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PROSECUTOR 62

COMMISSIONERS JK

May 4, 2011

DEPARTMENT 60

INSURANCE JP

05/06/2011 01:52:05 PM
\$0.00
Claims Against County/crs/misc
Kittitas County Auditor

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PROSECUTORS

Kittitas County Auditor's Office
205 W 5th Ave Suite 105
Ellensburg, WA 98926

Kittitas County Prosecutor

MAY 10 2011

Re: Notice of Claim RCW 4.96

Civil Division

NOTICE IS HEREBY GIVEN that Kevin Michael Plouse (DOB 02/20/1962) is filing a claim for damages under section 4.96 and hereby presents the following claim for damages, unlawful imprisonment, and false arrest against the Kittitas County Sheriff's Department and the Kittitas County Prosecutor's Office. We hereby apprise you of the following facts:

Claimant's Address: PO Box 195, Easton, WA 98925

Claimant's Phone: 509-304-8944

Date of Damage/Injury: On or about August 14th, 2009

Describe Damage/Injury: Mr. Plouse was convicted on June 1st, 1995 of a sex offense that would be classified as a felony in King County, Cause number 95-1-01248-4. A certificate of discharged was filed on October 19th, 1998. A warrant was requested to be issued on July 17th, 2009 for the arrest of Mr. Plouse by Officer Brent Severson of the Kittitas County Sheriff's Office. The reason for the warrant was for failure to register as a sex offender. The address where Mr. Plouse was registered at had burned down in February 2008 and he was staying on his father's sofa while building a new cabin. However, Mr. Plouse was actually not required to register as a Sex Offender pursuant to RCW9A.44.130(c), due to the fact that his conviction was over ten years old and no new convictions. On or about August 5th, 2009 an arrest warrant was issued for Mr. Plouse for failure to register as a sex offender. Mr. Plouse was taken into custody on August 14th, 2009. He had to spend 3 days in jail which caused him to be absent from work. On August 17th, 2009 Mr. Plouse had his preliminary hearing before Judge Cooper where he was released on \$5000.00 bail. His release conditions consisted of not leaving



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Washington State, not possessing dangerous weapons, not drinking or possessing intoxicating liquors, and not using or possessing any drugs except as prescribed by a physician.

On May 20th, 2009 an Order of Dismissal with Prejudice was entered on behalf of Mr. Plouse. Since his conviction in 1995 Mr. Plouse has been a law abiding citizen trying to rebuild his life and put his past behind him. This incident has caused Mr. Plouse embarrassment and pain and suffering. He has suffered from sleeplessness and stress from worrying about and not knowing what was going to happen with his case. He has also been forced to miss work because his presence was needed in court for several different court appearances beginning in August of 2009 and going all the way through May 2009 when the charges were dismissed. At this time, Mr. Plouse has suffered damages amounting to \$30,000.00 not inclusive of attorney's fees, costs, or interest.

Mr. Plouse reserves the right to seek punitive damages.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing claim is true and correct.



James Kirkham, WSBA #36612

Cc: Kevin Plouse