

FILED
SUPERIOR COURT
THURSTON COUNTY, WA

2014 JUL 10 PM 2:13

BETTY J. GOULD, CLERK

SUPERIOR COURT OF WASHINGTON
THURSTON COUNTY

STATE OF WASHINGTON,

Plaintiff,

NO: 14-1-01064-1

vs.

KIRSTEN MICHELLE HARRIS,

Defendant

DECLARATION OF PROSECUTOR
SUPPORTING PROBABLE CAUSE

JAMES C. POWERS, Deputy Prosecuting Attorney for Thurston County, declares the following in support of probable cause for charges in the above-entitled cause:

I am a Deputy Prosecuting Attorney for Thurston County, Washington. I believe that there is probable cause to believe that the above named defendant has committed the crime(s) of **ASSAULT IN THE THIRD DEGREE**, based on the following information from the official investigative reports:

On 07/09/14 at approximately 1330 hrs, Tumwater units were dispatched to a verbal disturbance at 226 Little St. #2. Information given was that a "bunch of adults" were screaming in the residence and a small child resides there also. While en-route units were advised that a couple of older adults got into a vehicle and left. Lt. Stevens arrived on scene and heard screaming coming from the apartment and notified other units that the individuals were still screaming. He stood by the front door for a short time and could only hear a female voice at that point screaming. Ofc. Yancey arrived and Lt. Stevens knocked on the front door but there was no answer. He knocked on the door again, there was still no answer. Citing exigent circumstances and believing there may be someone injured or hurt inside as well as the reported small child, Lt. Stevens checked the front door knob to see if it was unlocked. The door knob turned and opened. Ofc. Yancey and Lt. Stevens remained outside for short time and yelled "Police Department" several times. There was no response.

Based on the circumstances, Ofc. Yancey and Lt. Stevens entered the residence again announcing their presence. The residence was in horrible condition and had items strewn all over, unknown if it was from the incident. As they entered the residence the living area was off to the left and a set of stairs traveled up from the front door. Lt. Stevens moved into the living area while Ofc. Yancey covered the stairs. Lt. Stevens cleared the living area and began to move back to Ofc. Yancey's location when he heard Ofc. Yancey ordering someone down, again announcing they were the police department. Lt. Stevens then heard a female, later identified as Kirsten Harris, begin yelling, "Fuck you Motherfuckers, get out of my apartment, you need a search warrant." Lt. Stevens stepped around the stairs as Ofc. Yancey began ordering Harris to come down the stairs. Harris continued to say "Fuck You Motherfuckers, you need a warrant" and continued to yell "get out of my house." Lt. Stevens advised Harris

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1 numerous times to step down. She refused and continued yelling. He stepped up the stairs
2 several steps and took hold of Harris's sleeve, she was wearing a robe and told her to stop or
3 knock it off and told her that her yelling was not going to work for her. He then escorted her
down the stairs toward the front door. He observed a small female child standing further up on
the stairs who had an injury on her face.

4 As he walked Harris to the door she began yelling, "Fuck you Stevens, you
5 Motherfucker, you raided my house, you're a piece of shit" and started on a tirade of cussing
6 and screaming and stating something about 'tweaker pieces of shit.' She would not calm
7 down. Lt. Stevens got her outside near the carport which is right next to the doors of the
8 apartments and turned her around in front of a vehicle and she began bowing up and
9 screaming in his face again, "Fuck you Stevens, you're a Motherfucker." He held her against
10 the front of the vehicle near the hood and kept pressure on her so she couldn't come back at
11 him and told her numerous times to knock it off and had to put his hand on her upper chest
12 area near her neck line as she was only clothed in a bath robe. She kept screaming and calling
13 him names. Lt. Stevens pinned her to the car and advised her she was under arrest. She began
14 to fight his attempt to hold her down and restrain her. Ofc. Yancey had taken a hold of her
15 also. She flailed on the vehicle and slid to the ground as Lt. Stevens tried to grab an arm and
16 began digging her finger nails into his left arm under the bicep/tricep area. As she was down
on the ground she tried rolling away while he tried to grab her left ann.

17 As Lt. Stevens was on the ground with her, he got struck in face which knocked his
18 glasses into his face and cut his nose. He finally was able to pull Harris' arm out from under
19 her as she tried to keep it in front of her body. She was handcuffed by Ofc. Yancey and Lt.
20 Stevens told her she was under arrest and she continued to call him a 'motherfucker and piece
21 of shit' and that he was as bad as the "Tweaker Motherfuckers" she hated.

22 She continued to say they could not enter her residence without a warrant. At one
23 point she then stated it was not her residence. Lt. Stevens tried to tell her that based on the
reported disturbance and the screaming from inside they had a right to do so under exigent
circumstances. She continued to scream and argue. Lt. Stevens removed himself from the
area to wipe the blood off his nose and hands from the cut on his nose. Ofc. Yaney continued
to interview Harris on recording. During the interview she would continually turn around and
go off on Lt. Stevens again. Harris was transported to TCSO and booked by CSO Rutledge.

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is
true and correct to the best of my knowledge. Signed on July 10, 2014, in Olympia, Washington.


JAMES C. POWERS
Deputy Prosecuting Attorney
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DECLARATION OF PROSECUTOR
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