 PM 5:18

BETTY J. GOULD, CLERK

BY 14
DEPUTY

SUPERIOR COURT OF WASHINGTON
FOR THURSTON COUNTY
FAMILY AND JUVENILE COURT

Harris, Kirsten

Plaintiff/Petitioner,

vs.

Riley, Dawna

Defendant/Respondent.

NO. 02-3-00436-0

TITLE OF DOCUMENT:

Statement of Kirsten Harris

NAME: _____

ADDRESS: _____

PHONE: (_____) _____

PLEASE PRINT CLEARLY

Wickham;

... writing- and orating- this statement to make you aware of the latest developments in regard to the Starcia Ague non-parental custody case.

I want you to know that in the short amount of time between today and our last court date a lot has transpired that I believe has great bearing on this case.

Mom Dawna Riley, instead of seeing this court action as a "wake up call" or an opportunity to improve, has continued to make poor decisions in regard to her life, Starcia, and the safety of her other two children.

For instance:

- Dawna now has Steve Way, a known and convicted methamphetamine addict, as well as the man accused not only by Starcia, but by Dawna herself, of molesting her daughter Chantelle, living in her home full time. Dawna apparently suffers from what I would call "voluntary amnesia" and has "forgotten" that she made it a point to tell everyone around her that Steve molested her daughter (except police and the CPS), and is planning to marry him. Unfortunately, Steve is already married to a woman 20 years his senior. Steve and Lola Way have been married for approximately 15 years, with Dawna posing as his on again, off again girlfriend-flagrantly-for the past three years. This is definitely an unstable situation. Dawna even told Steve's wife Lola that Steve molested Chantelle.
- Dawna is claiming she is going to move out of the flat we worked so hard to get her into, where she is financially stable for the time being, paying only \$450.00 a month for rent and all utilities, citing her landlord is a "liar", a "backstabber", and a basically a "dickhead", because she feels he cannot be trusted to keep her secrets in regard to who is living in her home. What she does not realize is that she signed a rental agreement that she is now in breach of, promising that only she and her two daughters would be residing there. Dawna told her landlord and neighbors horrible things about Steve Way, Faith's father, and Curtis Knowles, Chantelle's father, and after promising she would not, subsequently let both men in her home. Now one of them is living there. Dawna will be taking a real risk by leaving this dwelling, as once her money is gone she will be back to welfare stipends only, and relying on Steve to pay for her and her children. And there is also a big question as to whether or not Steve is even her baby's father.
- The woman I spoke of in my last statement, the one who acted like Dawna's personal secretary fielding her phone calls, Tracey Van Birkham, a known methamphetamine user, is back after being requested to leave the property. She now comes over and hangs out every day while Dawna's landlord is at work. Yesterday, we found out after calling that she was entrusted by Dawna to baby-sit Faith, only one and a half months old. Unfortunately, Ms. Van Birkham does not even have custody of her own child!

- After attempting to allow Dawna some visitation with Starcia, I found that it failed miserably. Both times Dawna was trusted with Starcia in her care, she was given an inch and took a mile. The first time, I agreed to allow Starcia to stay at her mom's for 40 minutes with Diane Hurn and Dawna's landlord present. The assumption was that Dawna would visit with Starcia, and allow Starcia to meet baby Faith and visit her beloved cousin Megan. I had offered to take Megan home after I returned from taking our family dog to the vets', and Dawna refused. What she chose to do instead was, within 15 minutes of my leaving, take Starcia and Megan in Diane Hurn's car to take Megan home. According to Starcia her mother drove very, very, fast to try to "beat me back" so that I would not be angry that they had left. Of course, when I arrived I noticed that Megan was gone, but no one was forthcoming and open about leaving, leading me to believe that Dawna knew this was another breach of trust that I would not be happy about.
- Especially since Megan's mother is Jolene, the same woman Starcia, and even Dawna, has claimed is cruel and abusive. Dawna now tells me that she feels that Starcia should be punished for what Dawna calls "lies and manipulations" and if the family members that Starcia claims are abusive want to enact upon her, well then, that is their right and Starcia's misfortune. In other words, she has stated to me that Starcia has reprisals coming to her from family members and will not protect her from her "punishment" for daring to make allegations against this family.
- The second time that I allowed Starcia to have a visit with her mother, it was to take family portraits of Dawna and all her daughters. I was O.K. with this believing that they had an appointment at a Portrait Studio, and that this was in a public place, hopefully nullifying any chance of wrong doing on Dawna's part. I mistakenly assumed that this would be accomplished responsibly. Dawna instead took off for nearly three hours, had no appointment for pictures, there was no planning at all, and made a detour to go shopping, purchasing Starcia one pair of jeans. When I became concerned and called her residence and Steve Way answered, he refused to tell me when Dawna had left, where she was planning on going, or when she was expected to return, playing a "I know nothing" role for me. Under normal circumstances Dawna taking a side trip to shop or mess around would not be a problem, but these are not normal circumstances. Again, it was another breach of our agreement.
- Also, Dawna is refusing to help or participate in any way, Detective Steve Gallagher in regard to the sexual assault case that Starcia is the victim in. She continues to claim that Starcia is a liar, making up an allegation of rape to "make her look bad". Dawna questions why Starcia did not divulge this to her mother, concluding that if I was the first one Starcia told, then it all must be lies. Dawna is still in denial that her daughter has given a full statement to O.P.D., and when she does accept the fact she did, she becomes enraged that Starcia is in any way cooperating with any branch of law enforcement.
- When I asked Dawna to please negotiate with me in regard to the G.A.L. report, what she deemed acceptable or not acceptable, she vacillated, stating one moment that she would do whatever it took to have Starcia in her life, the next expressing rage. She tells me one moment that she only wants a relationship with her daughter, and Starcia is free to live

here, then rages and rants about it, calling Starcia a liar that needs to be taught a lesson. She then claims that she did not even read the G.A.L. report, and expressed rage that Barb Timmer dare request random urinalysis from her, or that Steve Way to go treatment when I read her the report over the phone. She is also refusing to limit contact with known meth users, for instance Michelle Way, claiming that Michelle is her new babies aunt and has every right to visit her home. Again, Dawna's memory is selective. This is the same Michelle Way who posed as Starcia's mother, and then stole every piece of clothing and jewelry from Starcia when the family meth lab was busted.

In closing, this is what I would like you to consider:

Dawna has proven that nothing has changed. She thumbs her nose at me, the C.P.S., this court, and any one else who has attempted to make her aware that her erratic and bizarre behavior is unsafe, and that she is making decisions that could impact the lives of her children. She maintains this "I have nothing to prove" attitude even though her bad parenting and criminal activity has been documented for years. She feels no guilt and is in denial in regard to her neglect of Starcia, and makes that clear to me every time the subject comes up.

She has also been caught in a web of her own lies. Dawna seems to not realize that I will investigate what is going on in her home and she makes no move to "cover her tracks", she then will bold face lie about any given situation that I am questioning, after I already know the truth. One example is the claim she made in court that she had enrolled Chantelle in Head Start, however when I called to check on this claim, the last person they had spoken to in regard to Chantelle Riley was me! And enrollment is not even open at this time, nor was it two weeks ago.

Dawna has also broken our agreement in regard to the "gag rule" I requested when I asked the restraining order be waived with limitations. She told me that she was compelled to ask Starcia why she said all those terrible things about her own mother. All this after Dawna was specifically asked-and told- to not bring this issue up. Another example of "give her an inch..."

Dawna continues to enjoy the company of meth users, even allowing them to live with her and her babies. She even feels it okay to allow them to baby- sit her brand new baby.

Dawna also contrived a situation so that I would not be able to enter a statement and file it in time for this hearing. After Dawna pretended to be willing to do anything, and comply with the G.A.L.'s recommendations-and I offered to assist her and lend her use of my P.C. so that she could enter a statement in her own behalf, at the last possible minute she decided that she hated me again and didn't show up in my home as agreed. In lieu of filing I chose to make an oral statement to the court and will file this statement after this hearing so that it can be added to the court file.

I want the court to realize that Starcia feels extreme fear for her two younger sisters. She has totally fallen in love with the baby, and feels as if the baby and Chantelle need her to survive. Starcia does not trust this court, or any related agency/entity will make the right decisions, nor does she trust her mother's parenting abilities. Starcia fantasizes that if the girls were removed they would be placed here and we could all live here happily and they would have a wonderful life. She feels as if she has abandoned them and feels guilt that her quality of living is so far above theirs. Starcia, however does not ever want to baby sit, and one of Starcia's fears when we discuss the possibilities of her returning home is that she will be stuck once again "mothering" her sisters. Starcia claims that in Chantelle's infancy and toddler-hood, that Chantelle was confused and called Starcia mommy and not Dawna, a direct result of Dawna's neglect.

I want the court to realize that Steve Way, the same man Dawna claims she will marry, for some unknown reason is not allowed to have contact with his own children by his wife from a previous relationship. Steve also gave Dawna and his current wife Lola Way (a diagnosed schizophrenic and meth user) a venereal disease while Dawna was pregnant, and this is what prompted me to force her in prenatal care, because I was concerned this disease would affect her unborn baby. In other words, Steve was cheating on his wife and mistress, and they all became infected. Dawna then had unprotected sex with Chantelle's father (Curtis Knowles), and transferred the disease to him. I want the court to know in my opinion Steve has traded in his wife for a younger replica-his M.O. has stayed the same-he lives off unstable drug addicted women with either S.S.I. stipends or welfare payments, and works when the urge takes him. He is like most of Dawna's friends and lovers, in a word, a parasite.

Dawna also told me that she and Steve were involved in a violent altercation less than one week of Dawna bringing baby Faith home. They apparently had a fistfight because Steve had delivered bunk beds for her, and wanted a dresser that belonged to Starcia in return. Dawna agreed to this to get possession of the bunk beds, and then refused to fulfill her end of the deal. When a fight ensued Dawna picked up - heaved-and destroyed-the promised dresser, making sure no one would have it. Her landlord, of course was not home, but neighbors observed the altercation from their homes and heard the screaming.

I want to remind the court that there are two criminal cases pending involving Dawna and Starcia-and they are not on the same side- one in regard to her breaking the restraining order that was in effect. Dawna must appear in court June 6, and has already attempted to intimidate the juvenile witness. She also made sure she awarded a public defender based on indigence, once again being dishonest since she has more than enough money at this time for legal counsel. The other is the O.P.D. case investigating the string of residential burglaries that her mother was a party to, and the sexual assault.

I want the court to know that I have Starcia tentatively enrolled in the Sylvan Learning Center, and I also have completed and filed a claim with the Crime Victim's Compensation on behalf of Starcia. Starcia will begin her Sylvan testing June 9.

I want the court to know that Dawna received her personal injury claim of between \$6,000 and \$10,000, and has not offered me any help or repayment, nor has she said a word in

regard to this money to Starcia, however she did buy Starcia one pair of jeans. And in all fairness I gave help freely without ever expecting repayment-I just thought it would be nice if Dawna offered to help pay for Starcia's Sylvan tuition, or for the braces Starcia desperately needs. I brought with me approximately \$2,000.00 in receipts that prove monetarily what I have given in just three months, not just to Starcia, but Dawna and Chantelle and the baby as well. I have been more than generous with this family, and I want the court to take note that she has not even offered to open a bank account for Starcia.

She did though, buy herself a car and a truck for Steve Way.

I want the court to consider that Starcia herself feels she is at high risk for failure, breaching my trust, perhaps using drugs, and has told me to not let her go anywhere because she is terrified that if she makes the wrong choice I will not love her anymore. She has kept up this image of perfection and it is becoming increasingly difficult for her to maintain this. She tells me that although it "sucks" that I watch her and insist on speaking to parents, being aware of her whereabouts, etc., that she feels my vigilance is the only thing keeping her on track, and in any other environment she fears that she will make the wrong choices-undetected by adults, who are making the same bad choices-because she is completely unsupervised, and feels that she is considerably more intelligent, and therefore able to fool, her mother.

I also want the court to consider Dawna's past courtroom behavior, and her behavior in courtroom hallways and lobbies, as well as the behavior of her friends. If the court will please forgive the profanity, Dawna's "Fuck her", "I'm getting fucked over", and "Kirsten can have her until she is eighteen", remarks should resonate on the courts conscience. As well as the fact that I want to remind the court she has refused any free legal aid or advice offered to her, preferring to act as if she is ignorant and overwhelmed. This after I downloaded, printed, and offered her the "response" instructions that are included in the non-parental custody instructions. I assure you, if Dawna can fill out welfare forms, she can answer me in this court.

I want the court to also recognize that Dawna has done everything in her power to upset, irritate, and malign me, claiming outrageous allegations that I will not even dignify with a response. She is rude when she calls my home, as are the people in her home and I can hear their rude and catty remarks and their name calling in the background. As a result, I beg and implore the court do the following;

That the G.A.L.recommendations be adopted in full-

That phone calls be limited and supervised between Dawna and Starcia, and since Dawna is rude to me when she calls my home, I would like Starcia to call her every Wednesday night at 7:00pm, thus eliminating Dawna from having to call my home and act disrespectfully toward me.

I want supervised visits at the department (C.P.S.) between Dawna and Starcia. As I have stated, I have given Dawna an opportunity and she pushes it beyond the limit-she also refuses to limit contact with Starcia and family members who want to hurt her, and meth users she

considers friends. I do not want Dawna in my home, therefore it is not possible visits will occur here at this time. I am however, willing to pick up Faith and Chantelle and offer Dawna respite every Sunday for a few hours to bring them back to my home to visit with Starcia. If not, I want them all to meet at the C.P.S. or another approved agency where they can all share in a visit.

That Dawna as well as Steve participate in a drug treatment program, and after care counseling.

That Dawna and Steve attend and complete parenting classes.

That this court demand an investigation, or at least attempt to find out definitively what may- or may not have happened to Chantelle at the hands of Steve Way. This cannot just be swept under a rug, and I do not trust the C.P.S. alone to handle this. They have shown their ineptitude, Starcia is living proof-

That Chantelle be ordered to be enrolled in Head Start coming this fall.

Finally, I want the court to see this situation as it is- this court is our last chance to see that these children are protected, and this is no time for kid gloves. Dawna needs to be shown that in this society you must be functional and live up to certain expectations. If not, there is a chance for tragedy to occur, such as what Starcia suffered through, and there is also a price to pay. Dawna's filthy mouth in court (and home), her behavior and demeanor, her poor parenting history, her need to keep meth users in her home, her pathological lying, her personality disorders, her "overwhelmed" appearance in regard to her parenting her little ones (Diane Hurn has simply taken Starcia's place as "surrogate mother") is screaming at this court to do something, anything, to the best of it's ability to intervene on behalf of these children, lest more tragedy occur.

And I will be frank-I want permanent custody of Starcia NOW, I am sick of the lies and harassment, I feel she has shown herself to be an unfit parent-she is immature and probably so much in the dark in regard to her children's needs, that she is not really aware of how inept she is as a parent. Someone needs to show her, firmly, what is acceptable and what is not, because she has proven she cannot be trusted to make the correct decisions on her own.

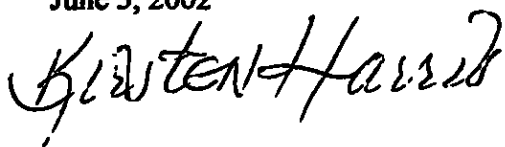
But if being awarded permanent custody of Starcia means closing the door on the two babies, FORGET IT. I am willing to forgo the battle victory with Starcia, because I would not want to lose the war with the other two defenseless babies.

What happened to Starcia must not happen again to her sisters, please consider that only this court has the power to prevent further harm to Starcia, and future harm to her sisters.

I swear under penalty of perjury the aforementioned is true and correct.

Kirsten Harris

June 3, 2002

A handwritten signature in cursive script that reads "Kirsten Harris". The signature is written in dark ink and is positioned below the typed name and date.

To Whom It May Concern,

My name is Kirsten Harris and I am writing this letter in regard to a scholarship recommendation for Starcia Marie Ague.

Starcia is a beautiful and unique 14 year old, and her story is extraordinary:

For almost all of Starcia's life, She has been subjected to many different types of terrible situations and abuses that no child (or fellow human) should be subjected to. This culminated into me taking third party custody of her in February.

I have known Starcia all my life, and I'll you, this kid is *something else*. When Starcia was allowed by her parents to go to school (She missed several of her school years from kindergarten to sixth grade due to poor attendance caused by her parents neglect), she excelled. She was also a joy and a pleasure and a true leader in her class. There is not one teacher in Starcia's entire academic history that does not support this. Starcia, quite simply, is an anomaly – Who would expect that a child who has endured so much and had so much critical academic learning time stolen from her would be such a bright and wonderful kid?

We do however, need Sylvan's support in these issues:

The years that Starcia was kept from attending school were the years that she would have been learning the fundamentals of vocabulary and math. Subsequently she struggles and takes hours accomplishing homework that, armed with the correct information, she would be able to master in a reasonable amount of time. Her current grades in english and math are based on a modified curriculum, and even then her need to be taught the basics are evident –

Starcia has so many dreams! She dreams of going to an Ivy League College, becoming an attorney, and in turn coming back and helping children like her, children that make the right decisions, even if their parents don't. Starcia has been through so much, yet continues to display wisdom beyond her years when it comes to her realizing the importance of her grades, and proves what a simply wonderful child she is, despite all the negativity. I honestly doubt you will find a more deserving candidate than Starcia in regard to a scholarship.

Below is a list of Starcia's personal references. Each person can verify that Starcia is a wonderful, good-natured, and responsible child, who would truly benefit from your support. I feel that it is also important to note that Starcia has never been a disciplinary problem, or ever had a legal problem. The names and numbers of the persons below are all aware of her case, the levels of neglect she has endured, and all have a great desire to watch her attain the highest level of success.

Thank You,

Kirsten M. Harris

Molly Danielson (School Counselor Tenino Middle School) 264-3500

Barbara Timmer (Attorney) 357-3900

Laina Berry (Supervisor Of Thurston County Family and Juvenile Court) – 709-3127

Candace Powell – Meridian- (Close Family Friend) – 273-0822

Karrin Ford – (Close Family Friend) – 273-0812

Ross McDougal – (Children and Family Services) – 725-6733

Tumwater Middle School: 709-7500

- **Sue Steinman – (Teacher) (home 943-7316)**
- **Ms. Fisher – (Teacher)**
- **Ms. Gage – (Teacher)**
- **Mr. MacGiver – (Counselor)**
- **Mrs. Moore – (Vice Principal)**
- **Mr. Burbitch – (Principal)**

Black Hills High School: 709 - 7800

- **Mr. Weinheimer (Teacher)**
- **Mrs. Vaccaro (Teacher)**
- **Ms. Searna (Teacher)**
- **Mr. Bert (Teacher)**
- **Ms. Eichelman (Teacher)**
- **Ms. Summers (PE Teacher)**
- **Ms. Robertson (Counselor at Black Hills High)**

3825 Martin Way E., Suite 103
Olympia, WA 98508-5278
Telephone: (360) 438-1833
Fax: (360) 438-3424
Email: sylvan@olywa.net
www.educate.com



SYLVAN
LEARNING
CENTER®

May 22, 2002

Kirsten M. Harris
223 Lark St. SW
Tumwater, WA 98512

Ms. Harris,

The scholarship application you submitted for Starcia Marie Ague was reviewed and returned. Scholarships cannot be considered for students unless they receive assessment data with which to determine academic need.

I am pleased to inform you that she has been given the following grant which will cover most of the assessment fee:

Regular assessment fee:	\$195.00
Assessment grant	<u>145.00</u>
Reduced assessment fee	\$50.00

If you'd like to call and schedule an assessment for Starcia, we can then resubmit the scholarship application along with her assessment data.

Sincerely,


Terry Wright
Director



Accredited by Northwest Association
of Schools and Colleges



STATE OF WASHINGTON

DEPARTMENT OF LABOR AND INDUSTRIES

CRIME VICTIMS COMPENSATION PROGRAM
PO BOX 44520, OLYMPIA, WASHINGTON 98504

STARCIA AGUE
C/O KIRSTEN HARRIS
223 LARK ST SW
TUMWATER WA 98512

CLAIM ID : VJ97858
CLAIMANT : STARCIA AGUE
INJURY DATE : 7/30/98
MAILING DATE: 05/31/02

Dear STARCIA AGUE:

We have received your application for Crime Victims Compensation (CVC) benefits. We are sorry that you are the victim of a crime.

If there are enclosures with this letter, information from your application is missing. This will prevent us from processing your claim. Please complete the requested information and return the form(s) as soon as possible. If no forms are enclosed we are processing your claim and will send you written notice within 30-60 days indicating whether or not you are eligible for benefits.

If you are eligible for benefits:

- * CVC will pay for approved crime related treatment expenses not covered by insurance.
- * You should not have any co-payments, deductibles, or out-of-pocket treatment expenses.
- * The intent of CVC is to assist victims who do not have other resources available to them; we are a payer of last resort.
- * The law (RCW 7.68.130) requires you to use all private and public (DSHS, etc.) insurance first before CVC can pay. If you qualify for a private or public insurance plan, the provider you choose must be covered under that plan.
- * If your current provider is not covered by your insurance, you will need to transfer to a provider your insurance will cover. We will pay for treatment to date and for the next 30 days to allow you time to transfer to a covered provider.
- * Your provider should bill us directly for costs not covered by other insurance.
- * Inpatient or residential treatment that is not covered by other insurance requires preauthorization from your claims manager.
- * Notify us of any change in your address, insurance coverage or provider.
- * You may be eligible for payment of wage loss or permanent disability.

If your claim is denied and you disagree with the reason(s) you will have 90 days to send in a written protest or file an appeal with the Board of Industrial Insurance Appeals.



STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES

CLAIM ID : VJ97858
CLAIMANT : STARCIA AGUE
INJURY DATE : 7/30/98
MAILING DATE: 05/31/02

If your address, phone number, or insurance information, changes or, if you have any questions please contact our Customer Service Specialist at 1-800-762-3716. An interpreter is available upon request.

We hope we will be able to assist you during your recovery process.

1-800-762-3716
FAX #: 360-902-5333

Landlord / Tenant Agreement
For

16025 Tilley Rd. South, Tenino Wa.

- Tenant Dawna Grace Riley, minor child Chantelle Marie Riley, and one (unborn) infant have been approved to rent a portion of the household located at the address above.
- Upon move in date First and Last month's rent (\$450.00 & 450.00) are due, plus an additional Damage Deposit Fee of \$450.00 is required, totaling \$1,350.00.
- Every month thereafter, rent in the amount of \$450.00 is due on the first of every month.
- Tenant's rental amount of \$450.00 is inclusive and representative of a portion of the total room(s) rental cost, electric, telephone, water, sewer, and garbage; Tenant is however, responsible for any additional fees such as long distance calls, operator assisted phone calls, etc., incurred on monthly phone bill, payment will be due on date that phone bill is due.
- Tenant is allowed one (1) cat, Pet Deposit is inclusive in the one-time Damage Deposit fee, and no additional fees apply.
- Tenant agrees to keep their portion of the household neat and tidy, free of garbage or any other obstructions.
- Tenant assumes separate responsibility for any damage/destruction caused by Tenants guests, pets, or children.
- Tenant is furnished with a separate kitchenette containing a pantry, refrigerator, dishwasher, microwave and sink; Tenant agrees to be responsible and keep appliances clean and free of spoiled food and food odors.
- Tenant is furnished with a separate bathroom facility containing a bath/shower enclosure, toilet and sink. Tenant agrees to keep bathroom clean and mildew-free.
- Tenant and myself will share only the laundry facilities (located in Tenant's portion of the house), one washing machine and dryer, and one stove, (located in my portion of the main house). Tenant agrees to keep the range/oven clean, furnish her own washing detergent and agrees to be responsible using these appliances, keeping them clean and in good condition.

- Tenant agrees to inform me immediately of any appliance breakdowns, any repairs requiring my assistance, and agrees to make no changes to household or Rental contract without my prior written approval.

Landlord/Owner Signature:

Tom Budenberg

Tenant Signature:

Lawrence Gregory Riker

Witness:

Christina

Witness:

Kristen Harris

Today's Date:

3-26-02