

Kittitas County  
Prosecutor

**Agenda Staff Report**

**AGENDA DATE:**

6/7/2011

**ACTION REQUESTED:**

Deny Claim for Damages

**BACKGROUND:**

Pursuant to Ch. 9A.44 RCW, Mr. Plousse was required to register with the Sheriff's office, giving, among other things, a correct address as well as being required to update that information within three days of any change. It came to the attention of the Sheriff's office that the address given had previously burned down, and so could not really be anyone's address. The Sheriff's office obtained an arrest warrant signed by a judge and arrested Mr. Plousse as provided under Ch. 9A.44 RCW. Mr. Plousse was release on bail. Mr. Plousse, nine months later, went through the process neede to remove his registration requirement.

**INTERACTION:**

Mr. Plousse, through an attorney, filed this claim for damages seeking \$30,000 plus costs and attorney's fees on the theory that there was something wrongful about his arrest and detention. The Prosecutor's Office forwarded the claim to the Sheriff's Office and received the attached email from Undersheriff Myers outlining the matter and recommending denial.

**RECOMMENDATION:**

Deny the claim for damages. Kittitas County acted within its authority and properly executed the laws by verifying place of residence, obtaining a warrant, arresting Mr. Plousse and detaining him and eventually releasing him on bail. Mr. Plousse was not releived of the duty to register until May of 2010, and so any failure prior to that time to register was unlawful and the County acted properly in dealing with that unlawful act.

**HANDLING:**

**LEAD STAFF:**

Neil Caulkins