

REC'D & FILED
MASON CO. WA.

2021 FEB 16 A 11:04

SHARON K. FOGG CO. CLERK

BY S 20 DEPUTY

Superior Court of Washington, County of **MASON**

In re the marriage/domestic partnership of:

Petitioner:

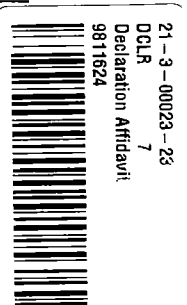
TRISTINA MAE HARDING

And Respondent:

BRANDON J. HARDING

No. 21-3-00023-23

Declaration of TRISTINA MAE HARDING
(DCLR)



Declaration of TRISTINA MAE HARDING

1. I am 21 years old and I am the Petitioner.
2. I declare: that the respondent and were married on February 2, 2018—though we had been living together the year before, as well, when I was seventeen. Our child, Joelene, was born a few months before we were married; however, pursuant to RCW 26.26A.115(1)(a)(iii)(B), he is the presumed father as he is listed as the father on the child's birth certificate. I have concurrently filed a copy of the birth certificate, as a sealed record. His older child, Leonardo, who is six, also lived with us. It is likely that the paternal grandparents will get custody of Leo.
3. I can also verify that the Respondent has a history of drug abuse (adderal, meth, cocaine).

Severe Domestic Violence (Including Rape)

4. My husband has been incarcerated in the Mason County jail since mid-December. His arraignment was on December 28th of 2020. The state has filed six criminal complaints against him, including his abduction/kidnapping, threatening, assault (with weapons), and repeated rape of me on the evening of December 10th/11th. SEE both: attached as **EXHIBIT A**, the Information for his criminal case (No: 20-1-00456-23), and attached **EXHIBIT B**, the Mason County Sheriff's Office Intake Report's Affidavit of Probably Cause (See, especially, page. 6, par. 6: "Due to his [Respondent's] many previous DV Assault tendencies and the threats to

carry out his threats against Tristina, whom is also in care of the two small children, it is suggested that the release of Brandon could be hazardous to Tristina and public.”)

5. That night we were arguing about Leo's school-- there was a letter from Leo's zoom class that he was missing classes. After a long shouting match, he left our home for a few hours. When he came back, he tied me up using duct tape and sexually assaulted me using various objects. The kids' sleep at the other end of the house and so they didn't hear. But the violence continued throughout the night-- the Respondent would smash my head against the wall. Eventually he chained me to the bed and continued the violence.

6. Eventually, he untied me. After he fell asleep and started snoring, I ran to a neighbor's house and called the police.

7. I declare that, even before his assault and rape of me, he had been violent and abusive towards me so often that I had developed a case of panic disorder. I am receiving treatment for this with, among other things, counseling at "Turning Point Survivor Advocacy Center" in Shelton, WA.

*While My Husband Is Likely To Be Incarcerated For the
Foreseeable Future, I Currently Have No Access To Most
Of Our Marital Estate*

8. I was a stay at home mom and my the Respondent controlled all of our finances. While I am taking currently art classes, without immediate access, I have no means to pay the rent or utility bills for our rental house (where the incident occurred), or any other place to live.

9. The Respondent also operated a private plumbing business ("Drain Masters", it is not incorporated or in the form of an LLC) that he started during our marriage. I currently have no access to the assets related to that business, either. This is because, just a few days after the crimes, he had a couple of friends come to the apartment and take away his company van (and tools). I should be able to do what is needed to make sure that whatever assets from that business can be salvaged, in order to maintain it's value as community property and not be wasted.

10. A few days after his arrest, friends of the Respondent came to our rental home to remove the boat and other items. The landlord called my mom's house, where I was staying, to let us know and to ask us what to do. Ultimately, the ended up taking the boat and the business van (they must've gotten the keys from him).

I will be asking the court for a DV protection order (ex parte, then temporary, and eventually permanent) to prevent my soon to be ex-husband from having any contact or coming near me or our child, until and unless he receives and demonstrates compliance with treatment for his deep psychological problems. I also am filing a proposed parenting plan. I am also including provisions in the ex parte order to allow me to retain possession and control of the van and boat. Those are marital assets. See, please, attached as **Exhibit C**, copies of identifying documents for both. This is in order that those marital assets can be maintained and not wasted.

11. The attached exhibits—especially the police affidavit—and my own declaration represent a clear preponderance of the evidence that the Respondent committed "Domestic Violence" against me, per RCW 26.50.010(3). Further, regardless of the outcome of the criminal case, he should forever be restricted from unsupervised contact with our minor child until he demonstrates new and strongly persuasive facts demonstrating he has dealt with whatever were the (psychological) causes of his criminal acts against me. Under Washington law, my general fear of harm amongst family members is sufficient. For example, the Courts have found that fear of domestic violence against any family member is reason enough for the complaint. *Rodriguez v. Zavala*, 398 P.3d 1071, 1074 (2017 Wash.), that citing the "plain and unambiguous" language of RCW 26.50.010(3)(a) ("between family or household members"). Therefore, the fact that he committed these specific atrocities against me outside the direct observation of our child does not change the fact of his domestic violence. I want to make sure the Court ultimately signs a Parenting Plan that ensures that protection for my child.

(Number any pages you attach to this Declaration. Page limits may apply.)

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form (and any attachments) are true. I have attached (number): 17 pages.

Signed at (city and state): Bremerton wa Date: Feb 12 2021

▲ [Signature]
Sign here

Trishna Harding
Print name

Warning! Documents filed with the court are available for anyone to see unless they are sealed. Financial, medical, and confidential reports, as described in General Rule 22, **must** be sealed so they can only be seen by the court, the other party, and the lawyers in your case. Seal those documents by filing them separately, using a Sealed cover sheet (form FL All Family 011, 012, or 013). You may ask for an order to seal other documents

Exhibit A

Jai/BW

REC'D & FILED
MASON CO. WA.

2020 DEC 16 A 8:32

MARON K. FOGO CO. CLERK

Y *[Signature]* DEPUTY

IN THE SUPERIOR COURT OF WASHINGTON
IN AND FOR MASON COUNTY

STATE OF WASHINGTON,

NO. 20-1-00456-23

Plaintiff,

INFORMATION

vs.

BRANDON JON HARDING,

MCSO 20-22810

WM 02/24/1994

HT: 5'11 WT: 175 HAIR: BLN

RCW 9A.44.050(1)(a), (b)

EYES: BLU SID: WA25657727

RCW 9A.36.021(1)(f), (g)

DOC:

RCW 9A.40.040

FBI: 731235HD5

RCW 9A.46.020(1), (2)(b)

PCN:

RCW 9.41.040(2)(a)(i)

RCW 9.41.040(2)(a)(i)

Defendant.

I, Michael K Dorcy, Prosecuting Attorney for the County of Mason, State of Washington, by this Information accuse the above-mentioned defendant: **BRANDON JON HARDING** with the crime(s) of:

COUNT I: RAPE IN THE SECOND DEGREE - CLASS A FELONY

COUNT II: ASSAULT IN THE SECOND DEGREE - CLASS B FELONY

COUNT III: UNLAWFUL IMPRISONMENT - CLASS C FELONY

COUNT IV: FELONY HARASSMENT - CLASS C FELONY

COUNT V: UNLAWFUL POSSESSION OF A FIREARM IN THE SECOND DEGREE - CLASS C FELONY

COUNT VI: UNLAWFUL POSSESSION OF A FIREARM SECOND IN THE SECOND DEGREE - CLASS C FELONY

20-1-00456-23
INFO 9
Information
9450388



STATE V. BRANDON JON HARDING
CASE NO. 20-1-00456-23
INFORMATION
1 of 5

MICHAEL K DORCY
Mason County Prosecuting Attorney
521 N Fourth St. / P.O. Box 639
Shelton, WA 98584
Ph: (360) 427-9670 / Fax (360) 427-7754

9

committed as follows, to wit:

COUNT I: RAPE IN THE SECOND DEGREE (DOMESTIC VIOLENCE)

That the said defendant, BRANDON JON HARDING, in the County of Mason, State of Washington, on or about December 11, 2020, by forcible compulsion did engage in sexual intercourse with another person, named Tristina M Harding and/or did engage in sexual intercourse with another person named Tristina M Harding, under circumstances where Tristina M Harding was incapable of consenting to sexual intercourse by reason of being physically helpless; contrary to RCW 9A.44.050(1), and against the peace and dignity of the State of Washington.

AND FURTHERMORE, the defendant, BRANDON JON HARDING, did commit the above crime against a family or household member as defined in RCW 9A.36.041(4), making it a crime of domestic violence contrary to RCW 10.99.020(5) and against the peace and dignity of the State of Washington.

(Maximum Penalty: Life imprisonment and/or a \$50,000.00 fine pursuant to RCW 9A.20.021(1)(a), plus restitution and assessments. If the Defendant has previously been convicted on two separate occasions of a 'most serious offense' as defined by RCW 9.94A.030(33), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to RCW 9.94A.030(38) and 9.94A.570. If the defendant has previously been convicted in this state, in federal court, or elsewhere on one separate occasion of rape in the first or second degree, rape of a child in the first degree (if the defendant was at least 16 years old), rape of a child in the second degree (if the defendant was at least 18 years old), child molestation in the first degree or indecent liberties by forcible compulsion, or any of the following, provided there is a finding of sexual motivation: murder in the first or second degree, homicide by abuse, kidnaping in the first or second degree, assault in the first or second degree, assault of a child in the first or second degree, and burglary in the first degree, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to 9.94A.030(38)(b) and 9.94A.570.)

COUNT II: ASSAULT IN THE SECOND DEGREE (DOMESTIC VIOLENCE)

That the said defendant, BRANDON JON HARDING, in the County of Mason, State of Washington, on or about December 11, 2020, did intentionally assault another person, to wit: Tristina M Harding, by strangulation and/or suffocation and/or did knowingly inflict

bodily harm upon another person, to wit: Tristina M Harding , which by design caused such pain or agony as to be the equivalent of that produced by torture; contrary to RCW 9A.36.021(1), and against the peace and dignity of the State of Washington.

AND FURTHERMORE, the defendant, BRANDON JON HARDING, did commit the above crime against a family or household member as defined in RCW 9A.36.041(4) , making it a crime of domestic violence contrary to RCW 10.99.020(5) and against the peace and dignity of the State of Washington.

(Maximum Penalty: Ten (10) years imprisonment and/or a \$20,000.00 fine pursuant to RCW 9A.20.021(1)(b), plus restitution and assessments. If the Defendant has previously been convicted on two separate occasions of a 'most serious offense' as defined by RCW 9.94A.030(33), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to RCW 9.94A.030(38) and 9.94A.570.) (Maximum Penalty for Attempt: Five (5) years imprisonment and/or a \$10,000.00 fine pursuant to RCW 9A.20.021(1)(c), plus restitution and assessments. If the Defendant has previously been convicted on two separate occasions of a 'most serious offense' as defined by RCW 9.94A.030(33), in this state, in federal court, or elsewhere, the mandatory penalty for this offense is life imprisonment without the possibility of parole pursuant to RCW 9.94A.030(38) and 9.94A.570.)

COUNT III: UNLAWFUL IMPRISONMENT (DOMESTIC VIOLENCE)

That the said BRANDON JON HARDING in the County of Mason, State of Washington, on or about December 11, 2020, did knowingly restrain Tristina M Harding , a human being by knowingly restricting that person's movements in a manner that interfered substantially with his or her liberty, knowing that the restriction was without consent and knowing that the restriction was without legal authority; contrary to RCW 9A.40.010(6); RCW 9A.40.040, and against the peace and dignity of the State of Washington.

AND FURTHERMORE, the defendant, BRANDON JON HARDING, did commit the above crime against a family or household member as defined in RCW 9A.36.041(4) , making it a crime of domestic violence contrary to RCW 10.99.020(5) and against the peace and dignity of the State of Washington.

(Maximum Penalty: Five (5) years imprisonment and/or a \$10,000.00 fine pursuant to RCW 9A.20.021(1)(c), plus restitution and assessments.)

COUNT IV: FELONY HARASSMENT (DOMESTIC VIOLENCE)

That the said BRANDON JON HARDING in the County of Mason, State of Washington, on or about December 11, 2020, knowingly and without lawful authority, did threaten to cause bodily injury immediately or in the future to Tristina M Harding, by threatening to kill Tristina M Harding, and the words or conduct did place said person in reasonable fear that the threat would be carried out; contrary to RCW 9A.46.020(1), (2)(b), and against the peace and dignity of the State of Washington.

AND FURTHERMORE, the defendant, BRANDON JON HARDING, did commit the above crime against a family or household member as defined in RCW 9A.36.041(4) , making it a crime of domestic violence contrary to RCW 10.99.020(5) and against the peace and dignity of the State of Washington.

(Maximum Penalty: Five (5) years imprisonment and/or a \$10,000.00 fine pursuant to RCW 9A.20.021(1)(c), plus restitution and assessments.)

COUNT V: UNLAWFUL POSSESSION OF A FIREARM IN THE SECOND DEGREE

That the said BRANDON JON HARDING in the County of Mason, State of Washington, on or about December 11, 2020, having previously been convicted or found not guilty by reason of insanity in this state or elsewhere of any felony not specifically listed as prohibiting firearm possession, or a domestic violence crime, or violation of the provisions of a protection order or no-contact order restraining or excluding her from a residence, did unlawfully own, have in her possession or control a firearm, to-wit: Savage Arms 30-06 (Serial #34948); contrary to RCW 9.41.040(2)(a)(i) and (b), and against the peace and dignity of the State of Washington.

(Maximum Penalty: Five (5) years imprisonment and/or a \$10,000.00 fine pursuant to RCW 9A.20.021(1)(c), plus restitution and assessments.)


COUNT VI: UNLAWFUL POSS FIREARM SECOND - FELONY

That the said BRANDON JON HARDING in the County of Mason, State of Washington, on or about December 11, 2020, having previously been convicted or found not guilty by reason of insanity in this state or elsewhere of any felony not specifically listed as prohibiting firearm possession, or a domestic violence crime, or violation of the provisions of a protection order or no-contact

order restraining or excluding her from a residence, did unlawfully own, have in her possession or control a firearm, to-wit: 410 Shotgun (Serial #25608); contrary to RCW 9.41.040(2)(a)(i) and (b), and against the peace and dignity of the State of Washington.

(Maximum Penalty: Five (5) years imprisonment and/or a \$10,000.00 fine pursuant to RCW 9A.20.021(1)(c), plus restitution and assessments.)

Dated: December 15, 2020 Michael K Dorcy
Prosecuting Attorney


By: TYLER C BICKERTON, 47990
Deputy Prosecuting Attorney

TRANSACTION REPORT

DEC/16/2020/WED 08:38 AM

AX(TX)

#	DATE	START T.	RECEIVER	COM.TIME	PAGE	TYPE/NOTE	FILE
001	DEC/16	08:37AM	Mason County Jail	0:00:50	5	MEMORY OK	SG3 6804

REC'D & FILED
MASON CO. WA

2020 DEC 16 A 8:32

ARCH K. FOGO CO. CLERK

BY _____ DEPUTY

IN THE SUPERIOR COURT OF WASHINGTON IN AND FOR MASON COUNTY

STATE OF WASHINGTON,

Plaintiff,

vs.

BRANDON JON HARDING,

WM 02/24/1994

HT: 5'11 WT: 175 HAIR: BLN

EYES: BLU SID: WA25657727

DOC:

FBI: 731235HD5

PCN:

Defendant.

NO. 20-1-00456-23

INFORMATION

MCSO 20-22810

RCW 9A.44.050(1)(a), (b)

RCW 9A.36.021(1)(f), (g)

RCW 9A.40.040

RCW 9A.46.020(1), (2)(b)

RCW 9.41.040(2)(a)(i)

RCW 9.41.040(2)(a)(i)

I, Michael K Dorcy, Prosecuting Attorney for the County of Mason, State of Washington, by this Information accuse the above-mentioned defendant: **BRANDON JON HARDING** with the crime(s) of:

- COUNT I: RAPE IN THE SECOND DEGREE - CLASS A FELONY
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- COUNT III: UNLAWFUL IMPRISONMENT - CLASS C FELONY
- COUNT IV: FELONY HARASSMENT - CLASS C FELONY
- COUNT V: UNLAWFUL POSSESSION OF A FIREARM IN THE SECOND DEGREE - CLASS C FELONY

Exhibit B

Mason County Sheriff's Office Booking/Intake Report

Case Number: 20-22810

Adult Juvenile

1. Methamphetamine Arrest? Yes No
2. Was the Subject Decontaminated? Yes No
3. If "No" to question 2, was subject evaluated for decontamination? Yes No
4. Was the subject armed at the time of arrest? Yes No

20-1-00456-23

Last Name Harding		First Name Brandon		Middle J	Date of Birth 02/24/94	SEX M
Address 611 E Country Club Drive E		City Union	State WA	Zip Code 98592	Phone	
Arrest Location 611 E Country Club Drive E	Date 12/11/20	Time 1017	Officer D. Johnson		Agency Mason County Sheriff Office	
Offense Location 611 E Country Club Drive E	Date 12/11/20	Time 0858	Zone	Date/Time Arrived at Jail 12/11/20 1045		
RCW Offense (1) Assault 2 RCW 9A.36.021	Court Superior		Cause Number Pending	Bail Amount \$		
RCW Offense (2) Unlawful Imprisonment RCW 9A.40.040	Court Superior		Cause Number Pending	Bail Amount \$		
RCW Offense (3) Felony Harass RCW 9A.46.020	Court Superior		Cause Number Pending	Bail Amount \$		
RCW Offense (4) UI two counts Felon in Possession of Firearm RCW 9.41.040	Court Superior		Cause Number Pending	Bail Amount \$		
RCW Offense (5) 9A.44.050 Page 2	Court Super		Cause Number	Bail Amount \$		

*500000.00
Cash Bond*

*CAN NOT USE
House as collateral*

Judges Finding of Probable Cause

Offense	Felony	Misdemeanor	Citation Issued
#1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
#2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
#3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
#4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
#5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>

12-
RECEIVED & FILED
 Mason County Clerk
DEC 14 2020
 Superior Court of WA
 Sharon Fogo

I certify under penalty of perjury under the laws of the STATE OF WASHINGTON that I read the Affidavit of Officer Order verbatim telephonically to Judge/Judge Pro Tem Cobb on 12/11/20 at 1430 am/pm. I further certify that said Judge/Judge Pro Tem has authorized me to check the box(es) as checked below.

Officer Signature: [Signature]
 Printed Name: Ross, William P #1178
565

Personnel No. 1178
 at Shelton, Washington.

20-1-00456-23
 ADPC 1
 Affidavit of Probable Cause
 9449978

The forgoing affidavit establishes probable cause sufficient to detain the above named arrestee on the following offenses: 1- 2- 3- 4- 5-.

The forgoing affidavit does not establish probable cause sufficient to detain the above named arrestee on the following offenses: 1- 2- 3- 4- 5-.

I certify the above checked box(es) was (were) authorized by me on this date shown above.

Judge/Judge Pro Tem _____

Date _____

VEHICLE INFORMATION

Vehicle License	Make	Model	Impounded	Location	Hold

Medical Screening Completed. Prisoner accepted for booking into **MASON COUNTY JAIL.**

Corrections Officer _____

Personnel No. _____

Case Number _____

ARRESTING AGENCY AFFIDAVIT

Concisely set forth the facts showing PROBABLE CAUSE for each element of the offense(s) and that the suspect committed the offense(s). If not provided the suspect will be AUTOMATICALLY RELEASED.

The following occurred in: SHELTON / MASON COUNTY, in the STATE of WASHINGTON

Law Enforcement position on release: Would the safety of an individual or the public be threatened if the suspect is released on bail or recognizance? Yes No .

If Yes Explain:

I certify (or declare) under penalty of perjury under the laws of the STATE OF WASHINGTON that the forgoing is true and correct.

Date: 12/11/2010 Officer Signature 

Agency **Mason Co. Sheriff Off.**

Supervisor _____

MASON COUNTY SHERIFF'S OFFICE
DECLARATION OF PROBABLE CAUSE

Case Number: 20-22810

Probable cause exists for the charging and/or arrest and/or detention of the defendant, Brandon J Harding DOB (2-24-94) based on the following fact and circumstances: Brandon did willfully and knowingly violate RCW 9A.44.050 Rape in the second degree, RCW 9A.36.021 Assault in the second degree, RCW 9A.40.040 Unlawful imprisonment, RCW 9.41.040 Unlawful possession of firearms x 2cts and RCW 9A.46.020 (1)(a)(i) Felony Harassment, by threatening to kill Tristina, his wife and mother of their children.

On 12-11-20 around 0858, Radio advised Tristina M Harding DOB (5-21-99) was calling to advise of a disturbance, involving herself and husband (Brandon J Harding DOB 2-24-94), which had happened at their residence, located at 611 E Country Club Drive East, Union within Mason County Washington.

Radio also advised Tristina had escaped the above-listed residence and proceeded to one of the neighbor's houses located at 590 E County Club Drive East. Reportedly Tristina had used the neighbor's phone to call 911, and was advising her and Brandon had gotten into a fight last night. Radio advised Tristina was reporting that Brandon had taped her up all night, kicked her, and placed a bag over her head.

I contacted Tristina at the 590 residence. She appeared distraught and emotional.

Tristina advised that she and Brandon had gotten in a verbal disagreement last night, and that Brandon had left the residence, but then came back around 2200. She advised he had called her lazy and a couple other things that made her mad, and she had responded with a comment about sleeping with another guy.

Tristina advised at some point during the argument Brandon had grabbed a bunch of her belonging, as well as her cell phone and thrown them into the back yard.

Tristina went on to confirm the details about being tied up, kicked, raped, and Brandon placing a bag over her head. Tristina also advised there were two children within the residence and that to her knowledge Brandon was still sleeping. Tristina advised that Brandon did have two firearms within the residence/bedroom. She advised she did not know much about firearms, but advised they were not handguns.

Units then walked from the 590 address to the 611 address, which was across the road. I knocked and announced as Mason County Sheriff's office on the exterior of the house, and called out to Brandon.

I noted Brandon sit up from, what I know now to be the master bed, and look out the window. Brandon proceeded to the front door, and agreed to come outside to talk.

Brandon advised he and Tristina had gotten into a fight, but that he did not want to say anything more. Brandon was detained in handcuffs and I read him his Constitutional Right from my issued Miranda card. Brandon advised he understood his rights, and did not want to provide a statement to Deputies. Brandon was advised he was being detained while law continued to investigate. Brandon was placed in the rear of a patrol car.

Tristina gave Deputies permission to enter the house and advised Deputies could look anywhere we required. Tristina advised the two firearms should be in the

master bedroom closet, and pointed to the right side of the open closet doors. Deputies again asked Tristina if she consented to law searching her house, and advised Tristina that she could resend/restrict her permission at any time. Tristina again advised Deputies had permission to search the house in attempts to locate any evidence of the crimes, and to locate the two firearms she had mentioned.

It should be noted that when Tristina first walked back into the room to point to the closet, she burst into tears at the sight of the room, and exclaimed, "I can't be in here...I don't want to be in here."

Tristina looked really quickly into the closet and advised Brandon must have moved the firearms. Tristina advised she wanted Law to search for, and seize the firearms.

I called Radio via phone and confirmed that Brandon was a convicted felon and not allowed to possess firearms. Radio confirmed that Brandon was not lawfully allowed to possess a firearm.

While continuing our investigation of the master bedroom and taking photos, Deputies noted a camo rifle case in plain view extending from beneath the master bed. Pictures were taken of the case prior to removing the rifle case. Upon removing the rifle case, which was already half unzipped, I noted a Savage Arms 30-06 SN (34948) within the case. I seized the weapon for safe keeping, and due to the fact that Tristina confirmed that the weapon belonged to Brandon. Tristina advised she knew for sure there was another firearm within the house. Deputies later found the second firearm (410 shot gun SN 25608) between the master bedroom mattress and box spring. Both firearms have been placed into an evidence locker within the Sheriff's office in Shelton.

Tristina advised she would provide a recorded statement detailing her accounts of what happened last night and into this morning. During her recorded statement she advised the following: Tristina stated, "He grabbed me by the hair, smashed my head into the ground and then I had a bloody nose."

Tristina then stated the following, "He tied me up...He just grabbed me and duct taped my legs together..put duct taped my arms behind my back and tied me to the bed." I asked Tristina if this was all against her will and she responded with the following, "Yes I was screaming and crying." I asked if there was any part that was consensual and she replied with, "absolutely not..nothing at all."

Trisina went on to state, while she was tied up at the foot of the bed, Brandon had, "gagged me and put a bag over my head, and told me if I didn't shut the fuck up that he was going to pour beer on my face."

Tristina also advised Brandon had kicked her multiple times while she was at the foot of the bed along her side and legs.

Tristina advised she was having a hard time remembering every detail, but stated, "I mean it went on for hours and hours and hours and hours and hours." Tristina advised she thinks she was initially tied up at the foot of the bed around 2200 and is unsure what time she was moved from the foot of the bed to upon the bed, but thinks it was a couple of hours later.

Tristina explained, while at the foot of the bed, Brandon had done the following, "messing with me down here to..like he was fingering me, putting stuff in me, using a wand on me, and then he eventually moved me up to the bed."

Trisitna advised she was still duct taped when Brandon moved her from the foot

of the bed to the main part of the bed, and subsequently applied chains to her, which were attached to the head board.

Tristina advised Brandon then raped her and stated, "he just put his dick inside of me". She advised Brandon had attempted to stick his penis in her rectum as well, but then had placed it in her vagina. Tristina again advised that none of these actions were consensual and that he did not have permission to place his penis inside of her. Tristina advised she did attempt to push/resist Brandon and had asked him to stop. Tristina advised Brandon also choked her with his hands around her neck and throat, constricting her airway, and that she almost passed out multiple times, and thinks she may have passed out. Tristina advised Brandon choked her like, this four times. Tristina stated, "I might have passed out, I don't know." She advised she is unsure because the memory is all hazy.

Tristina advised she kept asking Brandon if he was going to kill her because he is a smart guy and would not normally do this. Tristina advised Brandon threatened the following, "He told me he's probably going to kill me tomorrow." Tristina advised she did believe Brandon was going to follow through with his threat because he told her, "I have a boat". She explained she was scared he was going to follow through with his death threat.

Tristina advised she had eventually escaped around 0900 and run to the neighbor's house. She advised she had been able to escape because she had eventually played along with Brandon's advances and told him that he was right to tie her up. She advised she pleaded with him to untie her so they could just move on. She advised she told Brandon that she loved him, and he eventually released the chains from her and began to snuggle her like nothing had happened. Tristina advised she had waited until he was sound asleep and escaped the residence, and called 911.

Upon entry into the master bedroom I noted items strewn about as though there had been a struggle within the room. I was struck by the appearance of what I saw, and it appeared as though the room had been used/set up as a sexual restraining room, with chains and sexual items strewn about and in close vicinity of where Tristina advised she was restrained. I noted what appeared to be a bloody tissue/item on the sink adjacent to the bed. I noted silver duct tape still on the foot post of the bed where Tristina advised she had been tied up. I noted multiple other pieces of duct tape around the floor area of the bed, and a remaining roll of duct tape as well. I noted multiple sex toys and adult items throughout the bedroom. I noted chains wrapped around the headboard area and what appeared to be wrist restraint straps laying at the foot area of the bed. I noted a ball gag at the foot of the bed, and Tristina advised that Brandon had applied it to her mouth.

I noted bruises on Tristina's legs and side where she advised Brandon had kicked her. Tristina also advised her lip felt swollen from her head/face being forced/smashed into the floor.

I noted a boat in the driveway of the residence on a wheeled trailer, and it appeared to be in working condition and would have provided a means for Brandon to carry out his threat to dump her body via boat.

I noted a deflated tire on Tristina's car within the driveway, and when I asked Tristina about it she exclaimed that Brandon had told her he was going to do that so that she could not leave. I took pictures of the vehicle tire and have uploaded them to the case file.

Deputies took multiple pictures of the scene and of Tristina's injuries.

Tristina advised the two kids within the residence were asleep in another room

while the above incidents were happening. The two kid's names were as follows: Leonardo (7yoa) and Joelene(3yoa).

Brandon was placed under arrest and transported to the Mason County Jail for booking.

Tristina is currently at Saint Michael's Hospital, Bremerton obtaining a sexual assault kit for evidence.

Based on the above facts, PC for Rape 2 and Assault 2 exists due to the "(a) By forcible compulsion;(b) When the victim is incapable of consent by reason of being physically helpless", inflicted by Brandon's actions to completely restrict Tristina and forcibly rape her against her will, choking her and restricting her airway to the point where she believes she may have lost consciousness multiple times. Further PC for Felony Harassment due to Brandon's threats to kill her and use his boat to carry out the process of killing Tristina and using the boat to dispose of her body as he had stated to her.

James B McClure DOB (8-1-33) is the resident at 590 address who greeted Tristina at his front door. James provided a recorded statement about Tristina coming to his door and advising she had been assaulted by her husband. I have uploaded his statement to the case file.

To Prosecutor for Charging.

Law Enforcement position on release: Would the safety of an individual or the public be threatened if the suspect is released on bail or recognizance?

Yes No

Due to his many previous DV Assault tendencies and the threats to carry out his threats against Tristina, whom is also in care of the two small children, it is suggested that the release of Brandon could be hazardous to Tristina and public.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing facts and attached arresting agency affidavit are true and correct to the best of my knowledge (RCW 9A.72.085) and I am entering my authorized user ID and password to authenticate it.

Dated: Fri Dec 11 17:26:27 PST 2020

Name/Per#: J. Ogden #1520

Signed in Mason County, Washington by:

 #1520
Signature of Deputy

SGT Reed, William P #1178
Supervisor

Exhibit C



STATE OF WASHINGTON
Vehicle Certificate of Title

Title Number
1797722397

Vehicle Identification Number (VIN) 1GNDM15Z8JB164029	Year 1988	Make CHEV	Model ASTRO	Body style PASSENGER
Title Issue Date 22-Oct-2020	Odometer Miles 0	Odometer Status Exempt	Fuel Type Gasoline	
Scale Weight 3,821	Gross Vehicle Weight Rating Code	Vehicle Color WHI	Prior Title State Washington	Prior Title Number 1511927202
Comments 10696/1988, Use Tax Waived-Gift				

Brands

Sale price \$ _____

Date of sale _____

Buyer: You must apply for title within 15 calendar days of acquiring the vehicle to avoid a penalty. Take this signed title to a vehicle/vessel licensing office with the appropriate fees.

Legal Owner: To release interest, sign below and give this title to the registered owner/transferee or to a vehicle licensing office with the proper fee within 10 days of satisfaction of the security interest, or you may be liable to the owner/transferee for penalties.

Seller: You must complete a Report of Sale and file it with the Department of Licensing **within 5 business days** of the sale. File at dol.wa.gov or at any vehicle licensing office or county auditor.

Legal Owner

BRANDON JON HARDING
611 E COUNTRY CLUB DR E
UNION WA 98592-9759

Registered Owner

Same as Legal Owner

X _____
 Signature of first legal owner releases all interest in the vehicle described above. If signing for a business, include business name, signature, and title. Date _____

X _____
 Signature of registered owner releases all interest in the vehicle described above. If signing for a business, include business name, signature and title. Date _____

X _____
 Signature of second legal owner releases all interest in the vehicle described above. If signing for a business, include business name, signature, and title. Date _____

X _____
 Signature of registered owner releases all interest in the vehicle described above. If signing for a business, include business name, signature, and title. Date _____

I certify that the records of the Department of Licensing show the persons named hereon as registered owners and legal owners of the vehicle described.

Teresa Bortson
 Director, Department of Licensing

Assignment by registered owner

Federal regulation and state law require you to state the mileage when transferring ownership if the vehicle is less than 10 years old, unless exempt. Failure to complete this statement or providing a false statement may result in fines and/or imprisonment.

I certify, to the best of my knowledge, the odometer reading is: _____ (no tenths) Transfer date ____/____/____
 Odometer reading in miles

This reading is (check one): the actual mileage of the vehicle in excess of its mechanic limits not the actual mileage.

Signature of transferee/buyer:
X _____

Signature of transferor/seller:
X _____

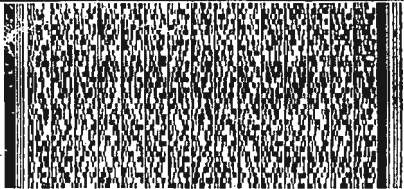
PRINTED name of transferee/buyer

PRINTED name of transferor/seller

Address of transferee/buyer

Address of transferor/seller

Registration Certificate

Model Year 2008	Make BMW	Model 528	Body Style Sedan	Vehicle identification number (VIN) WBANV13558BZ47603	Scale Weight 3,428
Plate/Tag no BLY6503	Tab/Decal no Z603817	Primary vehicle use type Passenger Vehicle	Issue date 09/06/2018	Exp date 08/25/2019	
Plate/Tag no	Tab/Decal No	Vehicle use type	Issue date	Exp date	
Gross Weight	Gr. wt start date	Gross weight exp date	Fleet no	Equip no	

Registered Owner
 HARDING, BRANDON JON
 140 E HEMINGWAY LN
 BELFAIR WA 98528-9199

Legal Owner
 CREDIT ACCEPTANCE CORPORATION
 PO BOX 513
 SOUTHFIELD MI 48037-0513

Brands/Comments: 42400/2008, WHITE, Display tab on back license plate only - front plate is still required

Anyone who knowingly makes a false statement may be guilty of a felony under state law and upon conviction shall be punished by a fine, imprisonment, or both.

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct and, as owner or authorized agent of the vehicle, it is free of any claim of lien, mortgage, conditional sale or other security interest of any person except the person or persons set forth as legal owners.

X _____
 Signature of registered owner

 Date and place signed

X _____
 Signature of registered owner

 Date and place signed

L0044727461

Vehicle Information:	BLY6503	WBANV13558BZ47603	2008	BMW	528	Sedan
Filing	Registration Filing	\$3.00				
	Title Filing	\$4.00				
Plate	Plate Reflectivity	\$4.00				
	Plate Replacement	\$20.00				
Registration	Registration License	\$30.00				
	License Plate Technology	\$0.25				
	Dept. of Licensing Service	\$0.50				
	Vehicle Weight	\$25.00				
Service	Title Service Fee	\$12.00				
Title	Emergency Medical Services	\$4.00				
	Vehicle Title Application	\$15.00				

Fee Total: \$117.75

Issue Date: 09/06/2018 You can get a copy of this cash/fee receipt detail at www.dol.wa.gov.

Skip a trip – go online www.dol.wa.gov